

SCRep. 1355-92 Higher Education and the Arts on H.C.R. No. 122

The purpose of this concurrent resolution is to request the community college system of the University of Hawaii to study the feasibility of establishing a legislative internship program.

The community colleges testified in support of this measure stating that there are some students who have worked as an intern at the Legislature for school credit, but these internships have been accomplished through personal contacts of the University faculty. A formal program would provide more students with this unique opportunity of learning about the legislative process with a "hands-on" experience.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 122 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1356-92 Higher Education and the Arts and Health on H.R. No. 4

The purpose of this resolution is to request the University of Hawaii (UH) Community College System to examine, assess, and evaluate higher education course and training opportunities for operators of Adult Residential Care Homes (ARCH). This resolution also requests that the study focus on the feasibility of:

- (1) Establishing an ARCH educational scholarship fund for operators, based on the financial need of the operator, to attend courses related to adult residential care homes for improved care services to patients; and
- (2) Preparing an "ARCH educational package" and salary schedule that would tie educational course credits completed satisfactorily with salary increases for ARCH providers.

Your Committees recognize the vital function of ARCH operators in the community. Care home operators provide a wide range of care services to their residents, in various aspects of their residents' daily lives, such as the administering of medication, feeding, dressing, grooming, toileting, and providing mobility assistance.

The critical responsibilities of the care home operator to each resident necessitate that these caregivers be equipped with the skills and education to provide quality care to their residents. Your Committees note the importance of providing opportunities and support for Hawaii's ARCH operators to pursue higher levels of training, skill, and expertise relating to their occupation.

Testimony was received from the Department of Health, the Chancellor of the UH Community Colleges, and the United Group of Home Operators. The Chancellor of the UH Community Colleges testified that the salary compensation issue, which ties the completion of course credits with salary increases, is a complex issue that is outside of the experience and expertise of the UH Community Colleges.

Upon consideration, your Committees have amended the resolution by:

- (1) Deleting all references to a salary schedule that ties educational course credits completed satisfactorily with salary increases for ARCH providers;
- (2) Specifying that the study include the development of a recommended "ARCH educational and professional development package"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committees on Higher Education and the Arts and Health concur with the intent and purpose of H.R. No. 4, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 4, H.D. 1.

Signed by all members of the Committees.

SCRep. 1357-92 Higher Education and the Arts and Health on H.C.R. No. 2

The purpose of this concurrent resolution is to request the University of Hawaii (UH) Community College System to examine, assess, and evaluate higher education course and training opportunities for operators of Adult Residential Care Homes (ARCH). This concurrent resolution also requests that the study focus on the feasibility of:

- (1) Establishing an ARCH educational scholarship fund for operators, based on the financial need of the operator, to attend courses related to adult residential care homes for improved care services to patients; and
- (2) Preparing an "ARCH educational package" and salary schedule that would tie educational course credits completed satisfactorily with salary increases for ARCH providers.

Your Committees recognize the vital function of ARCH operators in the community. Care home operators provide a wide range of care services to their residents, in various aspects of their residents' daily lives, such as the administering of medication, feeding, dressing, grooming, toileting, and providing mobility assistance.

The critical responsibilities of the care home operator to each resident necessitate that these caregivers be equipped with the skills and education to provide quality care to their residents. Your Committees note the importance of providing opportunities and support for Hawaii's ARCH operators to pursue higher levels of training, skill, and expertise relating to their occupation.

Testimony was received from the Department of Health, the Chancellor of the UH Community Colleges, and the United Group of Home Operators. The Chancellor of the UH Community Colleges testified that the salary compensation issue, which ties the completion of course credits with salary increases, is a complex issue that is outside of the experience and expertise of the UH Community Colleges.

Upon consideration, your Committees have amended the concurrent resolution by:

- (1) Deleting all references to a salary schedule that ties educational course credits completed satisfactorily with salary increases for ARCH providers;
- (2) Specifying that the study include the development of a recommended "ARCH educational and professional development package"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committees on Higher Education and the Arts and Health concur with the intent and purpose of H.C.R. No. 2, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 2, H.D. 1.

Signed by all members of the Committees.

SCRep. 1358-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.R. No. 65

The purpose of this resolution is to request the State Foundation on Culture and the Arts to develop a performing and visual arts program that focuses on international education.

Testimony in support of this measure was given by the Office of International Relations and the State Foundation on Culture and the Arts.

This measure has been amended to extend the reporting requirements of the resolution to at least twenty days before the convening of the 1994 Regular Session of the Legislature. This would allow the person who fills the newly created position of an Arts-in-Education Coordinator, a federally funded position, enough time to orient himself/herself and prepare a thorough, complete report.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 65, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 65, H.D. 1.

Signed by all members of the Committees.

SCRep. 1359-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.C.R. No. 60

The purpose of this concurrent resolution is to request the State Foundation on Culture and the Arts to develop a performing and visual arts program that focuses on international education.

Testimony in support of this measure was given by the Office of International Relations and the State Foundation on Culture and the Arts.

This measure has been amended to extend the reporting requirements of the concurrent resolution to at least twenty days before the convening of the 1994 Regular Session of the Legislature. This would allow the person who fills the newly created position of an Arts-in-Education Coordinator, a federally funded position, enough time to orient himself/herself and prepare a thorough, complete report.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 60, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 60, H.D. 1.

Signed by all members of the Committees.

SCRep. 1360-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.R. No. 59

The purpose of this resolution is to request the School of Hawaiian, Asian, and Pacific Studies (SHAPS) and the Office of International Programs and Services (OIPS) to continue their promotion of international education in Hawaii and around the world.

Testimony in support of this measure was given by the University of Hawaii and the Office of International Relations.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 59 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1361-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.C.R. No. 63

The purpose of this concurrent resolution is to request the School of Hawaiian, Asian, and Pacific Studies (SHAPS) and the Office of International Programs and Services (OIPS) to continue their promotion of international education in Hawaii and around the world.

Testimony in support of this measure was given by the University of Hawaii and the Office of International Relations.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 63 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1362-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.R. No. 63

The purpose of this resolution is to urge the University of Hawaii to expand the cultural and educational opportunities of Hawaii's students by enhancing the applicability and affordability of study abroad programs administered by the Office of International Student Services.

To achieve this expansion, the Office of International Student Services is asked to prepare a report on:

- (1) Whether the lack of transferability of credits gained at schools abroad prevents students from studying abroad;
- (2) Whether financial need prevents students from studying abroad; and
- (3) The progress made toward promoting the programs offered by the Office of International Student Services.

Supporting testimony was offered by the University of Hawaii and the Office of International Relations.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 63 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1363-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.C.R. No. 61

The purpose of this concurrent resolution is to urge the University of Hawaii to expand the cultural and educational opportunities of Hawaii's students by enhancing the applicability and affordability of study abroad programs administered by the Office of International Student Services.

To achieve this expansion, the Office of International Student Services is asked to prepare a report on:

- (1) Whether the lack of transferability of credits gained at schools abroad prevents students from studying abroad;
- (2) Whether financial need prevents students from studying studying abroad; and
- (3) The progress made toward promoting the programs offered by the Office of International Student Services.

Supporting testimony was offered by the University of Hawaii and the Office of International Relations.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 61 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1364-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.R. No. 61

The purpose of this resolution is to support the expansion efforts of the University of Hawaii in its cooperative Asian Studies Development Program with the East-West Center.

The Asian Development Studies Program brings college teachers from across the nation to Honolulu to help make them more aware of Asian and Pacific affairs and also helps them to integrate this topic into their school's curriculum.

Testimony in support of this measure was given by the Dean of the University of Hawaii's School of Hawaiian, Asian, and Pacific Studies, and the Director of the Office of International Relations.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 61 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1365-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.C.R. No. 57

The purpose of this concurrent resolution is to support the expansion efforts of the University of Hawaii in its cooperative Asian Studies Development Program with the East-West Center.

The Asian Development Studies Program brings college teachers from across the nation to Honolulu to help make them more aware of Asian and Pacific affairs and also helps them to integrate this topic into their school's curriculum.

Testimony in support of this measure was given by the Dean of the University of Hawaii's School of Hawaiian, Asian, and Pacific Studies, and the Director of the Office of International Relations.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 57 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1366-92 Intergovernmental Relations and International Affairs on H.R. No. 290

The purpose of this resolution is to respectfully urge the President of the United States, the Prime Minister of Japan, the United States Congress, the Japanese Diet, all of the State Legislatures, all of the Japanese Prefectural Governments, and leaders of the business communities of both nations to join in a concerted effort to support and accomplish the following, including, but not limited to:

- (1) Condemning and ceasing further "Japan-bashing" and "America-bashing";
- (2) Increasing awareness of hate crimes and discrimination;
- (3) Combatting stereotypes and promoting understanding of minority cultures;
- (4) Reviewing, enacting, and enforcing laws that protect all people from discrimination in any form, such as bias-related intimidation and violence; and
- (5) Entering into open, sincere negotiations, free of name-calling and stereotyping, to reach a more agreeable trade policy between the United States and Japan.

This resolution is intended to send to the governments of the United States and Japan a strong and unequivocal declaration that the mutual recriminations by purportedly respectable and mature officials of both nations must cease immediately and that measures be undertaken to censure and reprove such repugnant behavior. The vituperative bile of such shameless and manifestly puerile remarks and actions dangerously fester the odious sore of racial hatred and vilification, which cheapens the dignity of both nations. Only with constructive, honest dialogue can prejudice, discrimination, and ignorance be combatted and conquered.

Testimony in staunch favor of this resolution was received from the Spark M. Matsunaga Institute for Peace, the Honolulu Japanese Chamber of Commerce, the Japanese American Citizens League-Honolulu Chapter, the United Japanese Society of Hawaii, and the American Civil Liberties Union of Hawaii.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.R. No. 290 and recommends its adoption.

Signed by all members of the Committee except Representative Takamine.

SCRep. 1367-92 Intergovernmental Relations and International Affairs on H.C.R. No. 280

The purpose of this concurrent resolution is to respectfully urge the President of the United States, the Prime Minister of Japan, the United States Congress, the Japanese Diet, all of the State Legislatures, all of the Japanese Prefectural Governments, and leaders of the business communities of both nations to join in a concerted effort to support and accomplish the following, including, but not limited to:

- (1) Condemning and ceasing further "Japan-bashing" and "America-bashing";
- (2) Increasing awareness of hate crimes and discrimination;

- (3) Combatting stereotypes and promoting understanding of minority cultures;
- (4) Reviewing, enacting, and enforcing laws that protect all people from discrimination in any form, such as bias-related intimidation and violence; and
- (5) Entering into open, sincere negotiations, free of name-calling and stereotyping, to reach a more agreeable trade policy between the United States and Japan.

This concurrent resolution is intended to send to the governments of the United States and Japan a strong and unequivocal declaration that the mutual recriminations by purportedly respectable and mature officials of both nations must cease immediately and that measures be undertaken to censure and reprove such repugnant behavior. The vituperative bile of such shameless and manifestly puerile remarks and actions dangerously fester the odious sore of racial hatred and vilification, which cheapens the dignity of both nations. Only with constructive, honest dialogue can prejudice, discrimination, and ignorance be combatted and conquered.

Testimony in staunch favor of this concurrent resolution was received from the Spark M. Matsunaga Institute for Peace, the Honolulu Japanese Chamber of Commerce, the Japanese American Citizens League-Honolulu Chapter, the United Japanese Society of Hawaii, and the American Civil Liberties Union of Hawaii.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.C.R. No. 280 and recommends its adoption.

Signed by all members of the Committee except Representative Takamine.

SCRep. 1368-92 Housing on H.C.R. No. 256 (Majority)

The purpose of this concurrent resolution is to request the Auditor to conduct a study on the establishment of Department of Housing by consolidating the HFDC, HHA and HCDA into a single agency.

Your Committee received testimony in support of this concurrent resolution from the Hawaii Developers Council, Hawaii Association of Realtors and the United Church of Christ.

The concurrent resolution requests that the Legislative Auditor conduct a study to determine the effectiveness and feasibility of consolidating the current housing agencies of the HFDC, HHA and HCDA into a single Department of Housing. A recent review of these agencies has shown a strong possibility there is a lack of coordination to effectively address Hawaii's housing problems. The study will also review whether a Department of Housing should be placed at the cabinet-level.

Your Committee finds that housing in Hawaii continues to be a critical problem that escapes a comprehensive solution by the current individual structures of the HFDC, HHA and HCDA. In light of the inability of these agencies to provide an effective, comprehensive and coordinated response to the lack of housing it is imperative that a study be conducted by the Auditor for the establishment of a Department of Housing to meet the housing needs of the people of Hawaii.

Your Committee on Housing concurs with the intent and purpose of H.C.R. No. 256, 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. 256, H.D. 1.

Signed by all members of the Committees except Representatives Duldulao and Peters.
(Representative M. Ige did not concur.)

SCRep. 1369-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 406

The purposes of this measure are:

- (1) To provide the Legislature with accurate and realistic fiscal information as to the amount of resources which will be required to place 14,000 native Hawaiians, including all those on the current waiting list, on homesteads within ten years; and
- (2) To continue the pursuance of fiscal information and communication among the Administration, the Legislature, and the public as called for in Senate Concurrent Resolution 185, S.D. 1, H.D. 1 (1991).

Testimony in favor of this concurrent resolution was submitted by the Department of Hawaiian Home Lands (DHHL), the Office of State Planning (OSP), the Native Hawaiian Legal Corporation, the Aged Hawaiians, and four lessees of Hawaiian Home Lands. The DHHL and the OSP expressed doubt about their ability to submit the requested budgetary information to the Legislature at least 90 days prior to the convening of the 1993 Regular Session, and the DHHL also recommended that it be given sole administrative responsibility for consulting with native Hawaiian groups.

Your Committee finds that at a time such as this, when major administrative and legislative initiatives are in motion to come to grips the State's responsibilities to the Hawaiian people and its past failures to fulfill those responsibilities, it is only consistent and responsible to require an accurate assessment of what resources the Legislature must be willing to commit in order to meet this challenge.

Your Committee has amended this concurrent resolution by:

- (1) Changing its title as well as its text to call for adequate funding of the DHHL without reliance on revenue bonds as a method of funding, as opposed to calling specifically for full general funding;
- (2) Placing responsibility for the consulting of native Hawaiian groups with the DHHL alone, rather than with the Office of the Governor and the Department of Budget and Finance; and
- (3) Making nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 406, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 406, H.D. 1.

Signed by all members of the Committee.

SCRep. 1370-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 341

The purpose of this measure is to request the Legislative Auditor to provide management recommendations for the Commission on Water Resource Management and its staff, to complement the forthcoming review of the State Water Code.

Testimony supporting this concurrent resolution was presented by the Commission on Water Resource Management, the People's Water Conference, the Native Hawaiian Legal Corporation, Hawaii's Thousand Friends, the Native Hawaiian Advisory Council, and Hawaii Audubon Society.

Your Committee has made nonsubstantive amendments to this concurrent resolution for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 341, 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. 341, H.D. 1.

Signed by all members of the Committee.

SCRep. 1371-92 Intergovernmental Relations and International Affairs on H.R. No. 407

The purpose of this resolution is to request the Speaker of the House of Representatives and the President of the Senate to jointly appoint a commission on government efficiency to examine the current organizational structures, functions, and operations of State departments and agencies in the Executive Branch to promote efficiency in the delivery of public services by State government.

The appointed commission would:

- (1) Consist of representatives from business, labor, academia, and government;
- (2) Conduct its examination of State government from the perspective that the State should provide the current or an increased level of public services without reducing or increasing the current work force;
- (3) Submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the 1993 Regular Session; and
- (4) Include in the report a proposal for the reorganization of the State Executive Branch that identifies those agencies and functions that can be improved through consolidation, dissolution, or other means.

The Office of State Planning submitted testimony in support of this measure.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.R. No. 407 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1372-92 Intergovernmental Relations and International Affairs on H.R. No. 225

The purpose of this resolution is to:

- (1) Urge Hawaii's Congressional delegation to:
 - (A) Appropriate emergency funds to provide immediate and long-term humanitarian assistance to Filipino World War II veterans who have recently arrived in Hawaii, as well as those who are anticipated to arrive in Hawaii; and
 - (B) Amend the Immigration Act of 1990 to require that all naturalization interviews for the Filipino veterans take place in the Philippines, introduce a resolution urging the INS to hold such

interviews in that country, or take such other appropriate action as may be necessary to achieve this purpose; and

- (2) Request the Governor to appoint a special task force of representatives from the Offices of Community Services and Veterans' Services; the Departments of Labor and Industrial Relations, Human Services, Health, Transportation, and Defense; and appropriate community organizations to:
 - (A) Provide information and assistance to Filipino World War II veterans and other similarly situated individuals;
 - (B) Cooperate with the INS to provide an efficient and expeditious means of establishing the identity of these veterans who are eligible to apply for citizenship, so that assistance may be readily provided to these individuals;
 - (C) Coordinate with other federal agencies, private organizations, and individuals as needed to ensure that adequate assistance is provided;
 - (D) Developing short- and long-term plans and goals to assist these persons; and
 - (E) Propose legislation, as necessary and appropriate, to be introduced in the 1993 Regular Session to address the long-term needs of these individuals.

The Director of the Office of Veterans' Services, the State Department of Defense, the United Filipino Council, and one of the sponsors of the measure testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the title to read: "HOUSE RESOLUTION URGING THAT ACTION BE TAKEN TO PROVIDE NEEDED ASSISTANCE TO CERTAIN FILIPINO WORLD WAR II VETERANS, MEMBERS OF THEIR IMMEDIATE FAMILIES, AND ALL OTHER SIMILARLY SITUATED INDIVIDUALS APPLYING TO BECOME NATURALIZED UNITED STATES CITIZENS";
- (2) Providing that assistance be provided not only to certain Filipino World War II veterans and other similarly situated individuals, but also the immediate family members of the Filipino World War II veterans; and
- (3) Making other technical, nonsubstantive amendments for purposes of style and clarity.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.R. No. 225, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 225, H.D. 1.

Signed by all members of the Committee.

SCRep. 1373-92 Intergovernmental Relations and International Affairs on H.C.R. No. 215

The purpose of this concurrent resolution is to:

- (1) Urge Hawaii's Congressional delegation to:
 - (A) Appropriate emergency funds to provide immediate and long-term humanitarian assistance to Filipino World War II veterans who have recently arrived in Hawaii, as well as those who are anticipated to arrive in Hawaii; and
 - (B) Amend the Immigration Act of 1990 to require that all naturalization interviews for the Filipino veterans take place in the Philippines, introduce a resolution urging the INS to hold such interviews in that country, or take such other appropriate action as may be necessary to achieve this purpose; and
- (2) Request the Governor to appoint a special task force of representatives from the Offices of Community Services and Veterans' Services; the Departments of Labor and Industrial Relations, Human Services, Health, Transportation, and Defense; and appropriate community organizations to:
 - (A) Provide information and assistance to Filipino World War II veterans and other similarly situated individuals;
 - (B) Cooperate with the INS to provide an efficient and expeditious means of establishing the identity of these veterans who are eligible to apply for citizenship, so that assistance may be readily provided to these individuals;
 - (C) Coordinate with other federal agencies, private organizations, and individuals as needed to ensure that adequate assistance is provided;
 - (D) Developing short- and long-term plans and goals to assist these persons; and
 - (E) Propose legislation, as necessary and appropriate, to be introduced in the 1993 Regular Session to address the long-term needs of these individuals.

The Director of the Office of Veterans' Services, the State Department of Defense, the United Filipino Council, and one of the sponsors of the measure testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the title to read: "HOUSE CONCURRENT RESOLUTION URGING THAT ACTION BE TAKEN TO PROVIDE NEEDED ASSISTANCE TO CERTAIN FILIPINO WORLD WAR II VETERANS, MEMBERS OF THEIR IMMEDIATE FAMILIES, AND ALL OTHER SIMILARLY SITUATED INDIVIDUALS APPLYING TO BECOME NATURALIZED UNITED STATES CITIZENS";
- (2) Providing that assistance be provided not only to certain Filipino World War II veterans and other similarly situated individuals, but also the immediate family members of the Filipino World War II veterans; and
- (3) Making other technical, nonsubstantive amendments for purposes of style and clarity.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.C.R. No. 215, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 215, H.D. 1.

Signed by all members of the Committee.

SCRep. 1374-92 Human Services on H.C.R. No. 425

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to consult with existing homeless assistance agencies and organizations to develop alternatives that would resolve the problems currently emerging among the homeless that have not been fully addressed by existing programs.

Homelessness is a rapidly growing phenomenon in every region of the State, and the problems that seem to be emerging among the families and individuals currently afflicted by this condition appear too diverse to fit beneath the umbrella of a simple definition.

Your Committee on Human Services concurs with the intent and purpose of H.C.R. No. 425 and recommends that it be referred to the Committee on Housing.

Signed by all members of the Committee except Representative Peters.

SCRep. 1375-92 Human Services on H.R. No. 332

The purpose of this resolution is to request a study on the increase in repetitive child abuse cases and an evaluation of other roles of the medical director and multi-disciplinary team in the diagnosis and treatment of child abuse.

Your Committee received testimony in support of this resolution from the Department of Human Services, Hawaii Medical Association, Kaiser Permanente, and others.

Your Committee has amended the resolution to recognize the following:

- (1) There are five, not one, multi-disciplinary teams in the State;
- (2) Use of the teams by Child Protective Services varies; and
- (3) There is a need to evaluate each team individually.

Your Committee on Human Services concurs with the intent and purpose of H.R. No. 332, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 332, H.D. 1.

Signed by all members of the Committee except Representatives Amaral and Peters.

SCRep. 1376-92 Human Services on H.C.R. No. 326

The purpose of this concurrent resolution is to request a study on the increase in repetitive child abuse cases and an evaluation of other roles of the medical director and multi-disciplinary team in the diagnosis and treatment of child abuse.

Your Committee received testimony in support of this concurrent resolution from the Department of Human Services, Hawaii Medical Association, Kaiser Permanente, and others.

Your Committee has amended the concurrent resolution to recognize the following:

- (1) There are five, not one, multi-disciplinary teams in the State;
- (2) Use of the teams by Child Protective Services varies; and

(3) There is a need to evaluate each team individually.

Your Committee on Human Services concurs with the intent and purpose of H.C.R. No. 326, 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. 326, H.D. 1.

Signed by all members of the Committee except Representatives Amaral and Peters.

SCRep. 1377-92 Human Services on H.R. No. 373

The purpose of this resolution is to request a study on the feasibility of requiring State agencies to examine the impact of their policies and programs on Hawaii's families, and the feasibility of creating a commission on the family to perform initial and periodic reviews of State policies and programs.

Your Committee has amended the resolution to request the Office of Children and Youth to work with the Legislative Reference Bureau on how to study the impact statement.

Your Committee on Human Services is in accord with the intent and purpose of H.R. No. 373, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 373, H.D. 1.

Signed by all members of the Committee except Representatives Amaral and Peters.

SCRep. 1378-92 Human Services on H.C.R. No. 372

The purpose of this concurrent resolution is to request a study on the feasibility of requiring State agencies to examine the impact of their policies and programs on Hawaii's families, and the feasibility of creating a commission on the family to perform initial and periodic reviews of State policies and programs.

Your Committee has amended the concurrent resolution to request the Office of Children and Youth to work with the Legislative Reference Bureau on how to study the impact statement.

Your Committee on Human Services is in accord with the intent and purpose of H.C.R. No. 372, 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. 372, H.D. 1.

Signed by all members of the Committee except Representatives Amaral and Peters.

SCRep. 1379-92 Human Services on H.R. No. 333

The purpose of this resolution is to request the Legislative Reference Bureau to study the short and long-term impact of proposed cutbacks in the State's general assistance program.

Your Committee received testimony in support of this resolution from the Department of Human Services, the Hawaii Public Health Association, and the Welfare Concerns Committee.

Your Committee has amended the resolution on page one (1), paragraph five (5), line seventeen (17), so that it reads, "to a federally funded category if they...", since there are no categories of recipients that are one-hundred percent federally funded under the Medicaid program.

The Department of Human Services has agreed to cooperate with the Legislative Reference Bureau in the conduct of this study.

Your Committee on Human Services concurs with the intent and purpose of H.R. No. 333, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 333, H.D. 1.

Signed by all members of the Committee except Representatives Amaral and Peters.

SCRep. 1380-92 Human Services on H.C.R. No. 331

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the short and long-term impact of proposed cutbacks in the State's general assistance program.

Your Committee received testimony in support of this concurrent resolution from the Department of Human Services, the Hawaii Public Health Association, and the Welfare Concerns Committee.

Your Committee has amended the concurrent resolution on page one (1), paragraph five (5), line seventeen (17), so that it reads, "to a federally funded category if they...", since there are no categories of recipients that are one-hundred percent federally funded under the Medicaid program.

The Department of Human Services has agreed to cooperate with the Legislative Reference Bureau in the conduct of this study.

Your Committee on Human Services concurs with the intent and purpose of H.C.R. No. 331, 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. 331, H.D. 1.

Signed by all members of the Committee except Representatives Amaral and Peters.

SCRep. 1381-92 Legislative Management on H.C.R. No. 65

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to assess the need for regulatory controls on unaccredited degree granting and non-degree granting institutions established in the State of Hawaii.

Testimony in support of this concurrent resolution was submitted by the Department of Commerce and Consumer Affairs (DCCA).

Your Committee finds that the problem of regulating unaccredited institutions is not new to the Legislature. Act 226, Session Laws of Hawaii 1990, clarified jurisdictional disputes between the Department of Education and the DCCA by requiring all unaccredited institutions conducting operations in the State to register with DCCA.

The study requested in this concurrent resolution would provide the Legislature with current information regarding this issue, as well as recommend ways to rectify the problems associated with unaccredited degree granting and non-degree granting institutions.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 65, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1382-92 Legislative Management on H.R. No. 11

The purpose of this resolution is to request the Legislative Reference Bureau to study and propose recommendations to address concerns of adult residential care home operators on Molokai.

The Department of Health and a private citizen submitted testimony in support of this resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 11 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1383-92 Legislative Management on H.C.R. No. 9

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study and propose recommendations to address concerns of adult residential care home operators on Molokai.

The Department of Health and a private citizen submitted testimony in support of this concurrent resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 9 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1384-92 Legislative Management on H.R. No. 21

The purpose of this resolution is to request the Legislative Reference Bureau to study the feasibility of issuing citations by mail for the enforcement of minimum vehicle occupancy requirements for high occupancy vehicle lanes.

Testimony in support of this resolution was received from the Department of Transportation, the Oahu Metropolitan Planning Organization, the Leeward Oahu Transportation Management Association, the Waikiki Improvement Association, and the Chamber of Commerce.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 21 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1385-92 Legislative Management on H.C.R. No. 19

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the feasibility of issuing citations by mail for the enforcement of minimum vehicle occupancy requirements for high occupancy vehicle lanes.

Testimony in support of this concurrent resolution was received from the Department of Transportation, the Oahu Metropolitan Planning Organization, the Leeward Oahu Transportation Management Association, the Waikiki Improvement Association, and the Chamber of Commerce.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 19 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1386-92 Legislative Management on H.R. No. 7

The purpose of this resolution is to have the Legislative Reference Bureau study issues relating to special care needs of adult residential care home operators.

The Department of Human Services and the Department of Health submitted testimony in support of the resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 7 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1387-92 Legislative Management on H.C.R. No. 5

The purpose of this concurrent resolution is to have the Legislative Reference Bureau study issues relating to special care needs of adult residential care home operators.

The Department of Human Services and the Department of Health submitted testimony in support of the concurrent resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 5 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1388-92 Education on H.R. No. 437

The purpose of this resolution is to request the Department of Education (DOE) and the Department of Accounting and General Services (DAGS) to develop minor school repair, maintenance, and construction guidelines and standards for community work.

The Hawaii State Teachers Association and the United Parents for Education Coalition testified in support of this measure. Your Committee also received testimony from the DOE and DAGS asserting their commitment to develop minor school repair, maintenance, and construction guidelines and standards.

Your Committee recognizes the value of community volunteers to participate in minor repair, maintenance, and construction projects in schools. Your Committee further recognizes the necessity of establishing guidelines and standards for these projects, but also recognizes that liability concerns and other legal issues must be addressed and included in the guidelines and standards to minimize community participant lawsuits and other legal actions connected with community involvement in minor school repair, maintenance, and construction projects.

Accordingly, your Committee has amended the resolution by:

- (1) Requesting that the DOE and DAGS consult with the Department of the Attorney General in establishing the minor school repair, maintenance, and construction guidelines and standards to cover and include any liability concerns and legal issues that may arise as a result of community participation in these school projects;
- (2) Specifying that the guidelines and standards for these minor school projects also include liability guidelines to minimize participant lawsuits and other legal actions connected with planning and implementing minor school repair, maintenance, and construction projects;
- (3) Including the Attorney General in the transmittal paragraph of this resolution; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.R. No. 437, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 437, H.D. 1.

Signed by all members of the Committee.

SCRep. 1389-92 Education on H.C.R. No. 436

The purpose of this concurrent resolution is to request the Department of Education (DOE) and the Department of Accounting and General Services (DAGS) to develop minor school repair, maintenance, and construction guidelines and standards for community work.

The Hawaii State Teachers Association and the United Parents for Education Coalition testified in support of this measure. Your Committee also received testimony from the DOE and DAGS asserting their commitment to develop minor school repair, maintenance, and construction guidelines and standards.

Your Committee recognizes the value of community volunteers to participate in minor repair, maintenance, and construction projects in schools. Your Committee further recognizes the necessity of establishing guidelines and standards for these projects, but also recognizes that liability concerns and other legal issues must be addressed and included in the guidelines and standards to minimize community participant lawsuits and other legal actions connected with community involvement in minor school repair, maintenance, and construction projects.

Accordingly, your Committee has amended the concurrent resolution by:

- (1) Requesting that the DOE and DAGS consult with the Department of the Attorney General in establishing the minor school repair, maintenance, and construction guidelines and standards to cover and include any liability concerns and legal issues that may arise as a result of community participation in these school projects;
- (2) Specifying that the guidelines and standards for these minor school projects also include liability guidelines to minimize participant lawsuits and other legal actions connected with planning and implementing minor school repair, maintenance, and construction projects;
- (3) Including the Attorney General in the transmittal paragraph of this concurrent resolution; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 436, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 436, H.D. 1.

Signed by all members of the Committee.

SCRep. 1390-92 Education on H.R. No. 356

The purpose of this resolution is to request the Department of Education (DOE) to consider rewarding schools that take the initiative to implement innovative educational programs by ensuring that any funds allocated for the statewide introduction of such programs include a portion that will be reserved expressly for those schools that have initiated the programs.

Your Committee received testimony in support of the measure from the DOE, and the principals of Pearl Ridge Elementary School and Waimalu Elementary School on Oahu.

Your Committee believes that this resolution would boost the spirit of innovation at the school site, encourage collaboration among members of the school/community-based management councils, and heighten the sharing of new ideas and programs among schools.

Accordingly, this resolution has been amended by:

- (1) Adding a clause that urges legislative support for funding of innovative programs at the school site and rewarding schools whose innovations are introduced throughout the public school system statewide;
- (2) Requesting the DOE to submit a report of the actions and efforts, with cost analysis and legislative proposals, if appropriate, to the Legislature not later than twenty days prior to the convening of the Regular Session of 1993;
- (3) Including the Governor of the State of Hawaii, the Senate President, the Speaker of the House of Representatives, and the Chairperson of the Board of Education to receive certified copies of this resolution; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.R. No. 356, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 356, H.D. 1.

Signed by all members of the Committee.

SCRep. 1391-92 Education on H.C.R. No. 359

The purpose of this concurrent resolution is to request the Department of Education (DOE) to consider rewarding schools that take the initiative to implement innovative educational programs by ensuring that any funds allocated for the statewide introduction of such programs include a portion that will be reserved expressly for those schools that have initiated the programs.

Your Committee received testimony in support of the measure from the DOE, and the principals of Pearl Ridge Elementary School and Waimalu Elementary School on Oahu.

Your Committee believes that this concurrent resolution would boost the spirit of innovation at the school site, encourage collaboration among members of the school/community-based management councils, and heighten the sharing of new ideas and programs among schools.

Accordingly, this concurrent resolution has been amended by:

- (1) Adding a clause that urges legislative support for funding of innovative programs at the school site and rewarding schools whose innovations are introduced throughout the public school system statewide;
- (2) Requesting the DOE to submit a report of the actions and efforts, with cost analysis and legislative proposals, if appropriate, to the Legislature not later than twenty days prior to the convening of the Regular Session of 1993;
- (3) Including the Governor of the State of Hawaii, the Senate President, the Speaker of the House of Representatives, and the Chairperson of the Board of Education to receive certified copies of this concurrent resolution; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 359, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 359, H.D. 1.

Signed by all members of the Committee.

SCRep. 1392-92 Education on H.R. No. 257

The purpose of this resolution is to request the Department of Education (DOE) and the Department of Accounting and General Services (DAGS) to submit a report to the Legislature on the short- and long-range funding needs for school construction, repairs, and maintenance twenty days prior to the convening of the Regular Session of 1992.

Your Committee noted an error in the session year, when the DOE and DAGS are requested to submit a report to the Legislature on the short- and long-range funding needs for school construction, repairs, and maintenance.

The DOE testified in support of the measure. DAGS had no objection to this resolution.

Accordingly, the resolution has been amended by:

- (1) Replacing the session year that reads: "Regular Session of 1992" to read: "Regular Session of 1993";
- (2) Requesting that the Chairperson of the Board of Education also receive a certified copy of this resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.R. No. 257, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 257, H.D. 1.

Signed by all members of the Committee.

SCRep. 1393-92 Education on H.C.R. No. 249

The purpose of this concurrent resolution is to request the Department of Education (DOE) and the Department of Accounting and General Services (DAGS) to submit a report to the Legislature on the short- and long-range funding needs for school construction, repairs, and maintenance twenty days prior to the convening of the Regular Session of 1992.

Your Committee noted an error in the session year, when the DOE and DAGS are requested to submit a report to the Legislature on the short- and long-range funding needs for school construction, repairs, and maintenance.

The DOE testified in support of the measure. DAGS had no objection to this concurrent resolution.

Accordingly, the concurrent resolution has been amended by:

- (1) Replacing the session year that reads: "Regular Session of 1992" to read: "Regular Session of 1993";
- (2) Requesting that the Chairperson of the Board of Education also receive a certified copy of this concurrent resolution; and

- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 249, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 249, H.D. 1.

Signed by all members of the Committee.

SCRep. 1394-92 Education on H.R. No. 246

The purpose of this resolution is to request the Department of Education (DOE) to increase its support for expanding the adult education program, including the Parent-Community Networking Center (PCNC) program.

The DOE submitted testimony in support of the intent of the measure.

Your Committee believes that expansion of the adult education program can be achieved if adequate funds are provided. Your Committee supports the Legislature's commitment to develop responsible, productive citizens through the provision of quality education programs.

Upon consideration, your Committee has amended the resolution by:

- (1) Adding a clause that urges legislative support for funding for adult education programs;
- (2) Including the Governor of the State of Hawaii, the Senate President, and the Speaker of the House of Representatives to receive certified copies of this resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Education is in accord with the intent and purpose of H.R. No. 246, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 246, H.D. 1.

Signed by all members of the Committee.

SCRep. 1395-92 Education on H.C.R. No. 238

The purpose of this concurrent resolution is to request the Department of Education (DOE) to increase its support for expanding the adult education program, including the Parent-Community Networking Center (PCNC) program.

The DOE submitted testimony in support of the intent of the measure.

Your Committee believes that expansion of the adult education program can be achieved if adequate funds are provided. Your Committee supports the Legislature's commitment to develop responsible, productive citizens through the provision of quality education programs.

Upon consideration, your Committee has amended the concurrent resolution by:

- (1) Adding a clause that urges legislative support for funding for adult education programs;
- (2) Including the Governor of the State of Hawaii, the Senate President, and the Speaker of the House of Representatives to receive certified copies of this concurrent resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Education is in accord with the intent and purpose of H.C.R. No. 238, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 238, H.D. 1.

Signed by all members of the Committee.

SCRep. 1396-92 Education on H.R. No. 245

The purpose of this resolution is to request the Governor to utilize federal impact aid in accordance with the original intent established by Congress; that impact aid funds be used to augment, not supplant, State monies that are allocated to the school system.

Testimony in support of this resolution was received by the Department of Education (DOE). Your Committee also received supporting testimony from the United Parents for Education Coalition (UP-ED).

Your Committee on Education is in accord with the intent and purpose of H.R. No. 245 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1397-92 Education on H.C.R. No. 237

The purpose of this concurrent resolution is to request the Governor to utilize federal impact aid in accordance with the original intent established by Congress; that impact aid funds be used to augment, not supplant, State monies that are allocated to the school system.

Testimony in support of this concurrent resolution was received by the Department of Education (DOE). Your Committee also received supporting testimony from the United Parents for Education Coalition (UP-ED).

Your Committee on Education is in accord with the intent and purpose of H.C.R. No. 237 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1398-92 Education on H.R. No. 241

The purpose of this resolution is to request the Department of Education (DOE) to review the possibility of State funding of summer school programs.

The DOE testified in support of this measure.

After hearing testimony from the DOE, your Committee believes that the doctrine of providing students with free and equal opportunity for education should not be limited to two semesters of schooling each year. Providing educational programs and services to all students who need or want these programs beyond the two-semester regular school year is evidenced by the State-funded year-round program at Waihee Elementary School and by other State-funded summer programs and services for students. These examples underscore the fact that education is a year-round venture, and therefore is deserving of full funding in all communities and for all students.

Your Committee has therefore amended this resolution by:

- (1) Adding a clause that urges legislative support for increased State funding for summer school programs;
- (2) Including the Governor of the State of Hawaii, the Senate President, and the Speaker of the House of Representatives to receive certified copies of this resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.R. No. 241, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 241, H.D. 1.

Signed by all members of the Committee.

SCRep. 1399-92 Education on H.C.R. No. 233

The purpose of this concurrent resolution is to request the Department of Education (DOE) to review the possibility of State funding of summer school programs.

The DOE testified in support of this measure.

After hearing testimony from the DOE, your Committee believes that the doctrine of providing students with free and equal opportunity for education should not be limited to two semesters of schooling each year. Providing educational programs and services to all students who need or want these programs beyond the two-semester regular school year is evidenced by the State-funded year-round program at Waihee Elementary School and by other State-funded summer programs and services for students. These examples underscore the fact that education is a year-round venture, and therefore is deserving of full funding in all communities and for all students.

Your Committee has therefore amended this concurrent resolution by:

- (1) Adding a clause that urges legislative support for increased State funding for summer school programs;
- (2) Including the Governor of the State of Hawaii, the Senate President, and the Speaker of the House of Representatives to receive certified copies of this concurrent resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 233, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 233, H.D. 1.

Signed by all members of the Committee.

SCRep. 1400-92 Education on H.R. No. 244

The purpose of this resolution is to request the Department of Accounting and General Services (DAGS) to review and report on the costs of installing and maintaining telephones in all public school classrooms.

Your Committee finds that there are sound educational and safety reasons for installing telephones in classrooms. Providing teachers and staff with access to telephones and other telecommunication devices using telephone lines will promote more effective and timely communication for instructional and emergency purposes.

Testimony supporting this measure was submitted by the Department of Education (DOE) and the Hawaii State Teachers Association. Although the United Parents for Education Coalition submitted testimony supporting this measure, they recommended that it be amended so that a telephone would not have to be installed in every classroom.

DAGS testified that the DOE is the agency responsible for telephone systems in the schools. As a result, the DOE, and not DAGS, should be responsible for conducting the study requested.

Your Committee has amended this measure by:

- (1) Changing the title to: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW AND REPORT ON THE COST OF INSTALLING AND MAINTAINING TELEPHONES IN PUBLIC SCHOOL CLASSROOMS";
- (2) Removing the requirement that the study determine the cost of installing and maintaining telephones in every classroom;
- (3) Requiring that the study include a timetable to install telephones in increments;
- (4) Designating the DOE, instead of DAGS, as the agency to conduct the study;
- (5) Removing the Comptroller from the transmittal paragraph of this resolution; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.R. No. 244, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 244, H.D. 1.

Signed by all members of the Committee.

SCRep. 1401-92 Education on H.C.R. No. 236

The purpose of this concurrent resolution is to request the Department of Accounting and General Services (DAGS) to review and report on the costs of installing and maintaining telephones in all public school classrooms.

Your Committee finds that there are sound educational and safety reasons for installing telephones in classrooms. Providing teachers and staff with access to telephones and other telecommunication devices using telephone lines will promote more effective and timely communication for instructional and emergency purposes.

Testimony supporting this measure was submitted by the Department of Education (DOE) and the Hawaii State Teachers Association. Although the United Parents for Education Coalition submitted testimony supporting this measure, they recommended that it be amended so that a telephone would not have to be installed in every classroom.

DAGS testified that the DOE is the agency responsible for telephone systems in the schools. As a result, the DOE, and not DAGS, should be responsible for conducting the study requested.

Your Committee has amended this measure by:

- (1) Changing the title to: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW AND REPORT ON THE COST OF INSTALLING AND MAINTAINING TELEPHONES IN PUBLIC SCHOOL CLASSROOMS";
- (2) Removing the requirement that the study determine the cost of installing and maintaining telephones in every classroom;
- (3) Requiring that the study include a timetable to install telephones in increments;
- (4) Designating the DOE, instead of DAGS, as the agency to conduct the study;
- (5) Removing the Comptroller from the transmittal paragraph of this concurrent resolution; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 236, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 236, H.D. 1.

Signed by all members of the Committee.

SCRep. 1402-92 Education on H.R. No. 205

The purpose of this resolution is to request the Department of Budget and Finance (B & F) and the Department of Accounting and General Services (DAGS) to exercise flexibility in interpreting educational specifications for facilities so that expenditures can be made on a timely basis.

Your Committee received testimony from the Department of Education (DOE) and DAGS. The DOE testified that part of the difficulty in exercising flexibility lies in the standards themselves, specifically regarding conflicts over the interpretation of educational specifications. The end result is delays in meeting projected deadlines.

To reduce, if not eliminate altogether, those delays caused by conflicts in interpreting educational specifications for facilities, your Committee has amended the resolution by:

- (1) Requesting the DOE, DAGS, and B & F to review the educational specifications for facilities so that these specifications can be simplified and shortened and understood by parents, teachers, school administrators, students, and lay persons serving on school/community-based management councils;
- (2) Adding a clause to urge that the process of reviewing educational specifications be streamlined so that these specifications are made operational more expeditiously;
- (3) Requesting the DOE, DAGS, and B & F to submit a report of their actions and efforts to the Legislature no later than twenty days before the convening of the Regular Session of 1993;
- (4) Including the Superintendent of Education and the Chairperson of the Board of Education to receive a certified copy of this resolution; and
- (5) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.R. No. 205, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 205, H.D. 1.

Signed by all members of the Committee.

SCRep. 1403-92 Education on H.C.R. No. 194

The purpose of this concurrent resolution is to request the Department of Budget and Finance (B & F) and the Department of Accounting and General Services (DAGS) to exercise flexibility in interpreting educational specifications for facilities so that expenditures can be made on a timely basis.

Your Committee received testimony from the Department of Education (DOE) and DAGS. The DOE testified that part of the difficulty in exercising flexibility lies in the standards themselves, specifically regarding conflicts over the interpretation of educational specifications. The end result is delays in meeting projected deadlines.

To reduce, if not eliminate altogether, those delays caused by conflicts in interpreting educational specifications for facilities, your Committee has amended the concurrent resolution by:

- (1) Requesting the DOE, DAGS, and B & F to review the educational specifications for facilities so that these specifications can be simplified and shortened and understood by parents, teachers, school administrators, students, and lay persons serving on school/community-based management councils;
- (2) Adding a clause to urge that the process of reviewing educational specifications be streamlined so that these specifications are made operational more expeditiously;
- (3) Requesting the DOE, DAGS, and B & F to submit a report of their actions and efforts to the Legislature no later than twenty days before the convening of the Regular Session of 1993;
- (4) Including the Superintendent of Education and the Chairperson of the Board of Education to receive a certified copy of this concurrent resolution; and
- (5) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 194, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 194, H.D. 1.

Signed by all members of the Committee.

SCRep. 1404-92 Education and Transportation on H.R. No. 256

The purpose of this resolution is to request the Department of Education (DOE) to analyze transportation costs connected with educational programs, especially on the neighbor islands.

Testimony was received from the DOE and the Department of Accounting and General Services (DAGS). The DOE indicated in its testimony that another agency may be more suited to undertake the analysis, particularly because of cost implications. DAGS also testified that the scope and depth of the analysis required by the measure are beyond the resources available to its program.

Upon consideration, your Committees have amended the resolution by:

- (1) Requesting the Legislative Reference Bureau, instead of the Department of Education, to perform the analysis;
- (2) Amending the above-mentioned title: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ANALYZE TRANSPORTATION COSTS CONNECTED WITH EDUCATIONAL PROGRAMS, ESPECIALLY ON THE NEIGHBOR ISLANDS" to read as follows: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO ANALYZE TRANSPORTATION COSTS CONNECTED WITH EDUCATIONAL PROGRAMS, ESPECIALLY ON THE NEIGHBOR ISLANDS"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committees on Education and Transportation concur with the intent and purpose of H.R. No. 256, as amended herein, and recommend that it be referred to the Committee on Legislative Management, in the form attached hereto as H.R. No. 256, H.D. 1.

Signed by all members of the Committees.

SCRep. 1405-92 Education and Transportation on H.C.R. No. 248

The purpose of this concurrent resolution is to request the Department of Education (DOE) to analyze transportation costs connected with educational programs, especially on the neighbor islands.

Testimony was received from the DOE and the Department of Accounting and General Services (DAGS). The DOE indicated in its testimony that another agency may be more suited to undertake the analysis, particularly because of cost implications. DAGS also testified that the scope and depth of the analysis required by the measure are beyond the resources available to its program.

Upon consideration, your Committees have amended the concurrent resolution by:

- (1) Requesting the Legislative Reference Bureau, instead of the Department of Education, to perform the analysis;
- (2) Amending the above-mentioned title: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ANALYZE TRANSPORTATION COSTS CONNECTED WITH EDUCATIONAL PROGRAMS, ESPECIALLY ON THE NEIGHBOR ISLANDS" to read as follows: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO ANALYZE TRANSPORTATION COSTS CONNECTED WITH EDUCATIONAL PROGRAMS, ESPECIALLY ON THE NEIGHBOR ISLANDS"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committees on Education and Transportation concur with the intent and purpose of H.C.R. No. 248, as amended herein, and recommend that it be referred to the Committee on Legislative Management, in the form attached hereto as H.C.R. No. 248, H.D. 1.

Signed by all members of the Committees.

SCRep. 1406-92 Education on H.R. No. 206

The purpose of this resolution is to request the Department of Education (DOE) to examine whether the "turnkey" policy should be extended to all new schools to be built.

Under the "turnkey" policy adopted last year by the Board of Education (BOE), the DOE can purchase, at cost, public schools that private developers build into their housing projects in an effort to save the State time and money. The first "turnkey" project is currently underway at Waikoloa on the Big Island.

Your Committee recognizes this policy's potential in reducing cost and saving time when constructing schools in the State. Your Committee believes that this policy should be disseminated widely to all private developers and that developers be strongly encouraged to consider the "turnkey" policy in planning new schools. Without reciprocal action by developers, the "turnkey" policy is not likely to reach its fullest potential.

The DOE testified its support of the concept of seeking alternative means to provide school facilities, and that it will continue to pursue the "turnkey" method of acquiring school facilities whenever opportunities present themselves. Your Committee received supporting testimony from the United Parents for Education Coalition.

Upon consideration, your Committee has amended the resolution by:

- (1) Requesting that the DOE work in conjunction with private developers to examine whether the "turnkey" policy should be extended to all new schools to be built;
- (2) Specifying that the full cooperation of private developers be required to make the "turnkey" policy work;
- (3) Urge private developers to apply the "turnkey" policy in planning new schools in the State;
- (4) Including the General Contractors Association of Hawaii and the Building Industry Association of Hawaii in the transmittal paragraph of this resolution; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.R. No. 206, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 206, H.D. 1.

Signed by all members of the Committee.

SCRep. 1407-92 Education on H.C.R. No. 195

The purpose of this concurrent resolution is to request the Department of Education (DOE) to examine whether the "turnkey" policy should be extended to all new schools to be built.

Under the "turnkey" policy adopted last year by the Board of Education (BOE), the DOE can purchase, at cost, public schools that private developers build into their housing projects in an effort to save the State time and money. The first "turnkey" project is currently underway at Waikoloa on the Big Island.

Your Committee recognizes this policy's potential in reducing cost and saving time when constructing schools in the State. Your Committee believes that this policy should be disseminated widely to all private developers and that developers be strongly encouraged to consider the "turnkey" policy in planning new schools. Without reciprocal action by developers, the "turnkey" policy is not likely to reach its fullest potential.

The DOE testified its support of the concept of seeking alternative means to provide school facilities, and that it will continue to pursue the "turnkey" method of acquiring school facilities whenever opportunities present themselves. Your Committee received supporting testimony from the United Parents for Education Coalition.

Upon consideration, your Committee has amended the concurrent resolution by:

- (1) Requesting that the DOE work in conjunction with private developers to examine whether the "turnkey" policy should be extended to all new schools to be built;
- (2) Specifying that the full cooperation of private developers be required to make the "turnkey" policy work;
- (3) Urge private developers to apply the "turnkey" policy in planning new schools in the State;
- (4) Including the General Contractors Association of Hawaii and the Building Industry Association of Hawaii in the transmittal paragraph of this concurrent resolution; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and style.

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

Signed by all members of the Committee.

SCRep. 1408-92 Education on H.R. No. 347

The purpose of this resolution, as received, is to request the Department of Education (DOE) to develop and implement an incentive and merit pay program to attract and retain experienced teachers at schools designated as "rural" or "at-risk".

Schools classified as "rural" or "at-risk" suffer a long-standing problem of high turnover rates for teachers. This dilemma is attributable to the fact that a majority of the teachers at these schools are reluctant first-time educators, who quickly leave after fulfilling their mandatory probationary period to seek employment at urban campuses. Subsequently, these schools lack staff consistency, as well as experience, and fail to provide the necessary instruction to students who are alarmingly deficient in basic skills development. The location of these schools, combined with the negative stigma of the student population, has driven away many excellent educators from where they are needed the most.

Your Committee received testimony from the DOE indicating support for a "bonus" or "pay incentive" plan, but not a mandated "merit pay" plan. Testimony of the Hawaii State Teachers Association (HSTA) stated their preference to seek "comprehensive alternatives" rather than isolated incentive and merit pay proposals to address the problem of teacher retention in "rural" or "at-risk" schools.

The HSTA also spoke against dealing with the problem through legislative mandates and instead favored collective bargaining as the proper mechanism to mitigate the situation.

The resolution has been amended by:

- (1) Designating the Legislative Reference Bureau (LRB) as the agency to:
 - (a) Develop the incentive and merit pay plan for teachers for the DOE to implement;
 - (b) Establish guidelines for the program; and
 - (c) Consider alternative financial components to the program;
- (2) Including the Office of Collective Bargaining, the Department of Personnel Services, the HSTA, and the DOE as consultative parties to assist the plan development and to receive certified copies of the resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.R. No. 347, as amended herein, and recommends that it be referred to the Committee on Legislative Management, in the form attached hereto as H.R. No. 347, H.D. 1.

Signed by all members of the Committee.

SCRep. 1409-92 Education on H.C.R. No. 347

The purpose of this concurrent resolution, as received, is to request the Department of Education (DOE) to develop and implement an incentive and merit pay program to attract and retain experienced teachers at schools designated as "rural" or "at-risk".

Schools classified as "rural" or "at-risk" suffer a long-standing problem of high turnover rates for teachers. This dilemma is attributable to the fact that a majority of the teachers at these schools are reluctant first-time educators, who quickly leave after fulfilling their mandatory probationary period to seek employment at urban campuses. Subsequently, these schools lack staff consistency, as well as experience, and fail to provide the necessary instruction to students who are alarmingly deficient in basic skills development. The location of these schools, combined with the negative stigma of the student population, has driven away many excellent educators from where they are needed the most.

Your Committee received testimony from the DOE indicating support for a "bonus" or "pay incentive" plan, but not a mandated "merit pay" plan. Testimony of the Hawaii State Teachers Association (HSTA) stated their preference to seek "comprehensive alternatives" rather than isolated incentive and merit pay proposals to address the problem of teacher retention in "rural" or "at-risk" schools.

The HSTA also spoke against dealing with the problem through legislative mandates and instead favored collective bargaining as the proper mechanism to mitigate the situation.

The concurrent resolution has been amended by:

- (1) Designating the Legislative Reference Bureau (LRB) as the agency to:
 - (a) Develop the incentive and merit pay plan for teachers for the DOE to implement;
 - (b) Establish guidelines for the program; and
 - (c) Consider alternative financial components to the program;
- (2) Including the Office of Collective Bargaining, the Department of Personnel Services, the HSTA, and the DOE as consultative parties to assist the plan development and to receive certified copies of the concurrent resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 347, 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. 347, H.D. 1.

Signed by all members of the Committee.

SCRep. 1410-92 Education on H.R. No. 299

The purpose of this resolution is to request the Board of Education (BOE) to reevaluate the current support staff/student ratios in the public schools.

The Department of Education (DOE) testified in support of the general intent of the resolution, which is to increase school support staffing in proportion to need. Your Committee also received supporting testimony from the United Parents for Education Coalition.

Your Committee believes that a reevaluation of ratios for school support staff is needed in light of changes that are being proposed by Project Ke Au Hou, a project to support school/community-based management through a shift of State and district office positions directly to schools and to area support centers. In addition, there are other changes that are being proposed by the Task Force on Educational Governance that are also likely to affect school operations and, in turn, the ratios for school-level support staffs.

Upon consideration, your Committee has amended the resolution by:

- (1) Inserting a clause that states that the Department of Personnel Services (DPS) sets standards for hiring and classifying classified support staff;
- (2) Specifying that the DOE work in conjunction with DPS to reevaluate the current support staff/student ratios;
- (3) Clarifying that the DOE, and not the BOE, is requested to:
 - (a) Reevaluate the current support staff/student ratios; and
 - (b) Submit a report of its findings and recommendations to the Legislature no later than twenty days before the convening of the Regular Session of 1993;
- (4) Including the Director of the Department of Personnel Services in the transmittal paragraph of this resolution; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Education concurs with the intent and purpose of H.R. No. 299, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 299, H.D. 1.

Signed by all members of the Committee.

SCRep. 1411-92 Education on H.C.R. No. 291

The purpose of this concurrent resolution is to request the Board of Education (BOE) to reevaluate the current support staff/student ratios in the public schools.

The Department of Education (DOE) testified in support of the general intent of the concurrent resolution, which is to increase school support staffing in proportion to need. Your Committee also received supporting testimony from the United Parents for Education Coalition.

Your Committee believes that a reevaluation of ratios for school support staff is needed in light of changes that are being proposed by Project Ke Au Hou, a project to support school/community-based management through a shift of State and district office positions directly to schools and to area support centers. In addition, there are other changes that are being proposed by the Task Force on Educational Governance that are also likely to affect school operations and, in turn, the ratios for school-level support staffs.

Upon consideration, your Committee has amended the concurrent resolution by:

- (1) Inserting a clause that states that the Department of Personnel Services (DPS) sets standards for hiring and classifying classified support staff;
- (2) Specifying that the DOE work in conjunction with DPS to reevaluate the current support staff/student ratios;
- (3) Clarifying that the DOE, and not the BOE, is requested to:
 - (a) Reevaluate the current support staff/student ratios; and
 - (b) Submit a report of its findings and recommendations to the Legislature no later than twenty days before the convening of the Regular Session of 1993;
- (4) Including the Director of the Department of Personnel Services in the transmittal paragraph of this concurrent resolution; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 291, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 291, H.D. 1.

Signed by all members of the Committee.

SCRep. 1412-92 Education on H.R. No. 255

The purpose of this resolution is to request that the Governor to declare funding for education as the first priority of the State in the decade of the family.

Testimony in support of this resolution was received from the Department of Education (DOE).

Your Committee on Education is in accord with the intent and purpose of H.R. No. 255 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1413-92 Education on H.C.R. No. 247

The purpose of this concurrent resolution is to request that the Governor to declare funding for education as the first priority of the State in the decade of the family.

Testimony in support of this concurrent resolution was received from the Department of Education (DOE).

Your Committee on Education is in accord with the intent and purpose of H.C.R. No. 247 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1414-92 Education on H.R. No. 452

The purpose of this resolution is to request that the Department of Education (DOE) conduct a comprehensive assessment of its current procurement practices for food products under the School Lunch Program.

Testimony in support of the intent of this resolution was received from the Department of Education (DOE).

Your Committee on Education is in accord with the intent and purpose of H.R. No. 452 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1415-92 Education on H.C.R. No. 452

The purpose of this concurrent resolution is to request that the Department of Education (DOE) to assess its procurement practices for food products under the School Lunch Program.

Testimony in support of the intent of this concurrent resolution was received from the DOE.

Your Committee on Education is in accord with the intent and purpose of H.C.R. No. 452 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1416-92 Education on H.R. No. 453

The purpose of this resolution is to have the Department of Education (DOE) study the lump-sum budgeting system and report its findings to the 1993 legislative session.

Testimony in support of this resolution was received by the DOE. Your Committee also received supporting testimony from the Hawaii State Teachers' Association (HSTA) and the United Parents for Education Coalition (UP-ED).

Your Committee on Education is in accord with the intent and purpose of H.R. No. 453 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1417-92 Education on H.C.R. No. 453

The purpose of this concurrent resolution is to have the Department of Education (DOE) study the lump-sum budgeting system and report its findings to the 1993 legislative session.

Testimony in support of this concurrent resolution was received from the DOE. Your Committee also received testimony from the Hawaii State Teachers' Association (HSTA) and the United Parents for Education Coalition (UP-ED).

Your Committee on Education is in accord with the intent and purpose of H.C.R. No. 453 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1418-92 Education on H.R. No. 454

The purpose of this resolution is that the Department of Education (DOE) encourage the public schools to collaborate with one another in implementing school/community-based management (SCBM).

Testimony in support of the resolution was received from the DOE. Your Committee also received testimony in support from the United Parents for Education Coalition (UP-ED).

Your Committee on Education is in accord with the intent and purpose of H.R. No. 454 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1419-92 Education on H.C.R. No. 454

The purpose of this concurrent resolution is that the Department of Education (DOE) encourage the public schools to collaborate with one another in implementing school/community-based management (SCBM).

Testimony in support of the concurrent resolution was received from the DOE. Your Committee also received testimony in support from the United Parents for Education Coalition.

Your Committee on Education is in accord with the intent and purpose of H.C.R. No. 454, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1420-92 Education on H.R. No. 203

The purpose of this resolution is to request the Department of Education (DOE) to expedite the revision of educational specifications and standards for public school facilities.

Testimony on this resolution was submitted by the DOE and the Department of Accounting and General Services (DAGS). The testimony indicated that the revision of the specifications and standards is a lengthy and arduous task due to the enormity and complexity of the factors involved; the different educational requirements identified for the elementary, intermediate, and high schools; and the continual variance of students-to-teacher and students-to-support staff ratios. The revision process must also consider the added requirements of new federal and State standards in improving access for physically handicapped students and adults.

Upon consideration of the testimony and through discussion by your Committee, this resolution has been amended by:

- (1) Amending the above-referred title: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPEDITE THE REVISION OF EDUCATIONAL SPECIFICATIONS AND STANDARDS FOR ELEMENTARY, INTERMEDIATE, AND HIGH SCHOOL FACILITIES" to read as follows: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STREAMLINE THE PROCESS FOR REVISING AND WRITING EDUCATIONAL SPECIFICATIONS AND STANDARDS FOR PUBLIC SCHOOL FACILITIES";
- (2) Including two additional objectives in streamlining the revision process:
 - (a) The revision process must be simplified and shortened to facilitate effective and immediate improvements to the physical environment for teaching, learning, and support services; and
 - (b) The specifications and standards themselves must be simplified and shortened to provide understandable information to parents, teachers, school administrators, students, and lay persons serving on SCBM councils;
- (3) Directing DAGS to also expedite the revision process; and
- (4) Including the Comptroller in the transmittal paragraph of this resolution.

Your Committee on Education concurs with the intent and purpose of H.R. No. 203, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 203, H.D. 1.

Signed by all members of the Committee.

SCRep. 1421-92 Education on H.C.R. No. 192

The purpose of this concurrent resolution is to request the Department of Education (DOE) to expedite the revision of educational specifications and standards for public school facilities.

Testimony on this concurrent resolution was submitted by the DOE and the Department of Accounting and General Services (DAGS). The testimony indicated that the revision of the specifications and standards is a lengthy and arduous task due to the enormity and complexity of the factors involved; the different educational requirements identified for the elementary, intermediate, and high schools; and the continual variance of students-to-teacher and students-to-support staff ratios. The revision process must also consider the added requirements of new federal and State standards in improving access for physically handicapped students and adults.

Upon consideration of the testimony and through discussion by your Committee, this concurrent resolution has been amended by:

- (1) Amending the above-referred title: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPEDITE THE REVISION OF EDUCATIONAL SPECIFICATIONS AND STANDARDS FOR ELEMENTARY, INTERMEDIATE, AND HIGH SCHOOL FACILITIES" to read as follows: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STREAMLINE THE PROCESS FOR REVISING AND WRITING EDUCATIONAL SPECIFICATIONS AND STANDARDS FOR PUBLIC SCHOOL FACILITIES";
- (2) Including two additional objectives in streamlining the revision process:
 - (a) The revision process must be simplified and shortened to facilitate effective and immediate improvements to the physical environment for teaching, learning, and support services; and
 - (b) The specifications and standards themselves must be simplified and shortened to provide understandable information to parents, teachers, school administrators, students, and lay persons serving on SCBM councils;
- (3) Directing DAGS to also expedite the revision process; and
- (4) Including the Comptroller in the transmittal paragraph of this concurrent resolution.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 192, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 192, H.D. 1.

Signed by all members of the Committee.

SCRep. 1422-92 Consumer Protection and Commerce on H.R. No. 9

The purpose of this resolution is to request the Legislative Reference Bureau to study the feasibility of the State providing liability insurance relief to adult residential care home operators.

The United Group of Home Operators, Hawaii Right to Life and a private citizen testified in support of the resolution.

Your Committee finds that adult residential care homes are finding it more expensive and extremely difficult to obtain liability insurance coverage. It is hoped that this resolution will provide some alternatives and relief.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of H.R. No. 9 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Amaral and Peters.

SCRep. 1423-92 Consumer Protection and Commerce on H.C.R. No. 7

The purpose of the concurrent resolution is to request the Legislative Reference Bureau to study the feasibility of the State providing liability insurance relief to adult residential care home operators.

The United Group of Home Operators, Hawaii Right to Life and a private citizen testified in support of the concurrent resolution.

Your Committee finds that adult residential care homes are finding it more expensive and extremely difficult to obtain liability insurance coverage. It is hoped that this concurrent resolution will provide some alternatives and relief.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of H.C.R. No. 7 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Amaral and Peters.

SCRep. 1424-92 Water, Land Use, and Hawaiian Affairs; Intergovernmental Relations and International Affairs; and Planning and Economic Development on H.R. No. 229

The purpose of this measure is to call for a speedy resolution of the current lease rent controversy at Kalaupapa, and to urge the Hawaiian Homes Commission and the National Parks Service to submit to mediation or binding arbitration.

Testimony on this resolution was submitted by the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, the Department of Health, the Aged Hawaiians, Ka Lahui Hawaii, and a Kalaupapa resident. Those expressing reservations with the resolution stressed the Hawaiian Homes Commission's fiduciary responsibilities to beneficiaries of the Hawaiian Homes Commission Act, and argued that a solution should not come at their expense.

Your Committees have amended this resolution by:

- (1) Deleting a paragraph calling upon the Hawaiian Homes Commission and the National Park Service to submit to mediation or binding arbitration;
- (2) Providing for certified copies of the resolution to be transmitted also to the Patients' Advisory Council and to the members of the National Parks Commission; and
- (3) Making nonsubstantive changes for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs and Planning and Economic Development concur with the intent and purpose of H.R. No. 229, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 229, H.D. 1.

Signed by all members of the Committees.

SCRep. 1425-92 Water, Land Use, and Hawaiian Affairs; Intergovernmental Relations and International Affairs; and Planning and Economic Development on H.C.R. No. 219

The purpose of this measure is to call for a speedy resolution of the current lease rent controversy at Kalaupapa, and to urge the Hawaiian Homes Commission and the National Parks Service to submit to mediation or binding arbitration.

Testimony on this concurrent resolution was submitted by the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, the Department of Health, the Aged Hawaiians, Ka Lahui Hawaii, and a Kalaupapa resident. Those expressing reservations with the concurrent resolution stressed the Hawaiian Homes Commission's fiduciary responsibilities to beneficiaries of the Hawaiian Homes Commission Act, and argued that a solution should not come at their expense.

Your Committees have amended this concurrent resolution by:

- (1) Deleting a paragraph calling upon the Hawaiian Homes Commission and the National Park Service to submit to mediation or binding arbitration;
- (2) Providing for certified copies of the concurrent resolution to be transmitted also to the Patients' Advisory Council and to the members of the National Parks Commission; and
- (3) Making nonsubstantive changes for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs and Planning and Economic Development concur with the intent and purpose of H.C.R. No. 219, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 219, H.D. 1.

Signed by all members of the Committees.

SCRep. 1426-92 Intergovernmental Relations and International Affairs on H.C.R. No. 408

The purpose of this concurrent resolution is to request the Speaker of the House of Representatives and the President of the Senate to jointly appoint a commission on government efficiency to examine the current organizational structures, functions, and operations of State departments and agencies in the executive branch to promote efficiency in the delivery of public services by State government.

The appointed commission would:

- (1) Consist of representatives from business, labor, academia, and government;
- (2) Conduct its examination of state government from the perspective that the State should provide the current or an increased level of public services without reducing or increasing the current work force;
- (3) Submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the 1993 Regular Session; and
- (4) Include in the report a proposal for the reorganization of the state executive branch that identifies those agencies and functions that can be improved through consolidation, dissolution, or other means.

The Office of State Planning submitted testimony in support of this measure.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.C.R. No. 408 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1427-92 Legislative Management on H.R. No. 8

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study on the feasibility and ramifications of amending the current definition of an Adult Residential Care Home to allow operators to take in a family member or a relative as a patient in the care home.

The Departments of Human Services and Health and a private individual submitted testimony generally supportive of the resolution.

Your Committee concurs with the points raised by the departments that the study should address such issues as definition of relatives, reimbursement rate, the number of beds care homes would make available to relatives versus non-relatives, and whether the rules regulating residential care home operators should be amended.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 8 and recommends its adoption.

Signed by all members of the Committee except Representative Apo.

SCRep. 1428-92 Legislative Management on H.C.R. No. 72

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a study to address the fiscal relationship between Hawaii's legislative and executive branches and to submit a report of its findings and recommendations to the Legislature at least twenty days prior to the convening of the Regular Session of 1993.

Your Committee agrees with the comments offered by the Department of Budget and Finance that the study should be comprehensive as to address the budget system as a whole, encompassing the preparation of the Executive Budget, the authorizations by the Legislature, and implementation by the Executive Branch.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 72 and recommends its adoption.

Signed by all members of the Committee except Representative Apo.

SCRep. 1429-92 Legislative Management on H.C.R. No. 6

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study on the feasibility and ramifications of amending the current definition of an Adult Residential Care Home to allow operators to take in a family member or a relative as a patient in the care home.

The Departments of Human Services and Health and a private individual submitted testimony generally supportive of the concurrent resolution.

Your Committee concurs with the points raised by the departments that the study should address such issues as definition of relatives, reimbursement rate, the number of beds care homes would make available to relatives versus non-relatives, and whether the rules regulating residential care home operators should be amended.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 6 and recommends its adoption.

Signed by all members of the Committee except Representative Apo.

SCRep. 1430-92 Tourism on S.C.R. No. 26

The purpose of this resolution is to request an audit of the Hawaii Visitors Bureau by the Legislative Auditor and to request that the Hawaii Visitors Bureau report on its progress in implementing the recommendations of the previous audit.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism, and the Hawaii Visitors Bureau.

Your Committee does find a need for periodic review of the Hawaii Visitors Bureau, but that a comprehensive audit would not be appropriate at this time.

Your Committee changed the resolution by:

- (1) Requesting that the Hawaii Visitors Bureau make an early report to the Legislative Auditor, which will then review the information and report its own findings and recommendations to the Legislature;
- (2) Removing any reference to a new audit; and
- (3) Adding the Director of Business, Economic Development and Tourism, the President of the Senate and the Speaker of the House of Representatives to those receiving certified copies.

Your Committee on Tourism concurs with the intent and purpose of S.C.R. No. 26, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as S.C.R. No. 26, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1431-92 Tourism on S.C.R. No. 7

The purpose of this resolution is to request hotels, airlines and other tourism businesses to provide greater discounts to Hawaii residents.

Your Committee finds that intra-state travel by local residents helps to keep the visitor industry running during nonpeak periods. Most companies recognize this and offer special "kamaaina rates," but greater discounts would make the visitor industry available to greater numbers of residents.

Your Committee changed the resolution by adding the Governor and the Mayors of the counties to those receiving certified copies.

Your Committee on Tourism concurs with the intent and purpose of S.C.R. No. 7, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 7, H.D. 1.

Signed by all members of the Committee.

SCRep. 1432-92 Tourism on S.C.R. No. 27

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism to explore the possibility of using alternative marketing techniques to promote business and convention travel to Hawaii.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism, and the Waikiki Convention Center Authority.

Your Committee finds that greater business and convention travel to Hawaii would increase per capita spending by visitors and help stabilize the volatile visitor industry.

Your Committee on Tourism concurs with the intent and purpose of S.C.R. No. 27 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1433-92 Tourism on H.R. No. 118

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism to evaluate the effectiveness of the marketing efforts of the State Tourism Office.

Your Committee received testimony on this resolution from the Department of Business, Economic Development and Tourism.

Your Committee finds that some objective measure of marketing effectiveness and reliance on private sector contributions for joint marketing activities is necessary to justify continued government funding during this period of limited financial means.

Your Committee further finds that other government tourism agencies, such as the Australian Tourist Commission, have conducted such evaluations and that a similar examination would enable the Office of Tourism to increase the effectiveness of its marketing and promotion.

Your Committee on Tourism concurs with the intent and purpose of H.R. No. 118 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1434-92 Tourism on H.C.R. No. 110

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism to evaluate the effectiveness of the marketing efforts of the State Tourism Office.

Your Committee received testimony on this resolution from the Department of Business, Economic Development and Tourism.

Your Committee finds that some objective measure of marketing effectiveness and reliance on private sector contributions for joint marketing activities is necessary to justify continued government funding during this period of limited financial means.

Your Committee further finds that other government tourism agencies, such as the Australian Tourist Commission, have conducted such evaluations and that a similar examination would enable the Office of Tourism to increase the effectiveness of its marketing and promotion.

Your Committee on Tourism concurs with the intent and purpose of H.C.R. No. 110 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1435-92 Tourism on H.R. No. 119

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism to conduct a study of alternative tourism attractions in Hawaii to identify and evaluate appropriate attractions for possible development.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism and the Hawaii Transportation Association.

Your Committee finds that heavy visitor traffic has caused restricted access to some of Hawaii's most popular attractions and that knowledgeable individuals in Japan, one of the major Hawaii visitor markets, have commented on the need for new attractions and a new image for Hawaii.

Your Committee on Tourism concurs with the intent and purpose of H.R. No. 119 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1436-92 Tourism on H.C.R. No. 111

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to conduct a study of alternative tourism attractions in Hawaii to identify and evaluate appropriate attractions for possible development.

Your Committee received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism and the Hawaii Transportation Association.

Your Committee finds that heavy visitor traffic has caused restricted access to some of Hawaii's most popular attractions and that knowledgeable individuals in Japan, one of the major Hawaii visitor markets, have commented on the need for new attractions and a new image for Hawaii.

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

Signed by all members of the Committee.

SCRep. 1437-92 Tourism on H.R. No. 252

The purpose of this resolution is to support the relocation of the Secretariat of the Pacific Asia Travel Association to its original home in Hawaii.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism, the Office of International Relations, and the School of Travel Industry Management of the University of Hawaii.

Your Committee finds that the relocation of the Pacific Asia Travel Association (PATA) to Hawaii would help to develop Hawaii as a business and meeting center, providing more stability to the State's economy by reducing dependence on pleasure travelers, and that the 1993 PATA annual conference in Honolulu offers a fitting occasion for the return of PATA.

Your Committee further finds that PATA will be strongly considering relocation within the next year and that it must decide whether to exercise an option to extend the existing lease on its office space by the summer of 1993.

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

Signed by all members of the Committee.

SCRep. 1438-92 Tourism on H.C.R. No. 244

The purpose of this concurrent resolution is to support the relocation of the Secretariat of the Pacific Asia Travel Association to its original home in Hawaii.

Your Committee received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism, the Office of International Relations, and the School of Travel Industry Management of the University of Hawaii.

Your Committee finds that the relocation of the Pacific Asia Travel Association (PATA) to Hawaii would help to develop Hawaii as a business and meeting center, providing more stability to the State's economy by reducing dependence on pleasure travelers, and that the 1993 PATA annual conference in Honolulu offers a fitting occasion for the return of PATA.

Your Committee further finds that PATA will be strongly considering relocation within the next year and that it must decide whether to exercise an option to extend the existing lease on its office space by the summer of 1993.

Your Committee on Tourism concurs with the intent and purpose of H.C.R. No. 244 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1439-92 Tourism on H.R. No. 420

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism to make recommendations for retaining the Pro Bowl in Hawaii and using professional football to attract visitors to Hawaii.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism.

Your Committee finds that events like the Pro Bowl draw large numbers of people to Hawaii, both during the event and afterwards as a result of the extensive media coverage. Approximately 21,500 people traveled to Hawaii to attend the 1992 Pro Bowl, which generated \$67.5 million in income for Hawaii and \$4 million in State and County tax revenue.

Your Committee changed the resolution by restricting the scope of the study to retaining the Pro Bowl, removing any reference to using professional football to attract visitors.

Your Committee on Tourism concurs with the intent and purpose of H.R. No. 420, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 420, H.D. 1.

Signed by all members of the Committee.

SCRep. 1440-92 Tourism on H.C.R. No. 419

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to make recommendations for retaining the Pro Bowl in Hawaii and using professional football to attract visitors to Hawaii.

Your Committee received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism.

Your Committee finds that events like the Pro Bowl draw large numbers of people to Hawaii, both during the event and afterwards as a result of the extensive media coverage. Approximately 21,500 people traveled to Hawaii to attend the 1992 Pro Bowl, which generated \$67.5 million in income for Hawaii and \$4 million in State and County tax revenue.

Your Committee changed the concurrent resolution by restricting the scope of the study to retaining the Pro Bowl, removing any reference to using professional football to attract visitors.

Your Committee on Tourism concurs with the intent and purpose of H.C.R. No. 419, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 419, H.D. 1.

Signed by all members of the Committee.

SCRep. 1441-92 Tourism on H.R. No. 122

The purpose of this resolution is to request the organizers of the Aloha Festivals to consider enlarging the scope and size of the Aloha Festivals floral parade.

Your Committee received testimony on this resolution from the Department of Business, Economic Development and Tourism, the Hawaii Visitors Bureau, the Waikiki/Oahu Visitors Association and Aloha Festivals.

Your Committee finds that the Aloha Festivals floral parade is rated third nationally and that local and national television coverage serves to promote Hawaii as a visitor destination.

Your Committee on Tourism concurs with the intent and purpose of H.R. No. 122 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1442-92 Tourism on H.C.R. No. 114

The purpose of this concurrent resolution is to request the organizers of the Aloha Festivals to consider enlarging the scope and size of the Aloha Festivals floral parade.

Your Committee received testimony on this concurrent resolution from the Department of Business, Economic Development and Tourism, the Hawaii Visitors Bureau, the Waikiki/Oahu Visitors Association and Aloha Festivals.

Your Committee finds that the Aloha Festivals floral parade is rated third nationally and that local and national television coverage serves to promote Hawaii as a visitor destination.

Your Committee on Tourism concurs with the intent and purpose of H.C.R. No. 114 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1443-92 Judiciary on H.R. No. 70

The purpose of this resolution is to request the Legislative Reference Bureau to study and evaluate the relocation of Oahu Community Correctional Center from its present site as well as alternative uses for this site should the Oahu Community Correctional Center be relocated to another site.

Testimony in support of this resolution was received from the Department of Public Safety.

The adoption of this resolution is a necessary step in evaluating the relocation of OCCC and possible alternative uses for this site.

This resolution has been amended by calling for the Legislative Reference Bureau to also study and evaluate the feasibility of relocating OCCC to an alternative site from its present site in Kalihi. The Department of Public Safety testified that the study should also include an alternative site for OCCC, funding possibilities for the relocation of OCCC, and concern over the transporting of pre-trial detainees to and from the courts from a site other than the present Kalihi site.

Your Committee on Judiciary concurs with the intent and purpose of H.R. 70, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 70, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Hagino, Hirono, Peters and Thompson.

SCRep. 1444-92 Judiciary on H.C.R. No. 69

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study and evaluate the relocation of Oahu Community Correctional Center from its present site as well as alternative uses for this site should the Oahu Community Correctional Center be relocated to another site.

Testimony in support of this concurrent resolution was received from the Department of Public Safety.

The adoption of this concurrent resolution is a necessary step in evaluating the relocation of OCCC and possible alternative uses for this site.

This concurrent resolution has been amended by calling for the Legislative Reference Bureau to also study and evaluate the feasibility of relocating OCCC to an alternative site from its present site in Kalihi. The Department of Public Safety testified that the study should also include an alternative site for OCCC, funding possibilities for the relocation of OCCC, and concern over the transporting of pre-trial detainees to and from the courts from a site other than the present Kalihi site.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. 69, 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. 69, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Hagino, Hirono, Peters and Thompson.

SCRep. 1445-92 Judiciary on H.R. No. 294

The purpose of this resolution is to request the Legislative Reference Bureau to study the feasibility of requiring that all active members of the Hawaii State Bar who are engaged in the private practice of law and whose principal offices are in the State of Hawaii to carry legal malpractice insurance.

Your Committee received testimony in support of this resolution from the Hawaii Academy of Plaintiffs' Attorneys and a private individual.

The resolution proposes that the Legislative Reference Bureau conduct a study to look into the feasibility of requiring that all private attorneys who practice within the State of Hawaii carry legal malpractice insurance. Attorneys have a fiduciary duty to their clients, however, there has been incidents when an attorney has breached that fiduciary duty to the client or by acts or omissions caused financial hardship to their client. Subsequently, the attorney is charged and found guilty of legal malpractice, however, because the attorney declares bankruptcy or is not covered by legal malpractice insurance the client is left with no means of recovering damages. Consequently, the innocent client often experiences great financial, emotional and possible physical damages.

Your Committee has amended this resolution to request that the Legislative Reference Bureau conduct this study in consultation with the Hawaii Bar Association. The Legislative Reference Bureau is also requested to do an assessment to discover if there is an actual problem with non-mandatory legal malpractice insurance for attorneys practicing in the State

of Hawaii and to include data on the number of non-insured attorneys and specialties within the legal profession where mandatory legal malpractice is warranted.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 294, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 294, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Hagino, Hirono, Peters and Thompson.

SCRep. 1446-92 Judiciary on H.C.R. No. 285

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the feasibility of requiring that all active members of the Hawaii State Bar who are engaged in the private practice of law and whose principal offices are in the State of Hawaii to carry legal malpractice insurance.

Your Committee received testimony in support of this concurrent resolution from the Hawaii Academy of Plaintiffs' Attorneys and a private individual.

The concurrent resolution proposes that the Legislative Reference Bureau conduct a study to look into the feasibility of requiring that all private attorneys who practice within the State of Hawaii carry legal malpractice insurance. Attorneys have a fiduciary duty to their clients, however, there has been incidents when an attorney has breached that fiduciary duty to the client or by acts or omissions caused financial hardship to their client. Subsequently, the attorney is charged and found guilty of legal malpractice, however, because the attorney declares bankruptcy or is not covered by legal malpractice insurance the client is left with no means of recovering damages. Consequently, the innocent client often experiences great financial, emotional and possible physical damages.

Your Committee has amended this concurrent resolution to request that the Legislative Reference Bureau conduct this study in consultation with the Hawaii Bar Association. The Legislative Reference Bureau is also requested to do an assessment to discover if there is an actual problem with non-mandatory legal malpractice insurance for attorneys practicing in the State of Hawaii and to include data on the number of non-insured attorneys and specialties within the legal profession where mandatory legal malpractice is warranted.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 285, 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. 285, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Arakaki, Hagino, Hirono, Peters and Thompson.

SCRep. 1447-92 Judiciary on H.R. No. 457

The purpose of this resolution is to request that the Governor hold public hearings to allow for public notification and input prior to restricting or amending any expenditure items contained in any budget passed by the Legislature.

Testimony in support of this resolution was received from various Oahu Neighborhood Boards, the Hawaii District I PTSA, and numerous private individuals.

Your Committee finds that when the Legislature appropriates funds for a specific undertaking, it does so in accordance with the priorities and needs it perceives, and that perception is developed with the use of studies, evaluations, assessments and input from the public through the use of public hearings. However, despite the efforts expended by Legislature and the public in developing and adopting specific programs and a balanced budget, the Governor regularly exercises the power to expend or refuse to expend funds earmarked for various programs and specific undertakings. When the Governor refuses to expend funds earmarked for a specific program by the Legislature, the public is not provided with prior notice, disclosure, or justification for the Governor's action.

This resolution has been amended by:

- (1) Amending the title to read, "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO OBSERVE THE PROVISIONS OF CHAPTER 91 BY NOTIFYING THE PUBLIC PRIOR TO RESTRICTING OR AMENDING ANY EXPENDITURE ITEMS CONTAINED IN ANY BUDGET PASSED BY THE LEGISLATURE"
- (2) Deleting provisions requesting the Governor to schedule and convene, public hearings to disclose and justify any action to restrict expenditure items included in any budget passed by the Legislature. The requirement to hold public hearings would place too great of a restriction on the budget process because of the 30 day notification requirement and the cost of publication for notices of the public hearings.
- (3) Other technical and nonsubstantive amendments have been made for purposes of style and clarity.

Your Committee has requested that the Governor provide notice to the public to disclose and justify any action to restrict expenditure items included in any budget passed by the Legislature. Such notice should follow the requirements for notice provided in Hawaii Revised Statutes Chapter 91, section 3, however, there should be no requirement to hold a public hearing.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 457, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 457, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Arakaki, Cachola, Hagino, Peters, Thompson and Thielen.

SCRep. 1448-92 Judiciary on H.C.R. No. 457

The purpose of this concurrent resolution is to request that the Governor hold public hearings to allow for public notification and input prior to restricting or amending any expenditure items contained in any budget passed by the Legislature.

Testimony in support of this concurrent resolution was received from various Oahu Neighborhood Boards, the Hawaii District I PTSA, and numerous private individuals.

Your Committee finds that when the Legislature appropriates funds for a specific undertaking, it does so in accordance with the priorities and needs it perceives, and that perception is developed with the use of studies, evaluations, assessments and input from the public through the use of public hearings. However, despite the efforts expended by Legislature and the public in developing and adopting specific programs and a balanced budget, the Governor regularly exercises the power to expend or refuse to expend funds earmarked for various programs and specific undertakings. When the Governor refuses to expend funds earmarked for a specific program by the Legislature, the public is not provided with prior notice, disclosure, or justification for the Governor's action.

This concurrent resolution has been amended by:

- (1) Amending the title to read, "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO OBSERVE THE PROVISIONS OF CHAPTER 91 BY NOTIFYING THE PUBLIC PRIOR TO RESTRICTING OR AMENDING ANY EXPENDITURE ITEMS CONTAINED IN ANY BUDGET PASSED BY THE LEGISLATURE"
- (2) Deleting provisions requesting the Governor to schedule and convene, public hearings to disclose and justify any action to restrict expenditure items included in any budget passed by the Legislature. The requirement to hold public hearings would place too great of a restriction on the budget process because of the 30 day notification requirement and the cost of publication for notices of the public hearings.
- (3) Other technical and nonsubstantive amendments have been made for purposes of style and clarity.

Your Committee has requested that the Governor provide notice to the public to disclose and justify any action to restrict expenditure items included in any budget passed by the Legislature. Such notice should follow the requirements for notice provided in Hawaii Revised Statutes Chapter 91, section 3, however, there should be no requirement to hold a public hearing.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 457, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 457, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Arakaki, Cachola, Hagino, Peters, Thompson and Thielen.

SCRep. 1449-92 Consumer Protection and Commerce on H.R. No. 308

The purpose of this resolution is to address an inconsistency in current law regarding the regulation of real estate brokers and agents who have incorporated for financial planning purposes.

Your Committee received testimony in support of this resolution from the Hawaii Association of Realtors. Your Committee also received testimony on the resolution from the Hawaii Real Estate Commission.

These corporations were formed as estate, medical and retirement planning vehicles to establish some security for these brokers and their families, as the large real estate firms rarely offered medical or retirement plans to these independent contractors.

As licensing now stands, an individual real estate broker can form a corporation, have that corporation obtain a corporate real estate license, and practice real estate as an individual principal broker under that corporation. As an employer-owner, that real estate agent now may establish a retirement plan, establish a medical plan and earn money in the corporation. If at a later time, this broker decides to work for another firm, the broker then must cease to earn money in the corporation. The consequences of this action is that the retirement plan must be closed down or converted to an individual one and the medical plan cancelled.

Your Committee has amended the resolution and its title to clarify the specific problem being addressed, to narrow the scope of the resolution to the concerns expressed by the Hawaii Association of Realtors and to request the study be conducted by the Legislative Auditor.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of H.R. No. 308, as amended herein, and recommends that it be referred to the Committee of Legislative Management in the form attached hereto as H.R. No. 308, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Cachola and Thompson.

SCRep. 1450-92 Consumer Protection and Commerce on H.C.R. No. 305

The purpose of this concurrent resolution is to address an inconsistency in current law regarding the regulation of real estate brokers and agents who have incorporated for financial planning purposes.

Your Committee received testimony in support of this concurrent resolution from the Hawaii Association of Realtors. Your Committee also received testimony on the concurrent resolution from the Hawaii Real Estate Commission.

These corporations were formed as estate, medical and retirement planning vehicles to establish some security for these brokers and their families, as the large real estate firms rarely offered medical or retirement plans to these independent contractors.

As licensing now stands, an individual real estate broker can form a corporation, have that corporation obtain a corporate real estate license, and practice real estate as an individual principal broker under that corporation. As an employer-owner, that real estate agent now may establish a retirement plan, establish a medical plan and earn money in the corporation. If at a later time, this broker decides to work for another firm, the broker then must cease to earn money in the corporation. The consequences of this action is that the retirement plan must be closed down or converted to an individual one and the medical plan cancelled.

Your Committee has amended the concurrent resolution and its title to clarify the specific problem being addressed, to narrow the scope of the concurrent resolution to the concerns expressed by the Hawaii Association of Realtors and to request the study be conducted by the Legislative Auditor.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of H.C.R. No. 305, as amended herein, and recommends that it be referred to the Committee of Legislative Management in the form attached hereto as H.C.R. No. 305, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Cachola and Thompson.

SCRep. 1451-92 Consumer Protection and Commerce on H.C.R. No. 13

The purpose of this concurrent resolution is to request the Legislative Auditor to study the feasibility of expanding State regulatory practices on optometrists regarding the use of therapeutic pharmaceutical agents (TPAs) and submit a report of the study to the 1993 Legislature.

Your Committee received testimony in support of the concurrent resolution from the Board of Examiners in Optometry and Hawaii Optometric Association. Opposing testimony was presented by the Hawaii Ophthalmological Society and Hawaii Medical Association. The Department of Health also testified.

Your Committee finds that there is a technical error in the concurrent resolution and amends it to reflect that thirty states currently allow optometrists to use TPAs. Your Committee expands the concurrent resolution to consider a broader study, and requests the Legislative Auditor to consider the following:

- (1) The number and availability of both optometrists and ophthalmologists in Hawaii and accessibility of service, including the geographic distribution of Hawaii's optometrists and ophthalmologists and the number of complaints regarding lack of access;
- (2) Potential increases in optometrists' liability and malpractice insurance if allowed to utilize TPAs;
- (3) Comparison of complaints and malpractice insurance rates before and after legislation allowing optometrists to utilize TPAs in the thirty states which have passed such measures;
- (4) Differences in training, including pharmacological, requirements and internships, including experiential requirements, of optometrists and ophthalmologists, and the continuing education requirements of both categories;
- (5) Studies produced by other states, such as Pennsylvania, Maryland, and South Carolina which may not have implemented legislation allowing the use of TPAs by optometrists;
- (6) The specific TPAs allowed in other states and the number and percentage of optometrists availing themselves of the ability to utilize TPAs; and
- (7) Sunrise and sunset reviews required by the thirty states which allow optometrists to utilize TPAs.

Your Committee urges the Legislative Auditor to give both optometrists and ophthalmologists the opportunity to participate in and comment on the study.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 13, 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. 13, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Cachola, Peters and Thompson.

SCRep. 1452-92 Education on H.R. No. 212

The purpose of this resolution is to request the Legislative Reference Bureau (LRB) to conduct a study on the salary and benefits package of public school principals.

The Department of Education (DOE) testified in support of the intent of the resolution. Your Committee also received supporting testimony from the Hawaii Government Employees Association/AFSCME (HGEA/AFSCME), the principals of Aliiolani Elementary School and Mililani Waena Elementary School, and the United Parents for Education Coalition.

It is noted that your Committee favors a review of the salary and benefits package of public school principals, particularly in light of efforts currently underway in the DOE to assign new positions directly to the schools through Project Ke Au Hou, to empower teachers, parents, and other role groups with greater decision-making authority through school/community-based management, and to enrich student learning with before- and after-school programs and services.

However, in favoring such a study, your Committee believes that vice principals and their salary and benefits package should also be considered. Besides an integrated pay benefits package for all ten-month educational officers serving in Hawaii's public schools, inclusion of vice principals in the study is a tangible expression of the value that your Committee places on the work of vice principals. Though many vice principals will no doubt move into principalships, there are some vice principals who will choose to make vice principalship a career. This fact should be recognized and explicitly provided for.

Upon consideration of the testimonies of the DOE and HGEA/AFSCME, your Committee has amended the resolution by:

- (1) Amending the above-mentioned title: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE SALARY AND BENEFITS PACKAGE OF PUBLIC SCHOOL PRINCIPALS" to read as follows: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE SALARY AND BENEFITS PACKAGE OF PUBLIC SCHOOL PRINCIPALS AND VICE PRINCIPALS";
- (2) Extending the study on the salary and benefits package of public school principals to include vice principals, and reflecting this inclusion throughout the resolution;
- (3) Requesting the LRB to develop a list of steps and a time frame to fully implement the salary and benefits package of principals and vice principals; and
- (4) Making a technical, nonsubstantive amendment for clarification.

Your Committee on Education concurs with the intent and purpose of H.R. No. 212, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 212, H.D. 1.

Signed by all members of the Committee.

SCRep. 1453-92 Education on H.C.R. No. 201

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to conduct a study on the salary and benefits package of public school principals.

The Department of Education (DOE) testified in support of the intent of the concurrent resolution. Your Committee also received supporting testimony from the Hawaii Government Employees Association/AFSCME (HGEA/AFSCME), the principals of Aliiolani Elementary School and Mililani Waena Elementary School, and the United Parents for Education Coalition.

It is noted that your Committee favors a review of the salary and benefits package of public school principals, particularly in light of efforts currently underway in the DOE to assign new positions directly to the schools through Project Ke Au Hou, to empower teachers, parents, and other role groups with greater decision-making authority through school/community-based management, and to enrich student learning with before- and after-school programs and services.

However, in favoring such a study, your Committee believes that vice principals and their salary and benefits package should also be considered. Besides an integrated pay benefits package for all ten-month educational officers serving in Hawaii's public schools, inclusion of vice principals in the study is a tangible expression of the value that your Committee places on the work of vice principals. Though many vice principals will no doubt move into principalships, there are some vice principals who will choose to make vice principalship a career. This fact should be recognized and explicitly provided for.

Upon consideration of the testimonies of the DOE and HGEA/AFSCME, your Committee has amended the concurrent resolution by:

- (1) Amending the above-mentioned title: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE SALARY AND BENEFITS PACKAGE OF PUBLIC SCHOOL PRINCIPALS" to read as follows: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE SALARY AND BENEFITS PACKAGE OF PUBLIC SCHOOL PRINCIPALS AND VICE PRINCIPALS";
- (2) Extending the study on the salary and benefits package of public school principals to include vice principals, and reflecting this inclusion throughout the concurrent resolution;
- (3) Requesting the LRB to develop a list of steps and a time frame to fully implement the salary and benefits package of principals and vice principals; and
- (4) Making a technical, nonsubstantive amendment for clarification.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 201, 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. 201, H.D. 1.

Signed by all members of the Committee.

SCRep. 1454-92 Education on H.R. No. 223

The purpose of this resolution is to request that the Legislative Reference Bureau (LRB) with the assistance of the Department of Education (DOE), to study the feasibility of transferring certain public schools to the United States Department of Defense (U.S. DOD), pursuant to Public Law 81-874.

Testimony in support of the intent of this resolution was received from the D.O.E., however the D.O.E. requested that the LRB be given the sole responsibility and latitude to conduct this study. Your Committee also received testimony from the Military Affairs Council, a body within the Chamber of Commerce of Hawaii, which neither supported nor opposed but voiced caution for this resolution.

Your Committee on Education believes that this resolution would be strengthened by including a survey of the public's views on the proper use of impact aid funds that the Hawaii DOE receives from the federal government. These funds are generated chiefly by public schools that are being considered in this resolution for transfer to the U.S. DOD.

This resolution, therefore, has been amended by adding a request to include a survey of the public's views regarding the best and proper use of federal impact aid funds.

Your Committee on Education is in accord with the intent and purpose of H.R. No. 223, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 223, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Hashimoto, Santiago and Tatibouet.

SCRep. 1455-92 Education on H.C.R. No. 213

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau (LRB) with the assistance of the Department of Education (DOE), to study the feasibility of transferring certain public schools to the United States Department of Defense (U.S. DOD), pursuant to Public Law 81-874.

Testimony in support of the intent of this concurrent resolution was received from the D.O.E., however the D.O.E. requested that the LRB be given the sole responsibility and latitude to conduct this study. Your Committee also received testimony from the Military Affairs Council, a body within the Chamber of Commerce of Hawaii, which neither supported nor opposed but voiced caution for this concurrent resolution.

Your Committee on Education believes that this concurrent resolution would be strengthened by including a survey of the public's views on the proper use of impact aid funds that the Hawaii DOE receives from the federal government. These funds are generated chiefly by public schools that are being considered in this concurrent resolution for transfer to the U.S. DOD.

This concurrent resolution, therefore, has been amended by adding a request to include a survey of the public's views regarding the best and proper use of federal impact aid funds.

Your Committee on Education is in accord with the intent and purpose of H.C.R. No. 213, 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. 213, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Hashimoto, Santiago and Tatibouet.

SCRep. 1456-92 Consumer Protection and Commerce and Judiciary on S.B. No. 2871

The purpose of this bill is to update and simplify the procedure used by a driver with a suspended or revoked license to show proof of financial responsibility in order for the license to be reissued pursuant to Section 287-36, Hawaii Revised Statutes. This bill provides that the proof of financial responsibility shall be made to the appropriate administrator in the County rather than the State Director of Finance since it is the counties that administer and enforce the provisions of Chapter 287. The proof of responsibility shall be in the form of cash or bond in the amount of \$25,000.

Testimony was submitted in support of the measure by the Director of the State Department of Budget and Finance and the City and County of Honolulu Department of Finance.

Your Committees on Consumer Protection and Commerce and Judiciary are in accord with the intent and purpose of S.B. No. 2871, S.D. 1, and recommend that it pass Third Reading.

Signed by all members of the Committees.

SCRep. 1457-92 Transportation and Intergovernmental Relations and International Affairs on H.R. No. 238

The purpose of this resolution is to urge the Department of Transportation to incorporate the Federal Aviation Administration (FAA) operations at Diamond Head Station into the expansion plans for the Honolulu International Airport.

Your Committees received testimony supporting the intent of this measure from the Department of Transportation, the Outdoor Circle, a council member of the Honolulu City Council, and the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5.

Since the FAA may perform its air traffic monitoring functions at virtually any location in the State of Hawaii, your Committees recognize that there is no reason to limit an alternate FAA site to the Honolulu International Airport area. Accordingly, your Committees have amended this measure by requesting the Department of Land and Natural Resources, in coordination with the federal General Services Administration, to identify suitable state, federal, and other appropriate lands in the State for the relocation of the FAA facilities.

The title of this measure has also been amended to read: "HOUSE RESOLUTION REQUESTING A REPORT IDENTIFYING SUITABLE LANDS FOR THE RELOCATION OF FEDERAL AVIATION ADMINISTRATION FACILITIES NOW LOCATED IN DIAMOND HEAD CRATER."

Based on the testimony presented, your Committees find that an appropriate site would be six to ten acres in size with available infrastructure, such as water, sewage, and electricity. In addition, this site should be available for the next four to six years. This measure has been amended to note these specifications.

Other technical, nonsubstantive amendments have been made for the purposes of style and clarity.

Your Committees on Transportation and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 238, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 238, H.D. 1.

Signed by all members of the Committees except Representative Hirono.

SCRep. 1458-92 Transportation and Intergovernmental Relations and International Affairs on H.C.R. No. 230

The purpose of this concurrent resolution is to urge the Department of Transportation to incorporate the Federal Aviation Administration (FAA) operations at Diamond Head Station into the expansion plans for the Honolulu International Airport.

Your Committees received testimony supporting the intent of this measure from the Department of Transportation, the Outdoor Circle, a council member of the Honolulu City Council, and the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5.

Since the FAA may perform its air traffic monitoring functions at virtually any location in the State of Hawaii, your Committees recognize that there is no reason to limit an alternate FAA site to the Honolulu International Airport area. Accordingly, your Committees have amended this measure by requesting the Department of Land and Natural Resources, in coordination with the federal General Services Administration, to identify suitable State, federal, and other appropriate lands in the State for the relocation of the FAA facilities.

The title of this measure has also been amended to read: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT IDENTIFYING SUITABLE LANDS FOR THE RELOCATION OF FEDERAL AVIATION ADMINISTRATION FACILITIES NOW LOCATED IN DIAMOND HEAD CRATER."

Based on the testimony presented, your Committees find that an appropriate site would be six to ten acres in size with available infrastructure, such as water, sewage, and electricity. In addition, this site should be available for the next four to six years. This measure has been amended to note these specifications.

Other technical, nonsubstantive amendments have been made for the purposes of style and clarity.

Your Committees on Transportation and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 230, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 230, H.D. 1.

Signed by all members of the Committees except Representative Hirono.

SCRep. 1459-92 Education on H.R. No. 421

The purpose of this resolution is to request the Department of Education (DOE) to prepare a computer and information technology master plan (master plan) to be used as a budgetary guideline in the purchase, installation, distribution, repair, and replacement of software and computer equipment bought or leased by schools.

The vital importance of preparing Hawaii's students to meet the personal and work challenges of an highly demanding, information-aged society is well recognized by all sectors of the community. In light of these challenges, your Committee supports efforts to provide students with proper curricula, equipment, and resources to become proficient in computer literacy skills, concepts, and knowledge.

Your Committee received testimony from the DOE in support of the intent of the measure. Your Committee also received supporting testimony from the Hawaii State Teachers Association, the Director of Information Technology of the University of Hawaii, and the United Parents for Education Coalition.

Your Committee on Education concurs with the intent and purpose of H.R. No. 421 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1460-92 Education on H.C.R. No. 420

The purpose of this concurrent resolution is to request the Department of Education (DOE) to prepare a computer and information technology master plan (master plan) to be used as a budgetary guideline in the purchase, installation, distribution, repair, and replacement of software and computer equipment bought or leased by schools.

The vital importance of preparing Hawaii's students to meet the personal and work challenges of an highly demanding, information-aged society is well recognized by all sectors of the community. In light of these challenges, your Committee supports efforts to provide students with proper curricula, equipment, and resources to become proficient in computer literacy skills, concepts, and knowledge.

Your Committee received testimony from the DOE in support of the intent of the measure. Your Committee also received supporting testimony from the Hawaii State Teachers Association, the Director of Information Technology of the University of Hawaii, and the United Parents for Education Coalition.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 420 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1461-92 Intergovernmental Relations and International Affairs on H.R. No. 357

The purpose of this resolution is to urge Hawaii's Congressional delegation to do everything in their power to preserve the integrity and capability of the Pacific Missile Range Facility on the island of Kauai.

Favorable testimony was submitted by the Kauai County Council, the International Brotherhood of Electrical Workers, SRS Technologies, and a retired naval officer.

Recent world events, such as the reorganization of the Soviet Union and the relocation of the Subic Naval Base and Clark Air Force Base to the Commonwealth of the Northern Mariana Islands, have greatly increased the strategic importance of the State of Hawaii. Your Committee has amended this measure to note these occurrences.

Technical, nonsubstantive amendments have also been made for the purposes of style and clarity.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.R. No. 357, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 357, H.D. 1.

Signed by all members of the Committee except Representative Hirono.

SCRep. 1462-92 Intergovernmental Relations and International Affairs on H.C.R. No. 360

The purpose of this concurrent resolution is to urge Hawaii's Congressional delegation to do everything in their power to preserve the integrity and capability of the Pacific Missile Range Facility on the island of Kauai.

Favorable testimony was submitted by the Kauai County Council, the International Brotherhood of Electrical Workers, SRS Technologies, and a retired naval officer.

Recent world events, such as the reorganization of the Soviet Union and the relocation of the Subic Naval Base and Clark Air Force Base to the Commonwealth of the Northern Mariana Islands, have greatly increased the strategic importance of the State of Hawaii. Your Committee has amended this measure to note these occurrences.

Technical, nonsubstantive amendments have also been made for the purposes of style and clarity.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.C.R. No. 360, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 360, H.D. 1.

Signed by all members of the Committee except Representative Hirono.

SCRep. 1463-92 Planning and Economic Development on H.R. No. 339

The purpose of this resolution is to request the State and County governments to encourage golf course development.

The Chamber of Commerce of Hawaii and Chalon International of Hawaii testified in support of the resolution.

Your Committee has amended the resolution to clarify the level of golf activity in the State.

Your Committee on Planning and Economic Development concurs with the intent and purpose of H.R. No. 339, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 339, H.D. 1.

Signed by all members of the Committee.

SCRep. 1464-92 Planning and Economic Development and Intergovernmental Relations and International Affairs on H.R. No. 293

The purpose of this resolution is to request the Office of International Relations and the Department of Business, Economic Development and Tourism to recommend ways to encourage commercial activities between Hawaii and the Philippines.

The Office of International Relations, the Department of Business, Economic Development and Tourism and the Filipino Chamber of Commerce of Hawaii testified in support of the resolution.

Your Committees on Planning and Economic Development and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 293 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1465-92 Planning and Economic Development and Intergovernmental Relations and International Affairs on H.R. No. 317

The purpose of this resolution is to call on the Governor through the Office of International Relations, to coordinate with various organizations of the State to support efforts to have Hawaii host the ninth round of multilateral trade negotiations under the General Agreement on Tariffs and Trade.

The Office of International Relations and the Office of State Planning testified in favor of the resolution.

Your Committees find that the President of the East-West Center should receive a certified copy of the resolution and have amended the resolution accordingly.

Your Committees on Planning and Economic Development and Intergovernmental Relations and International Affairs and Tourism concur with the intent and purpose of H.R. No. 317, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 317, H.D. 1.

Signed by all members of the Committees except Representative Takamine.

SCRep. 1466-92 Planning and Economic Development and Intergovernmental Relations and International Affairs on H.C.R. No. 314

The purpose of this concurrent resolution is to call on the Governor through the Office of International Relations, to coordinate with various organizations of the State to support efforts to have Hawaii host the ninth round of multilateral trade negotiations under the General Agreement on Tariffs and Trade.

The Office of International Relations and the Office of State Planning testified in favor of the concurrent resolution.

Your Committees find that the President of the East-West Center should receive a certified copy of the concurrent resolution and have amended the concurrent resolution accordingly.

Your Committees on Planning and Economic Development and Intergovernmental Relations and International Affairs and Tourism concur with the intent and purpose of H.C.R. No. 314, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 314, H.D. 1.

Signed by all members of the Committees except Representative Takamine.

SCRep. 1467-92 Planning and Economic Development; Education; and Intergovernmental Relations and International Affairs on H.R. No. 446

The purpose of this resolution is to urge private businesses to incorporate international education themes into their marketing programs aimed at young people.

The Office of International Relations testified in support of the resolution.

Your Committees on Planning and Economic Development and Education and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 446 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1468-92 Planning and Economic Development; Education; and Intergovernmental Relations and International Affairs on H.C.R. No. 446

The purpose of this concurrent resolution is to urge private businesses to incorporate international education themes into their marketing programs aimed at young people.

The Office of International Relations testified in support of the concurrent resolution.

Your Committees on Planning and Economic Development and Education and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 446 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1469-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 405

The purposes of this measure are:

- (1) To provide the Legislature with accurate and realistic fiscal information as to the amount of resources which will be required to place 14,000 native Hawaiians, including all those on the current waiting list, on homesteads within ten years; and
- (2) To continue the pursuance of fiscal information and communication among the Administration, the Legislature, and the public as called for in Senate Concurrent Resolution 185, S.D. 1, H.D. 1 (1991).

Testimony in favor of this resolution was submitted by the Department of Hawaiian Home Lands (DHHL), the Office of State Planning (OSP), the Native Hawaiian Legal Corporation, the Aged Hawaiians, and four lessees of Hawaiian home lands. The DHHL and the OSP expressed doubt about their ability to submit the requested budgetary information to the Legislature at least 90 days prior to the convening of the 1993 Regular Session, and the DHHL also recommended that it be given sole administrative responsibility for consulting with native Hawaiian groups.

Your Committee finds that at a time such as this, when major administrative and legislative initiatives are in motion to come to grips the State's responsibilities to the Hawaiian people and its past failures to fulfill those responsibilities, it is only consistent and responsible to require an accurate assessment of what resources the Legislature must be willing to commit in order to meet this challenge.

Your Committee has amended this resolution by:

- (1) Changing its title as well as its text to call for adequate funding of the DHHL without reliance on revenue bonds as a method of funding, as opposed to calling specifically for full general funding;
- (2) Placing responsibility for the consulting of native Hawaiian groups with the DHHL alone, rather than with the Office of the Governor and the Department of Budget and Finance; and
- (3) Making nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs is in accord with the intent and purpose of H.R. No. 405, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 405, H.D. 1.

Signed by all members of the Committee.

SCRep. 1470-92 Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources on H.R. No. 359

The purpose of this resolution is to provide boaters with safe access to the ocean in the Waimanalo area by requesting the Department of Transportation to coordinate efforts towards the completion of plans to construct a boat ramp in the vicinity of Makai Pier or Kaiona Park.

According to the resolution, discussions to construct such a boat ramp have been on-going since 1967. Part of the problem is due to conflicts between government agencies which have resulted in delays or misunderstandings.

The Department of Transportation (DOT) and an interested individual testified in support of this measure. The DOT pointed out that earlier attempts in planning a ramp were unsuccessful due to boaters' demands that the ramp be for limited size boats and due to a lack of an adequate backup area.

Your Committees are reminded that Act 272, Session Laws of Hawaii 1991, transfers the ocean recreational boating and coastal activities from the DOT to the Department of Land and Natural Resources (DLNR) on July 1, 1992. Accordingly, your Committees have amended this resolution by:

- (1) Replacing references to the DOT with DLNR in the title so that it reads as follows:

"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES COORDINATE WITH THE APPROPRIATE DEPARTMENTS CONCERNED TO ALLOW FOR A RECREATIONAL BOAT RAMP TO BE CONSTRUCTED IN THE VICINITY OF MAKAI PIER OR KAIONA PARK, WAIMANALO, OAHU";
- (2) Replacing related references in the BE IT RESOLVED and BE IT FURTHER RESOLVED clauses;
- (3) Requesting DLNR to submit a funding request for this project in the 1993-1995 fiscal biennium budget request instead of the 1992 supplemental budget; and
- (4) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources concur with the intent and purpose of H.R. No. 359, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 359, H.D. 1.

Signed by all members of the Committees except Representative Bunda.

SCRep. 1471-92 Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources on H.C.R. No. 362

The purpose of this concurrent resolution is to provide boaters with safe access to the ocean in the Waimanalo area by requesting the Department of Transportation to coordinate efforts towards the completion of plans to construct a boat ramp in the vicinity of Makai Pier or Kaiona Park.

According to the concurrent resolution, discussions to construct such a boat ramp have been on-going since 1967. Part of the problem is due to conflicts between government agencies which have resulted in delays or misunderstandings.

The Department of Transportation (DOT) and an interested individual testified in support of this measure. The DOT pointed out that earlier attempts in planning a ramp were unsuccessful due to boaters' demands that the ramp be for limited size boats and due to a lack of an adequate backup area.

Your Committees are reminded that Act 272, Session Laws of Hawaii 1991, transfers the ocean recreational boating and coastal activities from the DOT to the Department of Land and Natural Resources (DLNR) on July 1, 1992. Accordingly, your Committees have amended this concurrent resolution by:

- (1) Replacing references to the DOT with DLNR in the title so that it reads as follows:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES COORDINATE WITH THE APPROPRIATE DEPARTMENTS CONCERNED TO ALLOW FOR A RECREATIONAL BOAT RAMP TO BE CONSTRUCTED IN THE VICINITY OF MAKAI PIER OR KAIONA PARK, WAIMANALO, OAHU";
- (2) Replacing related references in the BE IT RESOLVED and BE IT FURTHER RESOLVED clauses;
- (3) Requesting DLNR to submit a funding request for this project in the 1993-1995 fiscal biennium budget request instead of the 1992 supplemental budget; and
- (4) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources concur with the intent and purpose of H.C.R. No. 362, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 362, H.D. 1.

Signed by all members of the Committees.

SCRep. 1472-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.R. No. 300

The purpose of this measure is to promote continued discussion among private landowners, community groups, and government agencies over issues relating to watershed management.

The Department of Land and Natural Resources (DLNR), the Office of State Planning, the Hawaii Leeward Planning Conference, and the Hawaii Audubon Society testified on this measure.

At the suggestion of the DLNR, your Committees have amended this resolution to broaden the scope of the discussions to:

- (1) Include issues of natural resources management in general, rather than focusing exclusively on watershed management; and
- (2) Include the Kohala watershed area.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 300, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 300, H.D. 1.

Signed by all members of the Committees.

SCRep. 1473-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.C.R. No. 292

The purpose of this measure is to promote continued discussion among private landowners, community groups, and government agencies over issues relating to watershed management.

The Department of Land and Natural Resources (DLNR), the Office of State Planning, the Hawaii Leeward Planning Conference, and the Hawaii Audubon Society testified on this measure.

At the suggestion of the DLNR, your Committees have amended this concurrent resolution to broaden the scope of the discussions to:

- (1) Include issues of natural resources management in general, rather than focusing exclusively on watershed management; and
- (2) Include the Kohala watershed area.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 292, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 292, H.D. 1.

Signed by all members of the Committees.

SCRep. 1474-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 270

The purpose of this measure is to adopt and support the recommendations of the Hui 'Imi Task Force concerning the coordination of services to Hawaiians in eight service categories. The task force was established for the purpose of making these recommendations by Senate Concurrent Resolution No. 106-91, S.D. 1.

Testimony on this resolution was submitted by Alu Like, Inc., and by Papa Ola Lokahi.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 270 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1475-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 260

The purpose of this measure is to adopt and support the recommendations of the Hui 'Imi Task Force concerning the coordination of services to Hawaiians in eight service categories. The task force was established for the purpose of making these recommendations by Senate Concurrent Resolution No. 106-91, S.D. 1.

Testimony on this concurrent resolution was submitted by Alu Like, Inc., and by Papa Ola Lokahi.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 260 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1476-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 404

The purpose of this resolution is to increase the participation of Hawaiian Home Lands beneficiaries in the governance of the Hawaiian Homes Commission Act (HHCA) by requesting the Department of Hawaiian Home Lands (DHHL) to adopt a policy of self-determination which provides for the eventual transfer of administration of the HHCA to a sovereign Hawaiian entity, and which allows beneficiaries and beneficiary groups to:

- (1) Have access to funds from the Native Hawaiian Rehabilitation Fund;
- (2) Make recommendations to the Hawaiian Homes Commission on decisions affecting regional homestead areas;
- (3) Make recommendations for gubernatorial appointments to the Hawaiian Homes Commission;
- (4) Report to the Legislature and the Governor on the performance of the Hawaiian Homes Commission; and
- (5) Contract with the DHHL to provide State services to beneficiaries.

Testimony on this measure was presented by the DHHL, the Native Hawaiian Legal Corporation, the Pahe'ehe'e Ridge Association, Hawaii Island Ahupua'a, the Kawaihae Hawaiian Homesteaders' Association, the Homestead Advisory Council, the Aged Hawaiians, the Maku'u Farmers Association, Ka Lahui Hawai'i, and a private citizen.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 404, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1477-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 405

The purpose of this concurrent resolution is to increase the participation of Hawaiian Home Lands beneficiaries in the governance of the Hawaiian Homes Commission Act (HHCA) by requesting the Department of Hawaiian Home Lands (DHHL) to adopt a policy of self-determination which provides for the eventual transfer of administration of the HHCA to a sovereign Hawaiian entity, and which allows beneficiaries and beneficiary groups to:

- (1) Have access to funds from the Native Hawaiian Rehabilitation Fund;
- (2) Make recommendations to the Hawaiian Homes Commission on decisions affecting regional homestead areas;
- (3) Make recommendations for gubernatorial appointments to the Hawaiian Homes Commission;
- (4) Report to the Legislature and the Governor on the performance of the Hawaiian Homes Commission; and
- (5) Contract with the DHHL to provide State services to beneficiaries.

Testimony on this measure was presented by the DHHL, the Native Hawaiian Legal Corporation, the Pahe'ehe'e Ridge Association, Hawaii Island Ahupua'a, the Kawaihae Hawaiian Homesteaders' Association, the Homestead Advisory Council, the Aged Hawaiians, the Maku'u Farmers Association, Ka Lahui Hawai'i, and a private citizen.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 405, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1478-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 306

The purpose of this resolution is to call for the establishment of an ad hoc committee to formulate strategies for obtaining federal entitlements for native Hawaiians.

Testimony on this measure was presented by the Department of Hawaiian Home Lands, the Department of Health, the Office of Hawaiian Affairs, Hawaii Island Ahupua'a, the Kawaihae Hawaiian Homesteaders' Association, the Homestead Advisory Council, the Aged Hawaiians, and Ka Lahui Hawai'i.

Your Committee has amended this resolution by:

- (1) Calling for the establishment of an ad hoc panel rather than an ad hoc committee;
- (2) Deleting references to the Attorney General;
- (3) Providing for the Office of the Governor to select Hawaiian organizations and other interested parties for participation on the panel; and
- (4) Making nonsubstantive changes for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 306, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 306, H.D. 1.

Signed by all members of the Committee.

SCRep. 1479-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 302

The purpose of this concurrent resolution is to call for the establishment of an ad hoc committee to formulate strategies for obtaining federal entitlements for native Hawaiians.

Testimony on this measure was presented by the Department of Hawaiian Home Lands, the Department of Health, the Office of Hawaiian Affairs, Hawaii Island Ahupua'a, the Kawaihae Hawaiian Homesteaders' Association, the Homestead Advisory Council, the Aged Hawaiians, and Ka Lahui Hawai'i.

Your Committee has amended this concurrent resolution by:

- (1) Calling for the establishment of an ad hoc panel rather than an ad hoc committee;
- (2) Deleting references to the Attorney General;
- (3) Providing for the Office of the Governor to select Hawaiian organizations and other interested parties for participation on the panel; and
- (4) Making nonsubstantive changes for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 302, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 302, H.D. 1.

Signed by all members of the Committee.

SCRep. 1480-92 Finance on H.C.R. No. 35

The purpose of this concurrent resolution is to request that the new gymnasium planned for Kauai High and Intermediate School be named in honor of the late United States Senator Spark M. Matsunaga and that the Department of Accounting and General Services allocate five percent of the construction costs to the building of an entryway to the gymnasium with a plaque or portrait in his honor.

Testimony in support of this concurrent resolution was submitted by the son of the late Senator Spark M. Matsunaga.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 35 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1481-92 Finance on H.R. No. 207

The purpose of this resolution is to request the Legislative Reference Bureau to perform a comprehensive review of the factors that contribute to the escalation of public contract costs in Hawaii.

Your Committee finds that a primary objective of the government procurement process is to promote cost efficiency in public contracts. However, in recent years there has been an increase in the cost of private contracting, oftentimes incurring costs that are much higher than what is paid in the open market. This negative trend warrants an investigation on the elements that have lead to the apparent failure of the public contract bid process.

Testimony in support of this measure was submitted by the Department of Accounting and General Services.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 207, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1482-92 Finance on H.C.R. No. 196

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to perform a comprehensive review of the factors that contribute to the escalation of public contract costs in Hawaii.

Your Committee finds that a primary objective of the government procurement process is to promote cost efficiency in public contracts. However, in recent years there has been an increase in the cost of private contracting, oftentimes incurring costs that are much higher than what is paid in the open market. This negative trend warrants an investigation on the elements that have lead to the apparent failure of the public contract bid process.

Testimony in support of this measure was submitted by the Department of Accounting and General Services.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 196, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1483-92 Finance on H.R. No. 125

The purpose of this resolution is to request the Department of Education (DOE) and the Department of Accounting and General Services (DAGS) to propose and assess recommendations to alleviate classroom shortages in the public schools.

Your Committee finds that the availability of positive learning environments in public schools is greatly diminishing as bulging school enrollments are unfortunately confined to limited classroom space. Your Committee believes that it would be most prudent to seek long-term solutions such as leasing, purchasing, or constructing portable classrooms; extending instructional time; or revising building specifications to alleviate some of the overcrowding problems.

Testimony on this measure was submitted by the DOE, DAGS, and the Commission on Persons with Disabilities.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 125, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1484-92 Finance on H.C.R. No. 117

The purpose of this concurrent resolution is to request the Department of Education (DOE) and the Department of Accounting and General Services (DAGS) to propose and assess recommendations to alleviate classroom shortages in the public schools.

Your Committee finds that the availability of positive learning environments in public schools is greatly diminishing as bulging school enrollments are unfortunately confined to limited classroom space. Your Committee believes that it would be most prudent to seek long-term solutions such as leasing, purchasing, or constructing portable classrooms; extending instructional time; or revising building specifications to alleviate some of the overcrowding problems.

Testimony on this measure was submitted by the DOE, DAGS, and the Commission on Persons with Disabilities.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 117, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1485-92 Finance on H.R. No. 142

The purpose of this resolution is to request the Department of Accounting and General Services (DAGS) and the Department of Education (DOE) to establish new parking standards to meet the need for increased parking in public schools and to determine a fair and reasonable formula for present and future parking demands on campuses.

Testimony in support of this measure was submitted by the DOE and DAGS.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 142, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1486-92 Finance on H.C.R. No. 133

The purpose of this concurrent resolution is to request the Department of Accounting and General Services (DAGS) and the Department of Education (DOE) to establish new parking standards to meet the need for increased parking in public schools and to determine a fair and reasonable formula for present and future parking demands on campuses.

Testimony in support of this measure was submitted by the DOE and DAGS.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 133, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1487-92 Finance on H.R. No. 307

The purpose of this resolution is to request the Department of Accounting and General Services (DAGS) to conduct a study on the feasibility of using low-flushing toilets in all new State buildings and projects and in existing buildings when replacements are needed.

Your Committee finds that water conservation of this magnitude is noteworthy and an important step toward the preservation of this resource across the State.

This measure further requests that DAGS submit its findings to the Legislature at least twenty days prior to the convening of the Regular Session of 1993.

Your Committee received testimony in support of this resolution from DAGS and Toto of Japan.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 307 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1488-92 Finance on H.C.R. No. 304

The purpose of this concurrent resolution is to request the Department of Accounting and General Services (DAGS) to conduct a study on the feasibility of using low-flushing toilets in all new State buildings and projects and in existing buildings when replacements are needed.

Your Committee finds that water conservation of this magnitude is noteworthy and an important step toward the preservation of this resource across the State.

This measure further requests that DAGS submit its findings to the Legislature at least twenty days prior to the convening of the Regular Session of 1993.

Your Committee received testimony in support of this concurrent resolution from DAGS and Toto of Japan.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 304 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1489-92 Energy and Environmental Protection; Judiciary; and Intergovernmental Relations and International Affairs on H.R. No. 106

The purpose of this House Resolution, as received by your Committees on Energy and Environmental Protection, Judiciary, and Intergovernmental Relations and International Affairs, is to improve communication between the United States Secretary of Defense and the State of Hawaii about all operational plans and procedures conducted on Johnston Island.

Your Committees find that there is a potential danger to the health and well-being of the people of Hawaii should the chemical weapons being stored and incinerated on Kalama Island (Johnston Island) be mishandled. Your Committees further find that communication from the Program Manager for Chemical Demilitarization, United States Army, has been unsatisfactory. House Resolution No. 106 is intended to improve communication between the U.S. Army, Pacific, and designated officials of the State of Hawaii.

Testimonies were received from the Hawaii Office of State Planning, the Office of Hawaiian Affairs, and the Hawaii Council for the Year 1993.

The Office of State Planning testified in favor of this Resolution, indicating that it had participated in Department of Defense informational briefings and Johnston Island activity updates. The Office of Hawaiian Affairs offered supportive testimony for this Resolution, expressing concern that Kalama Island is being used as a dumping ground for hazardous materials. The Hawaii Council for the Year 1993 expressed support for the Resolution, and voiced dissatisfaction with communication between the Army and the State of Hawaii.

Your Committees have amended House Resolution No. 106 by:

- (a) Using the Hawaiian name for Johnston Island, which is Kalama Island;
- (b) Requesting that each member of the Legislature be kept informed;
- (c) Requesting that the State Department of Defense be informed;
- (d) Listing the types of chemical events about which Hawaii should be notified on a timely basis; and
- (e) Requesting that supporting documents be provided upon request.

Your Committees on Energy and Environmental Protection and Judiciary and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 106, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 106, H.D. 1.

Signed by all members of the Committees.

SCRep. 1490-92 Energy and Environmental Protection; Judiciary; and Intergovernmental Relations and International Affairs on H.C.R. No. 100

The purpose of this Concurrent Resolution, as received by your Committees on Energy and Environmental Protection, Judiciary, and Intergovernmental Relations and International Affairs, is to improve communication between the United

States Secretary of Defense and the State of Hawaii about all operational plans and procedures conducted at Johnston Island.

Your Committees find that there is a potential for danger to the health and well-being of the people of Hawaii should the chemical weapons being stored and incinerated on Kalama Island (Johnston Island) be mishandled. Your Committees further find that communication from the Program Manager for Chemical Demilitarization, United States Army, has been unsatisfactory. House Concurrent Resolution No. 100 is intended to improve communication between the U.S. Army, Pacific, and designated officials in the State of Hawaii.

Testimonies were received from the Hawaii Office of State Planning, the Office of Hawaiian Affairs, and the Hawaii Council for the Year 1993.

The Office of State Planning testified in favor of this Concurrent Resolution, indicating that it had participated in Department of Defense informational briefings and Johnston Island activity updates. The Office of Hawaiian Affairs offered supportive testimony for this Concurrent Resolution, expressing concern that Kalama Island is being used as a dumping ground for hazardous materials. The Hawaii Council for the Year 1993 expressed support for the Concurrent Resolution, and voiced dissatisfaction with communication between the Army and the State of Hawaii.

Your Committees have amended House Concurrent Resolution No. 100 by:

- (a) Using the Hawaiian name for Johnston Island, which is Kalama Island;
- (b) Requesting that each member of the Legislature be informed;
- (c) Requesting that the State Department of Defense be informed;
- (d) Listing the types of chemical events about which Hawaii should be notified on a timely basis; and
- (e) Requesting that supporting documents be provided upon request.

Your Committees on Energy and Environmental Protection and Judiciary and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 100, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 100, H.D. 1.

Signed by all members of the Committees.

**SCRep. 1491-92 Energy and Environmental Protection and Intergovernmental Relations and International Affairs
on S.C.R. No. 31**

The purpose of this Senate Concurrent Resolution is to establish a regional petroleum reserve in Hawaii to guard against a shortage of oil due to an interruption of imported oil and petroleum products.

Your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs recognize the seriousness of an oil shortage for both military and civilian usage in Hawaii. Your Committees find that an essential part of the State's energy preparedness plan is to augment the State's petroleum reserves through increased storage and access to existing federal petroleum reserves, since supplies from the mainland would become available only after the State's supply situation has become critical.

Senate Concurrent Resolution No. 31, S.D. 1, urges the support of the President and the Secretary of Energy of the United States in establishing a ninety-day supply of petroleum to serve as a dedicated regional petroleum reserve, including the construction of necessary storage facilities, as well as the purchase of additional stocks of petroleum products. This concurrent resolution further urges that the State be given priority to the federal reserves until such time as the regional petroleum reserve is established.

The Department of Business, Economic Development and Tourism testified in support of S.C.R. No. 31, S.D. 1, indicating that this concurrent resolution will work in concert with the efforts of Hawaii's Congressional Delegation and the State's Administration which seek to gain federal recognition of its obligation to ensure the energy security of all fifty states.

Your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs concur with the intent and purpose of S.C.R. No. 31, S.D. 1, and recommend its adoption.

Signed by all members of the Committees.

**SCRep. 1492-92 Energy and Environmental Protection and Intergovernmental Relations and International Affairs
on H.R. No. 353**

The purpose of this House Resolution, as referred to your Committees, is to enable the continued transport of black oil between the Hawaiian Islands by urging the United States Coast Guard to amend its proposed regulations regarding financial responsibility requirements under the Oil Pollution Act of 1990, or by urging the United States Congress to amend the Act if the Coast Guard is unable to take remedial action at the time this House Resolution is adopted.

Testimonies received from the Kauai Electric Division of Citizens Utilities Company, the Hawaiian Sugar Planters' Association, Hawaiian Tug and Barge, and Pacific Resources, Inc. support the passage of this measure. The Sierra Club opposes the passage of H.R. 353.

Your Committees find that the possible disruption of black oil transported to the outer islands will have adverse impacts on many important businesses, including the sugar industry, hospitals and electric utility companies. Your Committees also recognize the importance of maintaining the integrity of the Oil Pollution Act of 1990 in order to protect Hawaii's unique, fragile, and economically vital marine environment.

Your Committees have amended this measure by:

- (1) Clarifying that the Coast Guard is requested to consider other factors as evidence of financial responsibility;
- (2) Deleting the request for the United States Congress to amend the Act if the Coast Guard does not modify its current proposed regulations regarding financial responsibility;
- (3) Deleting some language regarding the liability provisions of the Oil Pollution Act of 1990;
- (4) Amending the title of the measure to comport with the above amendments; and
- (5) Making technical and non-substantive changes for the purposes of clarity, style, and grammatical correctness.

Your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 353, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 353, H.D. 1.

Signed by all members of the Committees.

**SCRep. 1493-92 Energy and Environmental Protection and Intergovernmental Relations and International Affairs
on H.C.R. No. 354**

The purpose of this House Concurrent Resolution, as referred to your Committees, is to enable the continued transport of black oil between the Hawaiian Islands by urging the United States Coast Guard to amend its proposed regulations regarding financial responsibility requirements under the Oil Pollution Act of 1990, or by urging the United States Congress to amend the Act if the Coast Guard is unable to take remedial action at the time this House Concurrent Resolution is adopted.

Testimonies received from the Kauai Electric Division of Citizens Utilities Company, the Hawaiian Sugar Planters' Association, Hawaiian Tug and Barge, and Pacific Resources, Inc. support the passage of this measure. The Sierra Club opposes the passage of H.C.R. 354.

Your Committees find that the possible disruption of black oil transported to the outer islands will have adverse impacts on many important businesses, including the sugar industry, hospitals and electric utility companies. Your Committees also recognize the importance of maintaining the integrity of the Oil Pollution Act of 1990 in order to protect Hawaii's unique, fragile, and economically vital marine environment.

Your Committees have amended this measure by:

- (1) Clarifying that the Coast Guard is requested to consider other factors as evidence of financial responsibility;
- (2) Deleting the request for the United States Congress to amend the Act if the Coast Guard does not modify its current proposed regulations regarding financial responsibility;
- (3) Deleting some language regarding the liability provisions of the Oil Pollution Act of 1990;
- (4) Amending the title of the measure to comport with the above amendments; and
- (5) Making technical and non-substantive changes for the purposes of clarity, style, and grammatical correctness.

Your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 354, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 354, H.D. 1.

Signed by all members of the Committees.

**SCRep. 1494-92 Energy and Environmental Protection and Intergovernmental Relations and International Affairs
on H.R. No. 189**

The purpose of this House Resolution is to request the United States Environmental Protection Agency to consider extending the financial assurance compliance deadline applicable to small business underground storage tank owners and operators in Hawaii because of financial hardships placed on these owners and operators in meeting the stipulated deadline of December 31, 1993.

Your Committees find that the federal Environmental Protection Agency (EPA) established regulations under Subtitle I of the Resource Conservation and Recovery Act requiring small business tank owners and operators to acquire financial assurance to clean up possible petroleum releases from their tanks by October 26, 1990. Your Committees further find that the EPA extended the deadline to October 1991 and recently extended compliance with this requirement to December 31, 1993. However, small business tank owners predict that the latest extension is insufficient because of their limited financial means, coupled with the fact that a Department of Health study for establishing an assurance fund in Hawaii has shown that such a fund is not economically feasible. Your Committees further find that although the State has recently established a revolving capital loan fund to assist small business tank owners and operators to come into compliance with tank standards for insurability, it is yet too early for small businesses to capitalize on the benefits of such a new assistance program.

Your Committees heard testimonies from the Department of Health and the Hawaii Automotive and Retail Gasoline Dealers Association (HARGD). The Department of Health offered several suggestions, which have been incorporated in the amended draft, for improving this House Resolution. HARGD testified that adoption of a State guarantee program is the only real solution for assisting small business tank owners and operators.

Your Committees have amended House Resolution No. 189 by:

- (1) Inserting small business in several places in order to indicate the tankowners and operators to whom this EPA requirement was addressed;
- (2) Substituting the correct dates for the extensions permitted by the EPA;
- (3) Including the results of the Department of Health study pertaining to the establishment of an assurance fund; and
- (4) Explaining the uncertainty of the newly established State revolving fund to assist small business tank owners and operators.

Your Committees have further amended this House Resolution by correcting the typographical error in the title.

Your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 189, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 189, H.D. 1.

Signed by all members of the Committees.

**SCRep. 1495-92 Energy and Environmental Protection and Intergovernmental Relations and International Affairs
on H.C.R. No. 177**

The purpose of this House Concurrent Resolution is to request the United States Environmental Protection Agency to consider extending the financial assurance compliance deadline applicable to small business underground storage tank owners and operators in Hawaii because of financial hardships placed on these owners and operators in meeting the stipulated deadline of December 31, 1993.

Your Committees find that the federal Environmental Protection Agency (EPA) established regulations under Subtitle I of the Resource Conservation and Recovery Act requiring small business tank owners and operators to acquire financial assurance to clean up possible petroleum releases from their tanks by October 26, 1990. Your Committees further find that the EPA extended the deadline to October 1991 and recently extended compliance with this requirement to December 31, 1993. However, small business tank owners predict that the latest extension is insufficient because of their limited financial means, coupled with the fact that a Department of Health study for establishing an assurance fund in Hawaii has shown that such a fund is not economically feasible. Your Committees further find that although the State has recently established a revolving capital loan fund to assist small business tank owners and operators to come into compliance with tank standards for insurability, it is yet too early for small businesses to capitalize on the benefits of such a new assistance program.

Your Committees heard testimonies from the Department of Health and the Hawaii Automotive and Retail Gasoline Dealers Association (HARGD). The Department of Health offered several suggestions, which have been incorporated in the amended draft, for improving this Concurrent Resolution. HARGD testified that adoption of a State guarantee program is the only real solution for assisting small business tank owners and operators.

Your Committees have amended House Concurrent Resolution No. 177 by:

- (1) Inserting small business in several places in order to indicate the tank owners and operators to whom this EPA requirement was addressed;
- (2) Substituting the correct dates for the extensions permitted by the EPA;
- (3) Including the results of the Department of Health study pertaining to the establishment of an assurance fund; and
- (4) Explaining the uncertainty of the newly established State revolving fund to assist small business tank owners and operators.

Your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 177, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 177, H.D. 1.

Signed by all members of the Committees.

SCRep. 1496-92 Energy and Environmental Protection and Health on H.R. No. 169

The purpose of this House Resolution is to request the Environmental Protection and Health Services Division of the Department of Health to conduct an environmental information audit to improve public access concerning environmental issues.

Your Committees on Energy and Environmental Protection and Health find that while numerous hotlines for a variety of environmental concerns exist throughout the government sector, the coordination of public access to information concerning environmental issues is lacking. Your Committees further find that "ASK 2000", provided by Aloha United Way, attempts to serve as a telephone link between the public and government services, but this vehicle does not permit callers the opportunity to offer information about environmental problems, nor does it allow the opportunity to discuss possible solutions to problems with public servants.

The intent of House Resolution No. 169 is to require the Department of Health's Environmental Protection and Health Services Division to conduct an environmental information audit to develop cost-effective ways to coordinate and streamline public access to environmental issues, including methods by which citizens may both disseminate and receive environmental information, and to develop one telephone access number to be known as the "Environmental Hotline."

Your Committees have amended House Resolution No. 169 by making technical, nonsubstantive amendments for purposes of clarity and style.

Your Committees on Energy and Environmental Protection and Health concur with the intent and purpose of H.R. No. 169, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 169, H.D. 1.

Signed by all members of the Committees.

SCRep. 1497-92 Energy and Environmental Protection and Health on H.C.R. No. 158

The purpose of this House Concurrent Resolution is to request the Environmental Protection and Health Services Division of the Department of Health to conduct an environmental information audit to improve public access concerning environmental issues.

Your Committees on Energy and Environmental Protection and Health find that while numerous telephone hotlines for a variety of environmental concerns exist throughout the government sector, the coordination of public access to information concerning environmental issues is lacking. Your Committees further find that "ASK 2000", provided by Aloha United Way, attempts to serve as a telephone link between the public and government services, but this vehicle does not permit callers the opportunity to offer information about environmental problems, nor does it allow the opportunity to discuss possible solutions to problems with public servants.

The intent of House Concurrent Resolution No. 158 is to require the Department of Health's Environmental Protection and Health Services Division to conduct an environmental information audit to develop cost-effective ways to coordinate and streamline public access to environmental issues, including methods by which citizens may both disseminate and receive environmental information, and to develop one telephone access number to be known as the "Environmental Hotline."

Your Committees have amended House Concurrent Resolution by making technical, nonsubstantive amendments for purposes of clarity and style.

Your Committees on Energy and Environmental Protection and Health concur with the intent and purpose of H.C.R. No. 158, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 158, H.D. 1.

Signed by all members of the Committees.

SCRep. 1498-92 Energy and Environmental Protection and Health on H.R. No. 411

The purpose of this House Resolution is to request the Department of Health to submit a written report by January 1, 1993, setting forth a plan of action and guidelines to protect public health and the environment when contaminated soil is removed or treated.

Testimony submitted by the Department of Health recommends that your Committees hold H.R. No. 411 as the Department is currently addressing the provisions contained in this measure through its existing programs and associated rulemaking efforts. Comments received from the Hawaii Automotive and Retail Gasoline Dealers Association discuss the potential of "soil farms" for future bioremediation of contaminated soil.

Your Committees recognize that, although the Department of Health's ongoing program requirements and rulemaking efforts address or soon will address the potential health problems associated with contaminated soils, better programmatic coordination is needed to properly inform the public of health hazards at specific contaminated sites. The intent of this

measure is to ensure enhancement of the Department of Health's public notification process, not to change or detract from current program priorities.

Your Committees on Energy and Environmental Protection and Health concur with the intent and purpose of H.R. No. 411 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1499-92 Energy and Environmental Protection and Health on H.C.R. No. 411

The purpose of this House Concurrent Resolution is to request the Department of Health to submit a written report by January 1, 1993, setting forth a plan of action and guidelines to protect public health and the environment when contaminated soil is removed or treated.

Testimony submitted by the Department of Health recommends that your Committees hold H.C.R. No. 411 as the Department is currently addressing the provisions contained in this measure through its existing programs and associated rulemaking efforts. Comments received from the Hawaii Automotive and Retail Gasoline Dealers Association discuss the potential of "soil farms" for future bioremediation of contaminated soil.

Your Committees recognize that, although the Department of Health's ongoing program requirements and rulemaking efforts address or soon will address the potential health problems associated with contaminated soils, better programmatic coordination is needed to properly inform the public of health hazards at specific contaminated sites. The intent of this measure is to ensure enhancement of the Department of Health's public notification process, not to change or detract from current program priorities.

Your Committees on Energy and Environmental Protection and Health concur with the intent and purpose of H.C.R. No. 411 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1500-92 Labor and Public Employment on H.R. No. 388

The purpose of this resolution is to establish a task force to evaluate the Job Help Store Program and to develop a master plan for the delivery of employment and language assistance programs.

Your Committee received testimony in support of this measure from Child and Family Service, the Kalihi-Palama Immigrant Service Center, the Inter-Agency Council for Immigrant Services, and Catholic Charities. The Department of Labor and Industrial Relations submitted testimony in opposition to this measure.

Upon further consideration, your Committee has changed the scope of this measure to have the Director of Labor and Industrial Relations appoint an ad hoc committee, instead of a task force, to facilitate communication among involved agencies and service providers to increase the efficiency of service delivery.

The development of a master plan is not required because funding is discretionary, granted year by year, not a long term appropriation. The evaluation of the Job Help Store Program will be carried out internally through mechanisms of the Department of Labor and Industrial Relations and in compliance with the intent and purpose of the federal funding.

Accordingly, the title of the resolution has been amended to: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO FACILITATE COMMUNICATION BETWEEN THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, THE JOB HELP STORE PROGRAM AND PRIVATE SERVICE PROVIDERS, TO MAXIMIZE, AS NEEDED, THE USE OF PRIVATE AGENCY RESOURCES".

In addition this measure has been amended to:

- (1) Include representatives from the Department of Labor and Industrial Relations, the Job Help Store Program, the Office of Community Services, immigrant service providers, and employment assistance service providers;
- (2) Transmit certified copies to the Director of Labor and Industrial Relations, the Director of the Job help Store Program, the Director of the Office of Community Services, and the Inter-agency Council for Immigrant Services; and
- (3) Make other technical, nonsubstantive amendments for purposes of style and clarity.

Your Committee on Labor and Public Employment concurs with the intent and purpose of H.R. No. 388, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 388, H.D. 1.

Signed by all members of the Committee.

SCRep. 1501-92 Labor and Public Employment on H.C.R. No. 387

The purpose of this concurrent resolution is to establish a task force to evaluate the Job Help Store Program and to develop a master plan for the delivery of employment and language assistance programs.

Your Committee received testimony in support of this measure from Child and Family Service, the Kalihi-Palama Immigrant Service Center, the Inter-Agency Council for Immigrant Services, and Catholic Charities. The Department of Labor and Industrial Relations submitted testimony in opposition to this measure.

Upon further consideration, your Committee has changed the scope of this measure to have the Director of Labor and Industrial Relations appoint an ad hoc committee, instead of a task force, to facilitate communication among involved agencies and service providers to increase the efficiency of service delivery.

The development of a master plan is not required because funding is discretionary, granted year by year, not a long term appropriation. The evaluation of the Job Help Store Program will be carried out internally through mechanisms of the Department of Labor and Industrial Relations and in compliance with the intent and purpose of the federal funding.

Accordingly, the title of the concurrent resolution has been amended to: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO FACILITATE COMMUNICATION BETWEEN THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, THE JOB HELP STORE PROGRAM AND PRIVATE SERVICE PROVIDERS, TO MAXIMIZE, AS NEEDED, THE USE OF PRIVATE AGENCY RESOURCES".

In addition this measure has been amended to:

- (1) Include representatives from the Department of Labor and Industrial Relations, the Job Help Store Program, the Office of Community Services, immigrant service providers, and employment assistance service providers;
- (2) Transmit certified copies to the Director of Labor and Industrial Relations, the Director of the Job help Store Program, the Director of the Office of Community Services, and the Inter-agency Council for Immigrant Services; and
- (3) Make other technical, nonsubstantive amendments for purposes of style and clarity.

Your Committee on Labor and Public Employment concurs with the intent and purpose of H.C.R. No. 387, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 387, H.D. 1.

Signed by all members of the Committee.

SCRep. 1502-92 Labor and Public Employment and Consumer Protection and Commerce on H.R. No. 249 (Majority)

The purpose of this resolution is to request the Insurance Commissioner to review other mechanisms for determining workers' compensation insurance premiums including premiums based on total hours worked or discounts for high wage paying employers.

Your Committees hope this measure will address an inequity that may exist in workers' compensation insurance premiums when a contractor who pays an employee the "going wage rate" pays a higher insurance premium than the contractor who pays an employee a lower wage rate, even though both employees perform the same type of work and both employees would be eligible for the same benefits.

The General Contractors Association of Hawaii, the Hawaii Construction Industry Association, the Construction Industry Legislative Organization, Inc., the Subcontractors' Association of Hawaii, the Pacific Electrical Contractors' Association, the Plumbing Mechanical Contractors Association of Hawaii, the Sheet Metal Contractors Association, and the Elevator Constructors Union submitted testimony in support of this measure.

The Department of Commerce and Consumer Affairs expressed reservations because additional funding would be needed to conduct a proper and credible statistical study. The Hawaii Insurers Council also expressed reservations.

Upon further consideration, your Committees have amended this measure by:

- (1) Changing the title to read: "HOUSE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A STUDY ON ALTERNATIVE PREMIUM ADJUSTMENT PROGRAMS WITH REGARD TO WORKERS' COMPENSATION INSURANCE";
- (2) Changing the scope of the study to include various insurance plans in other states that provide premium adjustment programs, including, but not limited to, premiums based on hours worked rather than total payroll, and other similar alternatives for workers' compensation insurance;
- (3) Requesting the Hawaii Insurers Council and the Hawaii Insurance Bureau, Inc. to cooperate in the compilation, review, and evaluation of the various insurance plans in other states that may address the concerns expressed in this measure;
- (4) Providing that the Hawaii Insurers Council and the Hawaii Insurance Bureau, Inc. receive certified copies of this measure; and
- (5) Making other technical, nonsubstantive amendments for purposes of style and clarity.

Your Committees on Labor and Public Employment and Consumer Protection and Commerce concur with the intent and purpose of H.R. No. 249, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 249, H.D. 1.

Signed by all members of the Committees except Representative Peters.
(Representatives Thielen and Ward did not concur.)

SCRep. 1503-92 Labor and Public Employment and Consumer Protection and Commerce on H.C.R. No. 241 (Majority)

The purpose of this concurrent resolution is to request the Insurance Commissioner to review other mechanisms for determining workers' compensation insurance premiums including premiums based on total hours worked or discounts for high wage paying employers.

Your Committees hope this measure will address an inequity that may exist in workers' compensation insurance premiums when a contractor who pays an employee the "going wage rate" pays a higher insurance premium than the contractor who pays an employee a lower wage rate, even though both employees perform the same type of work and both employees would be eligible for the same benefits.

The General Contractors Association of Hawaii, the Hawaii Construction Industry Association, the Construction Industry Legislative Organization, Inc., the Subcontractors' Association of Hawaii, the Pacific Electrical Contractors' Association, the Plumbing Mechanical Contractors Association of Hawaii, the Sheet Metal Contractors Association, and the Elevator Constructors Union submitted testimony in support of this measure.

The Department of Commerce and Consumer Affairs expressed reservations because additional funding would be needed to conduct a proper and credible statistical study. The Hawaii Insurers Council also expressed reservations.

Upon further consideration, your Committees have amended this measure by:

- (1) Changing the title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A STUDY ON ALTERNATIVE PREMIUM ADJUSTMENT PROGRAMS WITH REGARD TO WORKERS' COMPENSATION INSURANCE";
- (2) Changing the scope of the study to include various insurance plans in other states that provide premium adjustment programs, including, but not limited to, premiums based on hours worked rather than total payroll, and other similar alternatives for workers' compensation insurance;
- (3) Requesting the Hawaii Insurers Council and the Hawaii Insurance Bureau, Inc. to cooperate in the compilation, review, and evaluation of the various insurance plans in other states that may address the concerns expressed in this measure;
- (4) Providing that the Hawaii Insurers Council and the Hawaii Insurance Bureau, Inc. receive certified copies of this measure; and
- (5) Making other technical, nonsubstantive amendments for purposes of style and clarity.

Your Committees on Labor and Public Employment and Consumer Protection and Commerce concur with the intent and purpose of H.C.R. No. 241, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 241, H.D. 1.

Signed by all members of the Committees except Representative Peters.
(Representatives Thielen and Ward did not concur.)

SCRep. 1504-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 376

The purpose of this resolution is to request that the Department of Land and Natural Resources (DLNR) study the feasibility of acquiring any or all the necessary land parcels in Poipu, Kauai to expand Poipu Beach Park.

Testimony in support of this measure was submitted by the Kauai County Council, the Mayor of the County of Kauai, the Poipu Beach Resort Association, and the Koloa Community Association.

The County of Kauai has long sought to develop the park into a major recreation area that would serve both Kauai's local residents and visitors. It has been 20 years since a master development plan of the park was devised. The final implementation of the plan would require the purchase of several land parcels to expand the park.

Your Committee finds that what is needed is not so much a DLNR study as the acquisition of the shoreline parcels. Accordingly, your Committee has amended this resolution by:

- (1) Re-phrasing the title to read as follows: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER UTILIZING LAND BANK FUNDS TO ACQUIRE SHORELINE PARCELS IN POIPU FOR THE PURPOSE OF EXPANDING POIPU BEACH PARK ON KAUAI";
- (2) Requesting that the DLNR work in close cooperation with the County of Kauai to implement this resolution;

- (3) Deleting the request that the DLNR report its findings and recommendations to the Legislature; and
- (4) Making technical, nonsubstantive revisions for purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 376, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 376, H.D. 1.

Signed by all members of the Committee.

SCRep. 1505-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 376

The purpose of this concurrent resolution is to request that the Department of Land and Natural Resources (DLNR) study the feasibility of acquiring any or all the necessary land parcels in Poipu, Kauai to expand Poipu Beach Park.

Testimony in support of this measure was submitted by the Kauai County Council, the Mayor of the County of Kauai, the Poipu Beach Resort Association, and the Koloa Community Association.

The County of Kauai has long sought to develop the park into a major recreation area that would serve both Kauai's local residents and visitors. It has been 20 years since a master development plan of the park was devised. The final implementation of the plan would require the purchase of several land parcels to expand the park.

Your Committee finds that what is needed is not so much a DLNR study as the acquisition of the shoreline parcels. Accordingly, your Committee has amended this concurrent resolution by:

- (1) Re-phrasing the title to read as follows: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER UTILIZING LAND BANK FUNDS TO ACQUIRE SHORELINE PARCELS IN POIPU FOR THE PURPOSE OF EXPANDING POIPU BEACH PARK ON KAUAI";
- (2) Requesting that the DLNR work in close cooperation with the County of Kauai to implement this concurrent resolution;
- (3) Deleting the request that the DLNR report its findings and recommendations to the Legislature; and
- (4) Making technical, nonsubstantive revisions for purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 376, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 376, H.D. 1.

Signed by all members of the Committee.

SCRep. 1506-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 217

The purpose of this resolution is to extend the existence of the Task Force to Preserve Waipio Valley.

Your Committee received testimony in support of the resolution from the Task force to Preserve Waipio Valley, the Department of Land and Natural Resources, and the Waipio Taro Farmers Association. The Bishop Museum provided testimony in support of the State purchasing its Waipio Valley properties.

Your Committee finds that Waipio Valley is an area of unique agricultural, historical, and cultural significance to the State of Hawaii. The work of the Task Force is of great importance and complexity. The extra time will be well spent in thoughtful consideration of the issues related to Waipio Valley and in producing a report for the Legislature before the Regular Session of 1993. The selection of a non-voting member from the student body of Honokaa High School will bring a valuable perspective of the youth of the area to the task of preserving Waipio Valley.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 217 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1507-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 206

The purpose of this concurrent resolution is to extend the existence of the Task Force to Preserve Waipio Valley.

Your Committee received testimony in support of the concurrent resolution from the Task force to Preserve Waipio Valley, the Department of Land and Natural Resources, and the Waipio Taro Farmers Association. The Bishop Museum provided testimony in support of the State purchasing its Waipio Valley properties.

Your Committee finds that Waipio Valley is an area of unique agricultural, historical, and cultural significance to the State of Hawaii. The work of the Task Force is of great importance and complexity. The extra time will be well spent in thoughtful consideration of the issues related to Waipio Valley and in producing a report for the Legislature before the

Regular Session of 1993. The selection of a non-voting member from the student body of Honokaa High School will bring a valuable perspective of the youth of the area to the task of preserving Waipio Valley.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 206 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1508-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 194

The purpose of this resolution is to request the Department of Hawaiian Home Lands, with the assistance of other State departments, to study the possibility of introducing cattle grazing leases on its Moloka'i lands to control grasses which have provided fuel for wildland fires and to improve the island's economy.

Your Committee received testimony concerning this resolution from the Department of Hawaiian Home Lands which pointed out that the issue was complex, but was worthy of further consideration. The testimony supported efforts to control fire danger but stressed that other options should be considered as well. Your Committee received testimony in support of the resolution from the Department of Land and Natural Resources.

Your Committee finds that wildland fires are destructive and dangerous and supports efforts to determine the best way to control conditions which predispose an area to such conflagrations. Your Committee also supports efforts to improve the Moloka'i economy. Your Committee hopes that the study proposed by this resolution will identify ways to achieve both ends.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 194 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1509-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 182

The purpose of this concurrent resolution is to request the Department of Hawaiian Home Lands, with the assistance of other State departments, to study the possibility of introducing cattle grazing leases on its Moloka'i lands to control grasses which have provided fuel for wildland fires and to improve the island's economy.

Your Committee received testimony concerning this concurrent resolution from the Department of Hawaiian Home Lands which pointed out that the issue was complex, but was worthy of further consideration. The testimony supported efforts to control fire danger but stressed that other options should be considered as well. Your Committee received testimony in support of the concurrent resolution from the Department of Land and Natural Resources.

Your Committee finds that wildland fires are destructive and dangerous and supports efforts to determine the best way to control conditions which predispose an area to such conflagrations. Your Committee also supports efforts to improve the Moloka'i economy. Your Committee hopes that the study proposed by this concurrent resolution will identify ways to achieve both ends.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 182 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1510-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 272

The purpose of this measure is to recognize the alarming health status of the native Hawaiian people by requesting the Governor to provide adequate resources to the Office of Hawaiian Health within the Department of Health (DOH).

Testimony on this measure was submitted by DOH, the Office of Hawaiian Affairs, Alu Like, Inc., Papa Ola Lokahi, Hawaii Island Ahupua'a, Kawaihae Hawaiian Homesteaders' Association, the Homestead Advisory Council, and the Aged Hawaiians.

Your Committee has made nonsubstantive amendments to this resolution for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 272, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 272, H.D. 1.

Signed by all members of the Committee.

SCRep. 1511-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 262

The purpose of this measure is to recognize the alarming health status of the native Hawaiian people by requesting the Governor to provide adequate resources to the Office of Hawaiian Health within the Department of Health (DOH).

Testimony on this measure was submitted by DOH, the Office of Hawaiian Affairs, Alu Like, Inc., Papa Ola Lokahi, Hawaii Island Ahupua'a, Kawaihae Hawaiian Homesteaders' Association, the Homestead Advisory Council, and the Aged Hawaiians.

Your Committee has made nonsubstantive amendments to this concurrent resolution for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 262, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 262, H.D. 1.

Signed by all members of the Committee.

SCRep. 1512-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 226

The purpose of this resolution is to urge the Department of Land and Natural Resources through its Forestry and Wildlife Division to establish a temporary Mount Olomana Task Force to develop a plan for preserving Mount Olomana in perpetuity.

Testimony in support of the intent of this resolution was submitted by the chairperson of the Board of Land and Natural Resources (BLNR), a councilmember from the City and County of Honolulu, the president of the Save Mount Olomana Association, and other concerned citizens.

Although the BLNR raised concerns about the anticipated financial costs associated with the establishment of the Task Force and its assignments, the BLNR indicated its willingness to comply with this resolution as much as possible within the Department's limited available funds.

Upon further consideration, your Committee has amended this resolution by:

- (1) Increasing the membership of the Task Force by including a representative from the Save Mount Olomana Association, a resident of Olomana, a resident of Maunawili, and a representative of the affected landowners; and
- (2) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 226, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 226, H.D. 1.

Signed by all members of the Committee.

SCRep. 1513-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 216

The purpose of this concurrent resolution is to urge the Department of Land and Natural Resources through its Forestry and Wildlife Division to establish a temporary Mount Olomana Task Force to develop a plan for preserving Mount Olomana in perpetuity.

Testimony in support of the intent of this concurrent resolution was submitted by the chairperson of the Board of Land and Natural Resources (BLNR), a councilmember from the City and County of Honolulu, the president of the Save Mount Olomana Association, and other concerned citizens.

Although the BLNR raised concerns about the anticipated financial costs associated with the establishment of the Task Force and its assignments, the BLNR indicated its willingness to comply with this concurrent resolution as much as possible within the Department's limited available funds.

Upon further consideration, your Committee has amended this concurrent resolution by:

- (1) Increasing the membership of the Task Force by including a representative from the Save Mount Olomana Association, a resident of Olomana, a resident of Maunawili, and a representative of the affected landowners; and
- (2) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 216, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 216, H.D. 1.

Signed by all members of the Committee.

SCRep. 1514-92 Water, Land Use, and Hawaiian Affairs and Health on H.C.R. No. 329

The purpose of this concurrent resolution is to request the Department of Health (DOH) to:

- (1) Determine the feasibility of instituting a comprehensive ground water quality monitoring program;

- (2) Explore the feasibility of making the water testing results of the monitoring program available to the public within seven days; and
- (3) Make maps showing well and water quality information available to the public.

The DOH, the Board of Water Supply of the City and County of Honolulu, and two private citizens presented testimony on this measure. The DOH expressed its belief that it is already accomplishing much of what is requested in the concurrent resolution, and both DOH and the Board of Water Supply of the City and County of Honolulu noted their concerns relative to the cost of complying with the requests.

Your Committees find that there is public concern about the availability and reliability of information on water quality in Hawaii sufficient to warrant exploring the potential of programs as requested in this concurrent resolution.

Your Committees on Water, Land Use, and Hawaiian Affairs and Health concur with the intent and purpose of H.C.R. No. 329, and recommend its adoption.

Signed by all members of the Committees except Representative Peters.

SCRep. 1515-92 Water, Land Use, and Hawaiian Affairs and Health on H.R. No. 360

The purpose of this measure is to take advantage of the strong interest of the Waimanalo community in the water quality of Waimanalo Bay and to protect that valuable resource by requesting the Director of the Department of Health (DOH) to develop a plan to strengthen the water sampling program for Waimanalo Bay and develop a citizen water monitoring program.

Testimony on this measure was submitted by DOH and by a private citizen.

Your Committees have amended this measure by providing for the participation of the Water Resources Research Center of the University of Hawaii in the preparation of the plan.

Your Committees on Water, Land Use, and Hawaiian Affairs and Health concur with the intent and purpose of H.R. No. 360, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 360, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1516-92 Water, Land Use, and Hawaiian Affairs and Health on H.C.R. No. 363

The purpose of this measure is to take advantage of the strong interest of the Waimanalo community in the water quality of Waimanalo Bay and to protect that valuable resource by requesting the Director of the Department of Health (DOH) to develop a plan to strengthen the water sampling program for Waimanalo Bay and develop a citizen water monitoring program.

Testimony on this measure was submitted by DOH and by a private citizen.

Your Committees have amended this measure by providing for the participation of the Water Resources Research Center of the University of Hawaii in the preparation of the plan.

Your Committees on Water, Land Use, and Hawaiian Affairs and Health concur with the intent and purpose of H.C.R. No. 363, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 363, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1517-92 Water, Land Use, and Hawaiian Affairs and Health on H.R. No. 361

The purpose of this measure is to request the Department of Health (DOH) to reactivate the position of Public Participation Coordinator, who would be responsible for the development of a volunteer water quality monitoring program.

The DOH, Save Our Beaches and Bays, and two private citizens testified in support of this measure. The DOH expressed its concerns that the program not replace current water monitoring or staff priorities, and that such a program would require significant resources and could be problematic if not administered with care.

Your Committees find that the lack of resources for water monitoring makes the potential value of a volunteer program all the greater. Your Committees also note that such programs already exist in nine states, and are confident that an effective and reliable program can be developed and administered.

Technical amendments have been made to this resolution and its title for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Health concur with the intent and purpose of H.R. No. 361, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 361, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1518-92 Water, Land Use, and Hawaiian Affairs and Health on H.C.R. No. 364

The purpose of this measure is to request the Department of Health (DOH) to reactivate the position of Public Participation Coordinator, who would be responsible for the development of a volunteer water quality monitoring program.

The DOH, Save Our Beaches and Bays, and two private citizens testified in support of this measure. The DOH expressed its concerns that the program not replace current water monitoring or staff priorities, and that such a program would require significant resources and could be problematic if not administered with care.

Your Committees find that the lack of resources for water monitoring makes the potential value of a volunteer program all the greater. Your Committees also note that such programs already exist in nine states, and are confident that an effective and reliable program can be developed and administered.

Technical amendments have been made to this concurrent resolution and its title for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Health concur with the intent and purpose of H.C.R. No. 364, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 364, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1519-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.R. No. 298

The purpose of this resolution is to encourage the successful integration of geographic information systems (GIS) among the various levels of government in the State by requesting the creation of a County/State Task Force to establish guidelines for a statewide GIS.

The State Office of State Planning (OSP) recommended that your Committees reconsider the notion of creating a single statewide GIS for all levels of government for several reasons:

- (1) The level of detail that the State and the counties focus on are different. The State is generally interested in statewide applications and regional analyses while the counties focus on detailed studies which are more oriented towards facilities management;
- (2) A number of networking issues and problems would need to be first resolved including the establishment of the necessary infrastructure as well as data and software tampering concerns;
- (3) Software concerns include difficulties in acquiring software agreements and the need for a single standard GIS software by all parties involved; and
- (4) A statewide GIS system would be costly to implement.

Your Committees find that all entities would be better served if the Task Force coordinated each entity's respective activities to improve the GIS, especially in the area of encouraging compatibility of equipment.

Accordingly, the title of this resolution has been renamed as follows:

"HOUSE RESOLUTION REQUESTING THE CREATION OF A COUNTY/STATE TASK FORCE TO COORDINATE EACH ENTITY'S ACTIVITIES IN THE GEOGRAPHIC INFORMATION SYSTEM'S DATABASE DEVELOPMENT AND APPLICATIONS."

In addition, your Committees have replaced the language in the sixth, seventh, and eighth WHEREAS clauses and the BE IT RESOLVED clause with new language consistent with the testimony submitted by OSP.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 298, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 298, H.D. 1.

Signed by all members of the Committees.

SCRep. 1520-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.C.R. No. 290

The purpose of this concurrent resolution is to encourage the successful integration of geographic information systems (GIS) among the various levels of government in the State by requesting the creation of a County/State Task Force to establish guidelines for a statewide GIS.

The State Office of State Planning (OSP) recommended that your Committees reconsider the notion of creating a single statewide GIS for all levels of government for several reasons:

- (1) The level of detail that the State and the counties focus on are different. The State is generally interested in statewide applications and regional analyses while the counties focus on detailed studies which are more oriented towards facilities management;
- (2) A number of networking issues and problems would need to be first resolved including the establishment of the necessary infrastructure as well as data and software tampering concerns;
- (3) Software concerns include difficulties in acquiring software agreements and the need for a single standard GIS software by all parties involved; and
- (4) A statewide GIS system would be costly to implement.

Your Committees find that all entities would be better served if the Task Force coordinated each entity's respective activities to improve the GIS, especially in the area of encouraging compatibility of equipment.

Accordingly, the title of this concurrent resolution has been renamed as follows:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A COUNTY/STATE TASK FORCE TO COORDINATE EACH ENTITY'S ACTIVITIES IN THE GEOGRAPHIC INFORMATION SYSTEM'S DATABASE DEVELOPMENT AND APPLICATIONS."

In addition, your Committees have replaced the language in the sixth, seventh, and eighth WHEREAS clauses and the BE IT RESOLVED clause with new language consistent with the testimony submitted by OSP.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 290, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 290, H.D. 1.

Signed by all members of the Committees.

SCRep. 1521-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.C.R. No. 398

The purpose of this concurrent resolution is to request the Commission on Water Resource Management, in conjunction with the Board of Land and Natural Resources and the counties, to convene a statewide conference to develop a statewide water conservation plan.

Testimony on this measure was submitted by the Department of Land and Natural Resources, the Water Resources Research Center of the University of Hawaii, the Board of Water Supply of the City and County of Honolulu, the Water Resources Research Center, Hawaii's Thousand Friends, and the Native Hawaiian Advisory Council.

Your Committees have amended this measure by:

- (1) Including stream flow restoration among the issues to be addressed in the statewide plan;
- (2) Subjecting the statewide plan to a public hearing before its submittal to the Legislature; and
- (3) Making nonsubstantive amendments for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 398, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 398, H.D. 1.

Signed by all members of the Committees.

SCRep. 1522-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.R. No. 219

The purpose of this resolution is to request that public access into Waipi'o Valley by way of Waipi'o Valley Road be controlled.

Your Committees received testimony in support of the resolution from The Waipi'o Taro Farmers Association. Your Committees also received testimony from the Bishop Museum expressing support for the purchase by the State of the Bishop Museum property in Waipi'o Valley.

Your Committees find that overutilization of Waipi'o Valley Road may result in danger to the public and that, because of its isolation, traffic on the road is difficult to control. The County of Hawaii, the Bishop Museum, the Public Utilities Commission, the Waipi'o Taro Farmers Association, the Waipi'o Valley Tour Operators, and the Kukuihaele-Waipio Community Association all are closely involved with Waipi'o Valley. The resolution requests that they study the situation and report to the Legislature before the Regular Session of 1993 regarding the traffic flow and possible restrictions.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 219 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1523-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.C.R. No. 208

The purpose of this concurrent resolution is to request that public access into Waipi'o Valley by way of Waipi'o Valley Road be controlled.

Your Committees received testimony in support of the concurrent resolution from The Waipi'o Taro Farmers Association. Your Committees also received testimony from the Bishop Museum expressing support for the purchase by the State of the Bishop Museum property in Waipi'o Valley.

Your Committees find that overutilization of Waipi'o Valley Road may result in danger to the public and that, because of its isolation, traffic on the road is difficult to control. The County of Hawaii, the Bishop Museum, the Public Utilities Commission, the Waipi'o Taro Farmers Association, the Waipi'o Valley Tour Operators, and the Kukuihaele-Waipio Community Association all are closely involved with Waipi'o Valley. The concurrent resolution requests that they study the situation and report to the Legislature before the Regular Session of 1993 regarding the traffic flow and possible restrictions.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 208 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1524-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.C.R. No. 43

The purpose of this concurrent resolution is to request the counties to consider the possibility of allowing community residents and groups to gather support and petition for the establishment of special design districts to preserve the unique characteristics of their communities.

Testimony in support of the concurrent resolution was received from the West Hawaii Sierra Club, the Waimea-Kawaihae Community Association, the Balian Strategic Design Studios, the North Kohala Community Association Planning Committee, and a private citizen.

Your Committees find that the Waimea area mentioned in the concurrent resolution has shown substantial support for the concurrent resolution. Citizen involvement in decisions affecting communities brings an important viewpoint to the decision making process. Special design district designations are one way to facilitate local involvement in development decisions. This concurrent resolution encourages the counties to consider design district designations and attendant citizen input as valuable tools in the planning process.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 43 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1525-92 Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources on H.R. No. 363

The purpose of this resolution is to clarify the Department of Land and Natural Resources' (DLNR) role in the sub-zoning and regulation of uses within the State conservation district by requesting a comprehensive review of Chapter 183, Hawaii Revised Statutes, entitled: "Forest Reserves, Water Development, Zoning".

DLNR concurred with the need to update its conservation lands plan and has requested funds for this purpose. However, with respect to this review, DLNR could not support the resolution due to current workload requirements. An interested individual suggested that an independent task force be established to conduct this review.

Your Committees have amended this resolution by:

- (1) Inserting language that recommends the hiring of a consultant to expedite the review; and
- (2) Deleting references relating to DLNR's lack of authority to change conservation district boundaries.

Your Committees on Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources concur with the intent and purpose of H.R. No. 363, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 363, H.D. 1.

Signed by all members of the Committees.

SCRep. 1526-92 Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources on H.C.R. No. 366

The purpose of this concurrent resolution is to clarify the Department of Land and Natural Resources' (DLNR) role in the sub-zoning and regulation of uses within the State conservation district by requesting a comprehensive review of Chapter 183, Hawaii Revised Statutes, entitled: "Forest Reserves, Water Development, Zoning".

DLNR concurred with the need to update its conservation lands plan and has requested funds for this purpose. However, with respect to this review, DLNR could not support the concurrent resolution due to current workload requirements. An interested individual suggested that an independent task force be established to conduct this review.

Your Committees have amended this concurrent resolution by:

- (1) Inserting language that recommends the hiring of a consultant to expedite the review; and
- (2) Deleting references relating to DLNR's lack of authority to change conservation district boundaries.

Your Committees on Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources concur with the intent and purpose of H.C.R. No. 366, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 366, H.D. 1.

Signed by all members of the Committees except Representative Bunda.

SCRep. 1527-92 Water, Land Use, and Hawaiian Affairs and Human Services on H.R. No. 278

The purpose of this measure is to request the Office of Hawaiian Affairs (OHA) and the Department of Public Safety (DPS) to:

- (1) Assess whether native Hawaiians are overrepresented among Hawaii's correctional institutions and programs;
- (2) Assess the programs and services aimed at these native Hawaiians; and
- (3) Recommend ways to address any overrepresentation, including budgetary requirements.

Testimony in opposition to this measure was presented by OHA as well as DPS, which expressed concern over focusing on a particular ethnic group and over the cost of conducting such a study.

Your Committees find that it is appropriate for the Office of Hawaiian Affairs to examine the issue of whether native Hawaiians of at least fifty per cent blood quantum are in fact overrepresented among Hawaii's incarcerated population. Your Committees further find that the costs of making this assessment need not be exorbitant, and suggests that OHA could likely find an individual, such as a graduate student, interested in conducting the study.

Your Committees have amended this resolution to exclude the identification of the causes of any overrepresentation from the purview of the study, and by making nonsubstantive changes for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Human Services concur with the intent and purpose of H.R. No. 278, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 278, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1528-92 Water, Land Use, and Hawaiian Affairs and Human Services on H.C.R. No. 269

The purpose of this measure is to request the Office of Hawaiian Affairs (OHA) and the Department of Public Safety (DPS) to:

- (1) Assess whether native Hawaiians are overrepresented among Hawaii's correctional institutions and programs;
- (2) Assess the programs and services aimed at these native Hawaiians; and
- (3) Recommend ways to address any overrepresentation, including budgetary requirements.

Testimony in opposition to this measure was presented by OHA as well as DPS, which expressed concern over focusing on a particular ethnic group and over the cost of conducting such a study.

Your Committees find that it is appropriate for the Office of Hawaiian Affairs to examine the issue of whether native Hawaiians of at least fifty per cent blood quantum are in fact overrepresented among Hawaii's incarcerated population. Your Committees further find that the costs of making this assessment need not be exorbitant, and suggests that OHA could likely find an individual, such as a graduate student, interested in conducting the study.

Your Committees have amended this concurrent resolution to exclude the identification of the causes of any overrepresentation from the purview of the study, and by making nonsubstantive changes for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Human Services concur with the intent and purpose of H.C.R. No. 269, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 269, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1529-92 Intergovernmental Relations and International Affairs and Higher Education and the Arts on H.R. No. 222

The purpose of this resolution is to request the Director of the Office of International Relations, the President of the University of Hawaii, and the President of the East-West Center, or their designees, to develop a program to implement the goal of supporting professional and technical cooperation with the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, and other Pacific Island nations.

Favorable testimony was received from the University of Hawaii School of Hawaiian, Asian and Pacific Studies and the Office of International Relations.

Upon further consideration, your Committees have amended this measure by:

- (1) Designating the Office of International Relations as the lead organization for the development of this program;
- (2) Changing its title to more accurately set forth the purpose of this measure: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A PROGRAM SUPPORTING PROFESSIONAL AND TECHNICAL COOPERATION WITH MICRONESIAN AND OTHER PACIFIC ISLAND NATIONS;" and
- (3) Making other technical, nonsubstantive amendments for purposes of clarity and style.

Your Committees strongly recommend that the Office of International Relations include in its report information relating to the funding level required to support the proposed program.

Your Committees on Intergovernmental Relations and International Affairs and Higher Education and the Arts concur with the intent and purpose of H.R. No. 222, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 222, H.D. 1.

Signed by all members of the Committees.

SCRep. 1530-92 Intergovernmental Relations and International Affairs and Higher Education and the Arts on H.C.R. No. 212

The purpose of this concurrent resolution is to request the Director of the Office of International Relations, the President of the University of Hawaii, and the President of the East-West Center, or their designees, to develop a program to implement the goal of supporting professional and technical cooperation with the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, and other Pacific Island nations.

Favorable testimony was received from the University of Hawaii School of Hawaiian, Asian and Pacific Studies and the Office of International Relations.

Upon further consideration, your Committees have amended this measure by:

- (1) Designating the Office of International Relations as the lead organization for the development of this program;
- (2) Changing its title to more accurately set forth the purpose of this measure: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PROGRAM SUPPORTING PROFESSIONAL AND TECHNICAL COOPERATION WITH MICRONESIAN AND OTHER PACIFIC ISLAND NATIONS;" and
- (3) Making other technical, nonsubstantive amendments for purposes of clarity and style.

Your Committees strongly recommend that the Office of International Relations include in its report information relating to the funding level required to support the proposed program.

Your Committees on Intergovernmental Relations and International Affairs and Higher Education and the Arts concur with the intent and purpose of H.C.R. No. 212, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 212, H.D. 1.

Signed by all members of the Committees.

SCRep. 1531-92 Energy and Environmental Protection and Intergovernmental Relations and International Affairs on H.R. No. 292

The purpose of this resolution is to request Hawaii's congressional delegation to propose an amendment to the federal oil pollution law that would exempt transporters of oil in Hawaii from the liability provisions of the law.

Your Committees find that the federal Oil Pollution Act of 1990 imposes stringent liability and financial responsibility certification requirements for transporters of oil operating in waters of the United States. Because of these provisions,

providers within the insurance industry have grown increasingly reluctant to provide environmental liability coverage to marketers of oil. As a result several marketers of oil in the State have announced their intent to curtail or alter their method of oil marketing among the counties of the State.

While it is cognizant of the dilemma faced by marketers of oil in Hawaii, your Committees find that the course of action proposed in this resolution may be unwise to pursue without full knowledge of the impacts that may unfold as a result of the endorsement of the proposed action. The liability provisions of the federal law were established to ensure financial responsibility and accountability among transporters of oil. Exempting Hawaii from the provisions of the law may expose the State to unreasonable risks. Without accurate information and details of the full scope of the problem, and without a clear understanding of other alternatives that may be available, your Committees feels that the State's capacity to undertake the proper course of action is currently inhibited.

Accordingly, your Committees have amended the contents and title of this resolution to request the Departments of Business, Economic Development, and Tourism and Health to conduct a comprehensive analysis of the impacts of State and federal oil carrier liability laws on interisland shipments of oil. Your Committee finds that the information collected as a result of the analysis requested through this measure will assist the State in determining the most appropriate course of action to pursue.

Your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 292, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 292, H.D. 1.

Signed by all members of the Committees.

**SCRep. 1532-92 Energy and Environmental Protection and Intergovernmental Relations and International Affairs
on H.C.R. No. 283**

The purpose of this concurrent resolution is to request Hawaii's congressional delegation to propose an amendment to the federal oil pollution law that would exempt transporters of oil in Hawaii from the liability provisions of the law.

Your Committees find that the federal Oil Pollution Act of 1990 imposes stringent liability and financial responsibility certification requirements for transporters of oil operating in waters of the United States. Because of these provisions, providers within the insurance industry have grown increasingly reluctant to provide environmental liability coverage to marketers of oil. As a result several marketers of oil in the State have announced their intent to curtail or alter their method of oil marketing among the counties of the State.

While it is cognizant of the dilemma faced by marketers of oil in Hawaii, your Committees find that the course of action proposed in this concurrent resolution may be unwise to pursue without full knowledge of the impacts that may unfold as a result of the endorsement of the proposed action. The liability provisions of the federal law were established to ensure financial responsibility and accountability among transporters of oil. Exempting Hawaii from the provisions of the law may expose the State to unreasonable risks. Without accurate information and details of the full scope of the problem, and without a clear understanding of other alternatives that may be available, your Committees feel that the State's capacity to undertake the proper course of action is currently inhibited.

Accordingly, your Committees have amended the contents and title of this concurrent resolution to request the Departments of Business, Economic Development, and Tourism and Health to conduct a comprehensive analysis of the impacts of state and federal oil carrier liability laws on interisland shipments of oil. Your Committees find that the information collected as a result of the analysis requested through this measure will assist the State in determining the most appropriate course of action to pursue.

Your Committees on Energy and Environmental Protection and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 283, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 283, H.D. 1.

Signed by all members of the Committees.

**SCRep. 1533-92 Planning and Economic Development and Intergovernmental Relations and International Affairs
on H.C.R. No. 284**

The purpose of this concurrent resolution is to request the Office of International Relations and the Department of Business, Economic Development and Tourism to recommend ways to encourage commercial activities between Hawaii and the Philippines.

The Office of International Relations, the Department of Business, Economic Development and Tourism and the Filipino Chamber of Commerce of Hawaii testified in support of the concurrent resolution.

Your Committees on Planning and Economic Development and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 284 and recommend its adoption.

Signed by all members of the Committees.

**SCRep. 1534-92 Planning and Economic Development and Intergovernmental Relations and International Affairs
on H.R. No. 286**

The purpose of this resolution is to request the Department of Land and Natural Resources to be the sponsoring agency for the preparation of a master flood control plan for Kahuku.

The Department of Land and Natural Resources, the Department of Education, the Estate of James Campbell and the Sunset Beach Community Association testified in support of the resolution.

Your Committees find that flood control for Kahuku cannot be effective without a comprehensive master flood control plan which coordinates flood control strategies with County, State and federal agencies.

Your Committees have amended the resolution to provide for private sector participation in the Kahuku master flood control plan and to request that the plan be submitted to the Legislature twenty days prior to the convening of the Regular Session of 1994. Your Committees have also made nonsubstantive amendments for the purpose of clarity.

Your Committees on Planning and Economic Development and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 286, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 286, H.D. 1.

Signed by all members of the Committees except Representative Horita.

SCRep. 1535-92 Planning and Economic Development and Intergovernmental Relations and International Affairs on H.C.R. No. 276

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to be the sponsoring agency for the preparation of a master flood control plan for Kahuku.

The Department of Land and Natural Resources, the Department of Education, the Estate of James Campbell and the Sunset Beach Community Association testified in support of the concurrent resolution.

Your Committee finds that flood control for Kahuku cannot be effective without a comprehensive master flood control plan which coordinates flood control strategies with County, State and federal agencies.

Your Committee has amended the concurrent resolution to provide for private sector participation in the Kahuku master flood control plan and to request that the plan be submitted to the Legislature twenty days prior to the convening of the Regular Session of 1994. Your Committee has also made nonsubstantive amendments for the purpose of clarity.

Your Committees on Planning and Economic Development and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 276, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 276, H.D. 1.

Signed by all members of the Committees except Representative Horita.

SCRep. 1536-92 Planning and Economic Development on H.R. No. 282

The purpose of this resolution is to request the Office of State Planning to convene a North Shore Flood Control Task Force to develop a comprehensive plan to alleviate the effects of flooding on the North Shore.

The Office of State Planning, the Department of Land and Natural Resources, the Department of Public Works of the City and County of Honolulu and the Sunset Beach Community Association testified in support of the resolution.

Your Committee agrees that the task force should be convened by the Department of Land and Natural Resources instead of the Office of State Planning and has amended the resolution accordingly.

Your Committee on Planning and Economic Development concurs with the intent and purpose of H.R. No. 282, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 282, H.D. 1.

Signed by all members of the Committee.

SCRep. 1537-92 Planning and Economic Development on H.C.R. No. 273

The purpose of this concurrent resolution is to request the Office of State Planning to convene a North Shore Flood Control Task Force to develop a comprehensive plan to alleviate the effects of flooding on the North Shore.

The Office of State Planning, the Department of Land and Natural Resources, the Department of Public Works of the City and County of Honolulu and the Sunset Beach Community Association testified in support of the concurrent resolution.

Your Committee agrees that the task force should be convened by the Department of Land and Natural Resources instead of the Office of State Planning and has amended the concurrent resolution accordingly.

Your Committee on Planning and Economic Development concurs with the intent and purpose of H.C.R. No. 273, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 273, H.D. 1.

Signed by all members of the Committee.

SCRep. 1538-92 Legislative Management on H.C.R. No. 12

The purpose of this concurrent resolution is to request the State Auditor to study the issue of State regulation of condominium managing agents and, if appropriate, to propose legislation to expand regulation.

Testimony in support of this concurrent resolution was submitted by the Hawaiiiana Management Company, Ltd.; the Hawaii Real Estate Commission; and a private individual.

Your Committee amended the measure to correct typographical errors regarding references to the "Legislative Auditor."

Your Committee on Legislative Management is in accord with the intent and purpose of H.C.R. No. 12, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 12, H.D. 2.

Signed by all members of the Committee except Representatives Arakaki and Anderson.

SCRep. 1539-92 Legislative Management on H.C.R. No. 226

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study on the permanent establishment of the State Satellite Office program, including an examination of the scope and available services of the program, and recommendations on ways to increase its effectiveness.

Testimony in support of this measure was submitted by the Governor's Office of Information.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 226, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki and Anderson.

SCRep. 1540-92 Legislative Management on H.R. No. 377

The purpose of this resolution is to request a study on the effect of cellular phone use in Hawaii upon vehicle control and driver attention.

Your Committee agrees that since Hawaii is known to have one of the highest percentages of cellular phone use in the nation, it is necessary to obtain statistics on the potential dangers and the extent to which of cellular phone use while driving has contributed to traffic and pedestrian accidents in the State.

Testimony was received from the Department of Transportation, the University of Hawaii, the Honolulu Police Department, and the Hawaii Insurers Council.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 377, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki and Anderson.

SCRep. 1541-92 Legislative Management on H.C.R. No. 377

The purpose of this concurrent resolution is to request a study on the effect of cellular phone use in Hawaii upon vehicle control and driver attention.

Your Committee agrees that since Hawaii is known to have one of the highest percentages of cellular phone use in the nation, it is necessary to obtain statistics on the potential dangers and the extent to which of cellular phone use while driving has contributed to traffic and pedestrian accidents in the State.

Testimony was received from the Department of Transportation, the University of Hawaii, the Honolulu Police Department, and the Hawaii Insurers Council.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 377, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki and Anderson.

SCRep. 1542-92 Legislative Management on H.R. No. 68

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the various support and assistance services offered in Hawaii to children with cancer and their families, identify the gaps in services, and make recommendations as to the solutions that would eliminate the gap.

The State Commission on Persons with Disabilities; the Department of Health (DOH); Help, Understanding and Group Support (HUGS); Hawaii Children's Cancer Foundation; parents; and health professionals submitted testimony in support of the resolution.

Your Committee has adopted the recommendations submitted by the DOH, with the agreement of supporters of this resolution, and has made the following amendments:

- (1) Added a "Whereas" paragraph recognizing that children with cancer and other serious illnesses have similar basic needs in health care financing, medical care coordination, and support services; and
- (2) Added a "Be It Resolved" paragraph requesting the Legislative Reference Bureau to report on possible applications of its findings and recommendations to improve services for all children with serious illnesses or disorders.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 68, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 68, H.D. 2.

Signed by all members of the Committee except Representatives Arakaki and Anderson.

SCRep. 1543-92 Legislative Management on H.C.R. No. 68

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the various support and assistance services offered in Hawaii to children with cancer and their families, identify the gaps in services, and make recommendations as to the solutions that would eliminate the gap.

The State Commission on Persons with Disabilities; the Department of Health (DOH); Help, Understanding and Group Support (HUGS); Hawaii Children's Cancer Foundation; parents; and health professionals submitted testimony in support of the concurrent resolution.

Your Committee has adopted the recommendations submitted by the DOH, with the agreement of supporters of this concurrent resolution, and has made the following amendments:

- (1) Adding a "Whereas" paragraph recognizing that children with cancer and other serious illnesses have similar basic needs in health care financing, medical care coordination, and support services; and
- (2) Adding a "Be It Resolved" paragraph requesting the Legislative Reference Bureau to report on possible applications of its findings and recommendations to improve services for all children with serious illnesses or disorders.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 68, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 68, H.D. 2.

Signed by all members of the Committee except Representatives Arakaki and Anderson.

SCRep. 1544-92 Higher Education and the Arts on H.R. No. 195

The purpose of this resolution is to request the University of Hawaii (UH) to establish a Master of Business Administration outreach program to serve all residents of the State, particularly neighbor island residents.

The University of Hawaii testified in support of the intent of the resolution, acknowledging the demand by neighbor island residents to gain accessibility to the UH Master of Business Administration degree program. However, the UH testified that a UH Master of Business Administration outreach program would require increased support services and funding resources, including student academic and library services, to support and maintain a quality outreach program.

Your Committee recognizes that providing increased access and opportunities to higher levels of learning in the State is imperative to prepare Hawaii's citizens for the work and personal challenges of an ever-increasing highly skilled and highly specialized society. Currently, many prospective students, particularly those individuals who live in areas remote from centers of higher education institutions, as well as neighbor island residents, are prevented from enrolling in the UH Master of Business Administration program because of the lack of accessibility--due to geographical, time, and resource factors--to this much sought-after program. Your Committee is also aware that not only is the accessibility problem limited to the UH Master of Business Administration program, but to other baccalaureate and post-baccalaureate degree programs as well.

It is the intent of your Committee to increase access to the UH Master of Business Administration degree program at UH-Manoa, as well as to other higher education degree programs within the UH system.

Accordingly, your Committee has amended this resolution by:

- (1) Amending the above-mentioned title: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A MASTER OF BUSINESS ADMINISTRATION OUTREACH PROGRAM" to read as follows: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE INCREASED ACCESS TO ITS DEGREE PROGRAMS THROUGHOUT THE STATE";

- (2) Emphasizing the importance of higher education for individuals to meet the demands of the work place and in their daily lives in today's technological, information-aged society;
- (3) Requesting the University of Hawaii to develop a comprehensive plan to establish a Master of Business Administration outreach program and to increase access to other UH baccalaureate and post-baccalaureate degree programs;
- (4) Listing the specifications to be included in the plan;
- (5) Requesting that in developing the plan, the University of Hawaii examine:
 - (a) The recommendations included in the report submitted to the 1992 Legislature in December, 1991, in response to H.R. No. 152 and H.C.R. No. 143 of the Regular Session of 1991; and
 - (b) The feasibility of adopting and implementing the recommendations noted in the December, 1991 report on University of Hawaii programs and services to non-traditional students; and
- (6) Specifying that the University of Hawaii submit a report of the findings and recommendations, with legislative proposals and cost analysis, if appropriate, to the Legislature at least twenty days before the convening of the Regular Session of 1993.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 195, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 195, H.D. 1.

Signed by all members of the Committee.

SCRep. 1545-92 Higher Education and the Arts on H.C.R. No. 183

The purpose of this concurrent resolution is to request the University of Hawaii (UH) to establish a Master of Business Administration outreach program to serve all residents of the State, particularly neighbor island residents.

The University of Hawaii testified in support of the intent of the concurrent resolution, acknowledging the demand by neighbor island residents to gain accessibility to the UH Master of Business Administration degree program. However, the UH testified that a UH Master of Business Administration outreach program would require increased support services and funding resources, including student academic and library services, to support and maintain a quality outreach program.

Your Committee recognizes that providing increased access and opportunities to higher levels of learning in the State is imperative to prepare Hawaii's citizens for the work and personal challenges of an ever-increasing highly skilled and highly specialized society. Currently, many prospective students, particularly those individuals who live in areas remote from centers of higher education institutions, as well as neighbor island residents, are prevented from enrolling in the UH Master of Business Administration program because of the lack of accessibility--due to geographical, time, and resource factors--to this much sought-after program. Your Committee is also aware that not only is the accessibility problem limited to the UH Master of Business Administration program, but to other baccalaureate and post-baccalaureate degree programs as well.

It is the intent of your Committee to increase access to the UH Master of Business Administration degree program at UH-Manoa, as well as to other higher education degree programs within the UH system.

Accordingly, your Committee has amended this concurrent resolution by:

- (1) Amending the above-mentioned title: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A MASTER OF BUSINESS ADMINISTRATION OUTREACH PROGRAM" to read as follows: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE INCREASED ACCESS TO ITS DEGREE PROGRAMS THROUGHOUT THE STATE";
- (2) Emphasizing the importance of higher education for individuals to meet the demands of the work place and in their daily lives in today's technological, information-aged society;
- (3) Requesting the University of Hawaii to develop a comprehensive plan to establish a Master of Business Administration outreach program and to increase access to other UH baccalaureate and post-baccalaureate degree programs;
- (4) Listing the specifications to be included in the plan;
- (5) Requesting that in developing the plan, the University of Hawaii examine:
 - (a) The recommendations included in the report submitted to the 1992 Legislature in December, 1991, in response to H.R. No. 152 and H.C.R. No. 143 of the Regular Session of 1991; and
 - (b) The feasibility of adopting and implementing the recommendations noted in the December, 1991 report on University of Hawaii programs and services to non-traditional students; and

- (6) Specifying that the University of Hawaii submit a report of the findings and recommendations, with legislative proposals and cost analysis, if appropriate, to the Legislature at least twenty days before the convening of the Regular Session of 1993.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 183, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 183, H.D. 1.

Signed by all members of the Committee.

SCRep. 1546-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.R. No. 269

The purpose of this resolution is to request the United States Department of Veterans Affairs and the University of Hawaii to develop a memorandum of agreement to implement a joint federal and State Post Traumatic Stress Disorder (PTSD) Program.

The University of Hawaii submitted testimony in support of the intent of the measure. Your Committees also received supporting testimony from the Director of the Office of Veterans Services and an interested individual.

Upon consideration, your Committees have amended the resolution by:

- (1) Requesting the United States Department of Veterans Affairs and the University of Hawaii to submit a report of their actions and efforts undertaken pursuant to this measure to the Legislature no later than twenty days prior to the convening of the Regular Session of 1993;
- (2) Inserting a transmittal clause specifying that the President of the University of Hawaii and the Executive Director of the United States Department of Veterans Affairs are to receive a certified copy of this resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 269, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 269, H.D. 1.

Signed by all members of the Committees.

SCRep. 1547-92 Higher Education and the Arts and Intergovernmental Relations and International Affairs on H.C.R. No. 258

The purpose of this concurrent resolution is to request the United States Department of Veterans Affairs and the University of Hawaii to develop a memorandum of agreement to implement a joint federal and State Post Traumatic Stress Disorder (PTSD) Program.

The University of Hawaii submitted testimony in support of the intent of the measure. Your Committees also received supporting testimony from the Director of the Office of Veterans Services and an interested individual.

Upon consideration, your Committees have amended the concurrent resolution by:

- (1) Requesting the United States Department of Veterans Affairs and the University of Hawaii to submit a report of their actions and efforts undertaken pursuant to this measure to the Legislature no later than twenty days prior to the convening of the Regular Session of 1993;
- (2) Inserting a transmittal specifying clause that the President of the University of Hawaii and the Executive Director of the United States Department of Veterans Affairs are to receive a certified copy of this concurrent resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees on Higher Education and the Arts and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 258, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 258, H.D. 1.

Signed by all members of the Committees.

SCRep. 1548-92 Finance on H.R. No. 350

The purpose of this resolution is to request the Department of Taxation and the Office of State Planning to jointly examine and address the issues of residence and domicile in relation to Hawaii State income tax law:

- (1) Review the laws of this State and other states regarding the issues of residence and domicile, particularly with respect to State income tax laws;

- (2) Develop, in conjunction with the counties, a limited property tax home exemption available only to bona fide Hawaii State residents;
- (3) Monitor and investigate whether persons who claim nonresident status in Hawaii for purposes of Hawaii's income tax laws also maintain a similar status in other states claimed to be their state of legal residence;
- (4) Evaluate other measures as feasible and appropriate to verify the nonresident status of persons who claim that status but maintain one or more homes in Hawaii;
- (5) Prepare a report on the findings and recommendations of the department and office, ensuring the confidentiality of all information and data collected in the course of its evaluations; and
- (6) Requests the Finance Department of each County to provide full cooperation and support to the Department of Taxation and the Office of State Planning in conducting this examination.

A report of findings and recommendations shall be submitted, including any necessary legislation 20 days prior to the convening of the Regular Session of 1993.

Testimony was submitted by the Department of Taxation, the Office of State Planning, and a concerned citizen.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 350 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1549-92 Finance on H.C.R. No. 350

The purpose of this concurrent resolution is to request the Department of Taxation and the Office of State Planning to jointly examine and address the issues of residence and domicile in relation to Hawaii State income tax law:

- (1) Review the laws of this State and other states regarding the issues of residence and domicile, particularly with respect to State income tax laws;
- (2) Develop, in conjunction with the counties, a limited property tax home exemption available only to bona fide Hawaii State residents;
- (3) Monitor and investigate whether persons who claim nonresident status in Hawaii for purposes of Hawaii's income tax laws also maintain a similar status in other states claimed to be their state of legal residence;
- (4) Evaluate other measures as feasible and appropriate to verify the nonresident status of persons who claim that status but maintain one or more homes in Hawaii;
- (5) Prepare a report on the findings and recommendations of the department and office, ensuring the confidentiality of all information and data collected in the course of its evaluations; and
- (6) Requests the Finance Department of each County to provide full cooperation and support to the Department of Taxation and the Office of State Planning in conducting this examination.

A report of findings and recommendations shall be submitted, including any necessary legislation 20 days prior to the convening of the Regular Session of 1993.

Testimony was submitted by the Department of Taxation, the Office of State Planning, and a concerned citizen.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 350 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1550-92 Finance on H.R. No. 100

The purpose of this resolution is to request the Department of Taxation (DOTAX) to report to the Legislature on:

- (1) The types of tax incentives which may be offered to the general public and recycling businesses in order to encourage recycling, including deductions, exemptions, credits or reduced tax rates on sales, property, gross income or other taxes;
- (2) The estimated impact upon State revenues of each type of incentive; and
- (3) An assessment of the success of similar programs which provide tax incentives to encourage recycling in other jurisdictions.

This resolution further requests that the Department of Health, the Department of Labor and Natural Resources, and the Department of Business and Economic Development provide information to support DOTAX in its development of this report and that DOTAX report its findings, recommendations, and proposed legislation to the Legislature at least twenty days prior to the convening of the Regular Session of 1993.

Testimony was submitted by the Department of Taxation and the Department of Health.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 100 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1551-92 Finance on H.C.R. No. 96

The purpose of this concurrent resolution is to request the Department of Taxation (DOTAX) to report to the Legislature on:

- (1) The types of tax incentives which may be offered to the general public and recycling businesses in order to encourage recycling, including deductions, exemptions, credits or reduced tax rates on sales, property, gross income or other taxes;
- (2) The estimated impact upon State revenues of each type of incentive; and
- (3) An assessment of the success of similar programs which provide tax incentives to encourage recycling in other jurisdictions.

This concurrent resolution further requests that the Department of Health, the Department of Labor and Natural Resources, and the Department of Business and Economic Development provide information to support DOTAX in its development of this report and that DOTAX report its findings, recommendations, and proposed legislation to the Legislature at least twenty days prior to the convening of the Regular Session of 1993.

Testimony was submitted by the Department of Taxation and the Department of Health.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 96 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1552-92 Finance on H.R. No. 327

The purpose of this measure is to request that the Governor and the Director of Finance submit reports containing the following information:

- (1) For each department, by branch, the number of authorized permanent full-time positions, the number of those positions filled, the number of emergency hires and temporary positions as of December 1 of each preceding year;
- (2) For each authorized and temporary position not filled as of December 1 of the preceding year, the length of time the position has been vacant and an explanation of each vacancy of more than one year;
- (3) For each new position requested at any time to respond to workload increases or program expansions, a description of the staffing standards used to assess the need for additional positions;
- (4) For each workload increase or program expansion requested at any time, the incremental productivity or program effectiveness measure that taxpayers can expect if the request were granted; and
- (5) Information about the effects of a reduction in force through attrition and the effects that a hiring freeze for the periods of six months, one, and two years will have on the delivery of services to the public.

It is requested that the report be submitted twenty days prior to the convening of the 1993 and 1994 Regular Sessions.

Testimony was submitted in support of this resolution by the Department of Budget and Finance and the Office of the Auditor.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 327 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1553-92 Finance on H.C.R. No. 328

The purpose of this measure is to request that the Governor and the Director of Finance submit reports containing the following information:

- (1) For each department, by branch, the number of authorized permanent full-time positions, the number of those positions filled, the number of emergency hires and temporary positions as of December 1 of each preceding year;
- (2) For each authorized and temporary position not filled as of December 1 of the preceding year, the length of time the position has been vacant and an explanation of each vacancy of more than one year;

- (3) For each new position requested at any time to respond to workload increases or program expansions, a description of the staffing standards used to assess the need for additional positions;
- (4) For each workload increase or program expansion requested at any time, the incremental productivity or program effectiveness measure that taxpayers can expect if the request were granted; and
- (5) Information about the effects of a reduction in force through attrition and the effects that a hiring freeze for the periods of six months, one, and two years will have on the delivery of services to the public.

It is requested that the report be submitted twenty days prior to the convening of the 1993 and 1994 Regular Sessions.

Testimony was submitted in support of this concurrent resolution by the Department of Budget and Finance and the Office of the Auditor.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 328 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1554-92 Finance on H.R. No. 114

The purpose of this resolution is to request the Department of Taxation to draft proposed legislation for introduction during the Regular Session of 1993 to repeal Chapter 246 (Real Property Tax Law), Hawaii Revised Statutes (HRS) and to include appropriate conforming amendments to Chapter 234 (Tax Relief for Natural Disaster Losses) and any other Chapter which makes reference to Chapter 246.

Your Committee finds that the continued existence of Chapter 246 is presently creating difficulties, problems, and misunderstandings in regards to the assessment and collection of real property taxes by the State. Repeal of the chapter will help to eliminate any such conflicts and confusion.

Testimony in support of this resolution was received by the Department of Finance of the City and County of Honolulu and the Department of Finance of the County of Kauai.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 114 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1555-92 Finance on H.C.R. No. 107

The purpose of this concurrent resolution is to request the Department of Taxation to draft proposed legislation for introduction during the Regular Session of 1993 to repeal Chapter 246 (Real Property Tax Law), Hawaii Revised Statutes (HRS) and to include appropriate conforming amendments to Chapter 234 (Tax Relief for Natural Disaster Losses) and any other Chapter which makes reference to Chapter 246.

Your Committee finds that the continued existence of Chapter 246 is presently creating difficulties, problems, and misunderstandings in regards to the assessment and collection of real property taxes by the State. Repeal of the chapter will help to eliminate any such conflicts and confusion.

Testimony in support of this concurrent resolution was received by the Department of Finance of the City and County of Honolulu and the Department of Finance of the County of Kauai.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 107 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1556-92 Consumer Protection and Commerce on H.R. No. 403

The purpose of this resolution is to encourage 'Olelo: the Corporation for Community Television ("'Olelo") to support high caliber professional quality locally produced programming.

Your Committee received testimony in support of the resolution from the Hawaii State AFL-CIO and private citizens involved with the local film and production industry and testimony in opposition from a private citizen. 'Olelo also submitted testimony on the bill regarding 'Olelo's mission and activities.

'Olelo testified that the revenues received in 1992 was \$2,067,620, and your Committee has accordingly amended the resolution to reflect the range of revenues that 'Olelo has received.

In addition, there were concerns expressed that professional quality programming should be directed to the Hawai'i Public Broadcast Authority and KHET, not to 'Olelo. Your Committee notes that this Legislature is on record in support of the film production industry; we should do all that we can to stretch the available resources, from whatever source, to foster the development of this industry, which is still in its infancy in Hawaii. This resolution is not intended to curtail the activities of either 'Olelo, the HPBA or KHET, or to promote competition between them. Rather, its purpose and intent is to encourage these entities to work together, with the recognition that in a time of limited financial resources, the entities with funding should be working with others in the field to sustain and develop our local production industry.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 403, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 403, H.D. 1.

Signed by all members of the Committee.

SCRep. 1557-92 Consumer Protection and Commerce on H.C.R. No. 402

The purpose of this concurrent resolution is to encourage 'Olelo: the Corporation for Community Television ("'Olelo") to support high caliber professional quality locally produced programming.

Your Committee received testimony in support of the concurrent resolution from the Hawaii State AFL-CIO and private citizens involved with the local film and production industry and testimony in opposition from a private citizen. 'Olelo also submitted testimony on the bill regarding 'Olelo's mission and activities.

'Olelo testified that the revenues received in 1992 was \$2,067,620, and your Committee has accordingly amended the concurrent resolution to reflect the range of revenues that 'Olelo has received.

In addition, there were concerns expressed that professional quality programming should be directed to the Hawaii'i Public Broadcast Authority and KHET, not to 'Olelo. Your Committee notes that this Legislature is on record in support of the film production industry; we should do all that we can to stretch the available resources, from whatever source, to foster the development of this industry, which is still in its infancy in Hawaii. This concurrent resolution is not intended to curtail the activities of either 'Olelo, the HPBA or KHET, or to promote competition between them. Rather, its purpose and intent is to encourage these entities to work together, with the recognition that in a time of limited financial resources, the entities with funding should be working with others in the field to sustain and develop our local production industry.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 402, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 402, H.D. 1.

Signed by all members of the Committee.

SCRep. 1558-92 Consumer Protection and Commerce on H.R. No. 248

The purpose of this resolution is to request the Department of Commerce and Consumer Affairs (DCCA) to:

- (1) Conduct a comprehensive statewide investigation of alleged violations of regulatory laws pertaining to time share and activity provider industries;
- (2) Provide proposed legislation to address these issues; and
- (3) Submit a report of the findings and recommendations to the Legislature prior to the submittal of a similar study currently being conducted by the Office of the Legislative Auditor.

Supportive testimony was submitted by the Department of Commerce and Consumer Affairs, the Hawaii Association of Realtors, and the Activity Owner's Association.

Testimony in opposition to this measure was submitted by Hawaiiiana Management Company, Time Share Accommodations, Inc., and a concerned citizen.

Your Committee finds that the provisions of this resolution are designed to further assist the Legislature in determining the need for additional regulatory controls on Hawaii's time share and tour operator industries.

It has come to your Committee's attention that questions have been raised regarding the study outlined in this resolution. The major points of discussion are listed as follows:

- (1) Violations: Opponents to this measure have objected to the assertion that violations of Chapter 514E, Hawaii Revised Statutes, the Time Sharing Plan Law and Act 240, Session Laws of Hawaii 1991, have been committed. It was not made clear as to whether violations have indeed been committed or whether DCCA's Regulated Industries Complaint Office (RICO)--the division which oversees time share and activity provider industries--has or has not recently initiated any investigations on any time share operations stemming from complaints registered from the public. The DCCA representative, however, noted that the Office of Consumer Protection has received complaints in recent years regarding the practices of time share operations.
- (2) Scope of the study: The DCCA representative stated that the concerns precipitating this measure have originated in certain localized areas of the State. The representative added that because the study requested in this measure calls for a statewide investigation of time share operations, DCCA would not be able to narrow its investigation to only those localized areas of concern.

While your Committee hesitates to concur with the assertion stipulated in this resolution, your Committee maintains that the points brought forth in the measure regarding alleged acts of discrimination and misleading business practices indeed warrant the need for additional information on this issue.

After careful deliberation, your Committee has amended this resolution by:

- (1) Revising the title to read: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO INVESTIGATE ISSUES RELATED TO THE SOLICITATION OF TIME SHARE PLANS AND THE SALE OF TIME SHARE INTEREST";
- (2) Deleting language which inferred the assumption that violations of Hawaii's Time Share Plans Law and Act 240, SLH 1991, had occurred throughout the State;
- (3) Clarifying that the DCCA is requested to:
 - (A) Verify the concerns of localized communities regarding the nature, frequency, and legality of certain business practices associated with the solicitation and sale of time share products;
 - (B) Determine whether the practice of awarding incentives during the solicitation and sale of time share products are discriminatory or misleading under Hawaii law; and
 - (C) Prepare proposed legislation it deems necessary to address this issue;
- (4) Urging DCCA to publicize the consumer protection services of the Regulated Industries Complaints Office (RICO) to the general public with regard to the solicitation and sale of time share products, and to primarily utilize data collected by RICO during the course of the study;
- (5) Instructing DCCA to submit a report of the findings and recommendations prior to the convening of the Regular Session of 1993; and
- (6) Making technical, nonsubstantive revisions for the purpose of clarity and style.

Your Committee on Consumer Protection and Commerce 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. 1559-92 Consumer Protection and Commerce on H.C.R. No. 240

The purpose of this concurrent resolution is to request the Department of Commerce and Consumer Affairs (DCCA) to:

- (1) Conduct a comprehensive statewide investigation of alleged violations of regulatory laws pertaining to time share and activity provider industries;
- (2) Provide proposed legislation to address these issues; and
- (3) Submit a report of the findings and recommendations to the Legislature prior to the submittal of a similar study currently being conducted by the Office of the Legislative Auditor.

Supportive testimony was submitted by the Department of Commerce and Consumer Affairs, the Hawaii Association of Realtors, and the Activity Owner's Association.

Testimony in opposition to this measure was submitted by Hawaiiana Management Company, Time Share Accommodations, Inc., and a concerned citizen.

Your Committee finds that the provisions of this concurrent resolution are designed to further assist the Legislature in determining the need for additional regulatory controls on Hawaii's time share and tour operator industries.

It has come to your Committee's attention that questions have been raised regarding the study outlined in this concurrent resolution. The major points of discussion are listed as follows:

- (1) Violations: Opponents to this measure have objected to the assertion that violations of Chapter 514E, Hawaii Revised Statutes, the Time Sharing Plan Law and Act 240, Session Laws of Hawaii 1991, have been committed. It was not made clear as to whether violations have indeed been committed or whether DCCA's Regulated Industries Complaint Office (RICO)--the division which oversees time share and activity provider industries--has or has not recently initiated any investigations on any time share operations stemming from complaints registered from the public. The DCCA representative, however, noted that the Office of Consumer Protection has received complaints in recent years regarding the practices of time share operations.
- (2) Scope of the study: The DCCA representative stated that the concerns precipitating this measure have originated in certain localized areas of the State. The representative added that because the study requested in this measure calls for a statewide investigation of time share operations, DCCA would not be able to narrow its investigation to only those localized areas of concern.

While your Committee hesitates to concur with the assertion stipulated in this concurrent resolution, your Committee maintains that the points brought forth in the measure regarding alleged acts of discrimination and misleading business practices indeed warrant the need for additional information on this issue.

After careful deliberation, your Committee has amended this concurrent resolution by:

- (1) Revising the title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO INVESTIGATE ISSUES RELATED TO THE SOLICITATION OF TIME SHARE PLANS AND THE SALE OF TIME SHARE INTEREST";
- (2) Deleting language which inferred the assumption that violations of Hawaii's Time Share Plans Law and Act 240, SLH 1991, had occurred throughout the State;
- (3) Clarifying that the DCCA is requested to:
 - (A) Verify the concerns of localized communities regarding the nature, frequency, and legality of certain business practices associated with the solicitation and sale of time share products;
 - (B) Determine whether the practice of awarding incentives during the solicitation and sale of time share products are discriminatory or misleading under Hawaii law; and
 - (C) Prepare proposed legislation it deems necessary to address this issue;
- (4) Urging DCCA to publicize the consumer protection services of the Regulated Industries Complaints Office (RICO) to the general public with regard to the solicitation and sale of time share products, and to primarily utilize data collected by RICO during the course of the study;
- (5) Instructing DCCA to submit a report of the findings and recommendations prior to the convening of the Regular Session of 1993; and
- (6) Making technical, nonsubstantive revisions for the purpose of clarity and style.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 240, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 240, H.D. 1.

Signed by all members of the Committee.

SCRep. 1560-92 Consumer Protection and Commerce and Intergovernmental Relations and International Affairs on H.R. No. 352

The purpose of this resolution is to request the United States Congress to support legislation proposed by The Earthquake Project to provide federally sponsored earthquake insurance for homeowners.

Your Committees heard testimony in support of this resolution from Hawaii Counsel National Association of Independent Insurers, The Earthquake Project and State Farm Insurance Companies.

The legislation proposed by The Earthquake Project, a coalition of trade associations and independent companies within the property and casualty insurance industry, would provide nearly universal earthquake insurance coverage for homeowners and create a federally backed financial reserve to protect the national economy from the severe financial shock resulting from a major earthquake.

Proposed programs include a loss-reduction program of incentives and phased-in requirements that ensure that earthquake communities adopt and enforce cost effective measures to reduce the damage from future earthquakes. Another proposed measure establishes insurance programs which operate in partnership with private sectors to pre-fund natural disaster assistance and make affordable insurance universally available.

The scientific community is predicting a major earthquake in a relatively short time, twenty to thirty years. This resolution urges legislation to provide insurance coverage for homeowners. In the event of a major earthquake, insurance will be a more effective way of compensating disaster victims than disaster assistance.

Your Committees on Consumer Protection and Commerce and Intergovernmental Relations and International Affairs are in accord with the intent and purpose of H.R. No. 352 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1561-92 Consumer Protection and Commerce and Intergovernmental Relations and International Affairs on H.C.R. No. 353

The purpose of this concurrent resolution is to request the United States Congress to support legislation proposed by The Earthquake Project to provide federally sponsored earthquake insurance for homeowners.

Your Committees heard testimony in support of this concurrent resolution from Hawaii Counsel National Association of Independent Insurers, The Earthquake Project and State Farm Insurance Companies.

The legislation proposed by The Earthquake Project, a coalition of trade associations and independent companies within the property and casualty insurance industry, would provide nearly universal earthquake insurance coverage for homeowners and create a federally backed financial reserve to protect the national economy from the severe financial shock resulting from a major earthquake.

Proposed programs include a loss-reduction program of incentives and phased-in requirements that ensure that earthquake communities adopt and enforce cost effective measures to reduce the damage from future earthquakes. Another proposed measure establishes insurance programs which operate in partnership with private sectors to pre-fund natural disaster assistance and make affordable insurance universally available.

The scientific community is predicting a major earthquake in a relatively short time, twenty to thirty years. This concurrent resolution urges legislation to provide insurance coverage for homeowners. In the event of a major earthquake, insurance will be a more effective way of compensating disaster victims than disaster assistance.

Your Committees on Consumer Protection and Commerce and Intergovernmental Relations and International Affairs are in accord with the intent and purpose of H.C.R. No. 353 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1562-92 Tourism on S.C.R. No. 34

The purpose of this resolution is to urge the Department of Business, Economic Development, and Tourism to work toward persuading the Pacific Asia Travel Association (PATA) to relocate its headquarters to its original home in Hawaii.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism, and the Office of International Relations.

Your Committee finds that the relocation of the Pacific Asia Travel Association (PATA) to Hawaii would help to develop Hawaii as a business and meeting center, providing more stability to the state's economy by reducing dependence on pleasure travelers, and that the 1993 PATA annual conference in Honolulu offers a fitting occasion for the return of PATA.

Your Committee further finds that PATA will be strongly considering relocation within the next year and that it must decide whether to exercise an option to extend the existing lease on its office space by the summer of 1993.

Your Committee changed the resolution by:

- (1) Removing any reference to the formation of a task force;
- (2) Adding the Office of International Relations to those receiving certified copies; and
- (3) Making technical, non-substantive changes for the purposes of style and clarity.

Your Committee on Tourism concurs with the intent and purpose of S.C.R. No. 34, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 34, H.D. 1.

Signed by all members of the Committee.

SCRep. 1563-92 Tourism on H.R. No. 378

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism to study alternative marketing strategies for the neighbor islands, including the targeting of Oahu residents for interisland travel.

Your Committee received testimony on this resolution from the Hawaii County Council, the Department of Business, Economic Development and Tourism, the County of Kauai Office of Economic Development, the Hawaii Island Chamber of Commerce, the Maui Hotel Association, the Poipu Beach Resort Association, the Kohala Coast Resort Association, the Kauai Hotel Association, and Destination Lanai.

Your Committee finds that the volatile nature of the overseas pleasure visitor market necessitates the opening or expansion of alternative markets to fill in the gaps during slow periods.

Your Committee changed the resolution by:

- (1) Removing references to only the neighbor islands and substituting the entire State;
- (2) Providing that the Hawaii Visitors Bureau shall be consulted in the study;
- (3) Adding to the study a compilation of data on the travel and spending patterns of Hawaii residents traveling within the State;
- (4) Adding a request that the visitor industry increase incentives to residents traveling within the State;
- (5) Making technical, non-substantive changes for the purposes of style and clarity.

Your Committee on Tourism concurs with the intent and purpose of H.R. No. 378, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 378, H.D. 1.

Signed by all members of the Committee.

SCRep. 1564-92 Tourism on H.C.R. No. 378

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to study alternative marketing strategies for the neighbor islands, including the targeting of Oahu residents for interisland travel.

Your Committee received testimony on this concurrent resolution from the Hawaii County Council, the Department of Business, Economic Development and Tourism, the County of Kauai Office of Economic Development, the Hawaii Island Chamber of Commerce, the Maui Hotel Association, the Poipu Beach Resort Association, the Kohala Coast Resort Association, the Kauai Hotel Association, and Destination Lanai.

Your Committee finds that the volatile nature of the overseas pleasure visitor market necessitates the opening or expansion of alternative markets to fill in the gaps during slow periods.

Your Committee changed the concurrent resolution by:

- (1) Removing references to only the neighbor islands and substituting the entire State;
- (2) Providing that the Hawaii Visitors Bureau shall be consulted in the study;
- (3) Adding to the study a compilation of data on the travel and spending patterns of Hawaii residents traveling within the State;
- (4) Adding a request that the visitor industry increase incentives to residents traveling within the State;
- (5) Making technical, non-substantive changes for the purposes of style and clarity.

Your Committee on Tourism concurs with the intent and purpose of H.C.R. No. 378, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 378, H.D. 1.

Signed by all members of the Committee.

SCRep. 1565-92 Tourism and Transportation on H.R. No. 120

The purpose of this resolution is to request the Department of Transportation to develop transportation alternatives for Waikiki.

Your Committees received testimony on this resolution from the Department of Transportation, Hawaii Transportation Association, SIDA of Hawaii and E Noa Tours.

Your Committees find that the omission of a rapid transit line through Waikiki, the great number of tourists, workers and residents traveling through the area, and the plans to orient Waikiki to pedestrians all indicate the need for development of alternative transportation methods in Waikiki in order to handle the heavier traffic burdens in the future.

Your Committees changed the resolution by designating the City and County of Honolulu Department of Transportation Services as the lead agency, rather than the State of Hawaii Department of Transportation.

Your Committees on Tourism and Transportation concur with the intent and purpose of H.R. No. 120, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 120, H.D. 1.

Signed by all members of the Committees.

SCRep. 1566-92 Tourism and Transportation on H.C.R. No. 112

The purpose of this concurrent resolution is to request the Department of Transportation to develop transportation alternatives for Waikiki.

Your Committees received testimony on this concurrent resolution from the Department of Transportation, Hawaii Transportation Association, SIDA of Hawaii and E Noa Tours.

Your Committees find that the omission of a rapid transit line through Waikiki, the great number of tourists, workers and residents traveling through the area, and the plans to orient Waikiki to pedestrians all indicate the need for development of alternative transportation methods in Waikiki in order to handle the heavier traffic burdens in the future.

Your Committees changed the concurrent resolution by designating the City and County of Honolulu Department of Transportation Services as the lead agency, rather than the State of Hawaii Department of Transportation.

Your Committees on Tourism and Transportation concur with the intent and purpose of H.C.R. No. 112, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 112, H.D. 1.

Signed by all members of the Committees.

SCRep. 1567-92 Tourism and Higher Education and the Arts on H.R. No. 312

The purpose of this resolution is to request the Institute for Astronomy of the University of Hawaii to study the feasibility of establishing a safety education program for visitors to the Mauna Kea observatories.

Your Committees received testimony in support of this resolution from the Institute for Astronomy of the University of Hawaii.

Your Committees find that a large number of visitors, about 50 to 100 daily and 200 on weekends, travel to the world-famous observatories on the 14,000 foot summit of Mauna Kea, placing themselves under some risk from the hazardous road conditions and the lack of oxygen at higher altitudes.

Your Committees further find that a safety and visitor information program would enable visitors to make better preparations for journeys up the mountain. The Institute for Astronomy has already requested funding for a similar program, but your Committees also find that, to a lesser extent, visitors to Haleakala and Mauna Loa face similar hazards.

Your Committees changed the resolution by:

- (1) Expanding it to include the U.S. Department of the Interior, which oversees the National Park Service, which has jurisdiction over Haleakala on Maui and Mauna Loa on Hawaii, the Department of Business, Economic Development and Tourism, the Department of Health, and the County of Maui;
- (2) Adding a request to the Institute for Astronomy to report on the current status of its safety and visitor education efforts; and
- (3) Making technical, non-substantive changes for the purposes of style and clarity.

Your Committees on Tourism and Higher Education and the Arts concur with the intent and purpose of H.R. No. 312, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 312, H.D. 1.

Signed by all members of the Committees.

SCRep. 1568-92 Tourism and Higher Education and the Arts on H.C.R. No. 309

The purpose of this concurrent resolution is to request the Institute for Astronomy of the University of Hawaii to study the feasibility of establishing a safety education program for visitors to the Mauna Kea observatories.

Your Committees received testimony in support of this concurrent resolution from the Institute for Astronomy of the University of Hawaii.

Your Committees find that a large number of visitors, about 50 to 100 daily and 200 on weekends, travel to the world-famous observatories on the 14,000 foot summit of Mauna Kea, placing themselves under some risk from the hazardous road conditions and the lack of oxygen at higher altitudes.

Your Committees further find that a safety and visitor information program would enable visitors to make better preparations for journeys up the mountain. The Institute for Astronomy has already requested funding for a similar program, but your Committees also find that, to a lesser extent, visitors to Haleakala and Mauna Loa face similar hazards.

Your Committees changed the concurrent resolution by:

- (1) Expanding it to include the U.S. Department of the Interior, which oversees the National Park Service, which has jurisdiction over Haleakala on Maui and Mauna Loa on Hawaii, the Department of Business, Economic Development and Tourism, the Department of Health, and the County of Maui;
- (2) Adding a request to the Institute for Astronomy to report on the current status of its safety and visitor education efforts; and
- (3) Making technical, non-substantive changes for the purposes of style and clarity.

Your Committees on Tourism and Higher Education and the Arts concur with the intent and purpose of H.C.R. No. 309, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 309, H.D. 1.

Signed by all members of the Committees.

SCRep. 1569-92 Tourism and Intergovernmental Relations and International Affairs on H.R. No. 178

The purpose of this resolution is to request the Department of Land and Natural Resources to study the feasibility of a statewide lifeguard training center.

Your Committees received testimony on this resolution from the Department of Land and Natural Resources, the City and County of Honolulu Department of Parks and Recreation and the Hawaiian Lifeguard Association.

Your Committees find that Hawaii's excellent climate draws large numbers of residents and tourists to its beautiful beaches to engage in ocean sports that involve some measure of risk and result in drownings and injuries. It is in Hawaii's interest to continue to improve its water safety and rescue capability, in order to protect residents and visitors.

Your Committees further find that Hawaii's water safety personnel have established a reputation as leaders in developing innovative rescue and lifeguarding techniques and that a Water Safety and Lifeguard Training Center will provide an organized program through which these techniques may be taught on both a statewide and national basis.

Your Committees on Tourism and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 178 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1570-92 Tourism and Intergovernmental Relations and International Affairs on H.C.R. No. 166

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to study the feasibility of a statewide lifeguard training center.

Your Committees received testimony on this concurrent resolution from the Department of Land and Natural Resources, the City and County of Honolulu Department of Parks and Recreation and the Hawaiian Lifeguard Association.

Your Committees find that Hawaii's excellent climate draws large numbers of residents and tourists to its beautiful beaches to engage in ocean sports that involve some measure of risk and result in drownings and injuries. It is in Hawaii's interest to continue to improve its water safety and rescue capability, in order to protect residents and visitors.

Your Committees further find that Hawaii's water safety personnel have established a reputation as leaders in developing innovative rescue and lifeguarding techniques and that a Water Safety and Lifeguard Training Center will provide an organized program through which these techniques may be taught on both a statewide and national basis.

Your Committees on Tourism and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 166 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1571-92 Tourism and Intergovernmental Relations and International Affairs on H.R. No. 177

The purpose of this resolution is to request that the United States Departments of State and Transportation to consider direct flights to Hawaii when negotiating air line routes with European countries and to allow greater latitude in the entry of new carriers.

Your Committees received testimony in support of this resolution from the Department of Business, Economic Development and Tourism and the Department of Transportation.

Your Committees find that the addition of new routes to Europe would allow Hawaii to expand its presence in the new visitor market of Europe, an effort that has received high priority in the State's marketing.

Your Committees on Tourism and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 177 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1572-92 Tourism and Intergovernmental Relations and International Affairs on H.C.R. No. 165

The purpose of this concurrent resolution is to request that the United States Departments of State and Transportation to consider direct flights to Hawaii when negotiating air line routes with European countries and to allow greater latitude in the entry of new carriers.

Your Committees received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism and the Department of Transportation.

Your Committees find that the addition of new routes to Europe would allow Hawaii to expand its presence in the new visitor market of Europe, an effort that has received high priority in the State's marketing.

Your Committees on Tourism and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 165 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1573-92 Higher Education and the Arts and Transportation on H.C.R. No. 315

The purpose of this concurrent resolution is to request the University of Hawaii (UH) and the Honolulu Community College (HCC) to work collaboratively on the development of "Professional Aerospace Career Centers" (Centers) at

Keahole Airport and Honolulu International Airport. In addition, the concurrent resolution specifies that UH and HCC work in conjunction with the Office of State Planning (OSP), the Department of Transportation (DOT), the Department of Business, Economic Development, and Tourism (DBED), the Mayor of Hawaii, the County Council of Hawaii, and the Big Island Business Council in developing the Centers.

Your Committees believe that the establishment of these Centers will be instrumental in training and equipping Hawaii's students with the credentials, skills, and practical experience necessary to take on jobs in the competitive aviation and aerospace industries. Furthermore, these Centers would also generate state revenues and elevate the overall reputation of the State as a world-class travel destination and hub of higher academic learning.

The Chancellor for the UH Community Colleges and DBED testified in support of the concurrent resolution. The DOT testified in support of the intent of the measure and indicated its preparedness to assist the UH and HCC in selecting sites for the Centers as long as the sites do not impact the safe and efficient operation of the airports.

Your Committees on Higher Education and the Arts and Transportation concur with the intent and purpose of H.C.R. No. 315, and recommend its adoption.

Signed by all members of the Committees except Representative Taniguchi.

SCRep. 1574-92 Higher Education and the Arts; Ocean and Marine Resources; and Tourism on H.C.R. No. 367

The purpose of this concurrent resolution is to request the University of Hawaii's Sea Grant College Program, in cooperation with the Department of Health, to establish an ultraviolet radiation monitoring and public educational program which would inform both residents and visitors about the harmful effects of ozone depletion and the precautions they can take when exposed to the sun.

Testimony in support of this measure was given by many organizations including the University of Hawaii's Sea Grant Program and the Department of Health, as well as by many concerned private individuals.

Your Committees have amended this concurrent resolution by including the Hawaii Visitors Bureau, the Department of Education, and the Society of Professional Journalists to be included in the group which will develop and implement the public educational plan.

Your Committees on Higher Education and the Arts and Ocean and Marine Resources and Tourism concur with the intent and purpose of H.C.R. No. 367, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 367, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Say and Thompson.

SCRep. 1575-92 Higher Education and the Arts and Ocean and Marine Resources on H.C.R. No. 217

The purpose of this concurrent resolution is to request the University of Hawaii (UH) to establish a strategic plan to make the School of Ocean and Earth Science and Technology (SOEST) a premier school of its type in the nation.

The Dean of SOEST testified on behalf of the UH, and indicated the UH's strong endorsement of the goals of the concurrent resolution. The Dean of SOEST also emphasized that the concurrent resolution's aim is consistent with UH's intent to bring SOEST to the forefront of ocean science and technology research and education among other universities in the nation.

Your Committees recognize that Hawaii's economic well-being and high standard of living are critically dependent on maintaining and preserving Hawaii's rich coastal environment and clear waters, and therefore believe that any effort to enhance SOEST would enhance the State's precious resources and bring invaluable benefits to the State and to the people of Hawaii.

Your Committees on Higher Education and the Arts and Ocean and Marine Resources concur with the intent and purpose of H.C.R. No. 217, and recommend its adoption.

Signed by all members of the Committees except Representative Taniguchi.

SCRep. 1576-92 Higher Education and the Arts and Ocean and Marine Resources on H.C.R. No. 319

The purpose of this concurrent resolution is to request the University of Hawaii (UH), through the School of Ocean and Earth Science and Technology (SOEST), to study the feasibility of establishing a Center for Coastal Systems Research.

Your Committees received supporting testimony from SOEST. According to testimony by SOEST, a Center for Coastal Systems Research would provide a structure for focusing and enhancing the UH's role in Hawaii's coastal environment. Furthermore, a center of this caliber would provide a scientific and educational foundation to support and further a healthy coastal zone for Hawaii's future.

Per SOEST's recommendations, your Committees have amended the concurrent resolution by:

- (1) Clarifying the language in paragraphs 3 and 5 of the WHEREAS clauses of the concurrent resolution;

- (2) Changing item (3) of the first BE IT RESOLVED clause to read that the Center for Coastal Systems Research will: "Provide comprehensive and integrated research relevant to the future utilization of Hawaii's shorelines and coastal systems; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees on Higher Education and the Arts and Ocean and Marine Resources concur with the intent and purpose of H.C.R. No. 319, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 323, H.D. 1.

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

SCRep. 1577-92 Higher Education and the Arts and Human Services on H.C.R. No. 266

The purpose of this concurrent resolution is to ask the University of Hawaii to devise methods to motivate and guide high school students towards careers in the human services professions and advise them on career placement.

Many high school graduates know little or nothing about careers in social work, nursing, or other human services professions. As a result, these professions have had a severe shortage of trained, qualified workers for many years. This resolution would enlist the University of Hawaii's assistance in providing informations to stimulate interest in students in these careers.

Your Committees received testimony in support of this measure from many organizations including the University of Hawaii, the Hawaii Chapter of the National Association of Social Workers, and the Department of Education.

Your Committees on Higher Education and the Arts and Human Services concur with the intent and purpose of H.C.R. No. 266 and recommend its adoption.

Signed by all members of the Committees except Representative Peters.

SCRep. 1578-92 Higher Education and the Arts and Housing on H.C.R. No. 393

The purpose of this concurrent resolution is to request a study on the feasibility of establishing a multi-disciplinary institute for housing at the University of Hawaii be conducted by a task force convened by the Senior Vice President for Academic Affairs.

Your Committees recognize that the increasing demand for affordable housing in the State has reached a crisis level. The establishment of a center relating to housing matters which could be used as a resource by all members of the community would greatly benefit the State.

The University of Hawaii, the Hawaii Association of Realtors, and private individuals gave supporting testimony for this measure.

This concurrent resolution has been amended by:

- (1) Requiring the task force to conduct a survey of other states which currently have multi-disciplinary institutes of housing; and
- (2) Requiring the task force to develop a vision/mission statement for the institute.

Your Committees on Higher Education and the Arts and Housing concur with the intent and purpose of H.C.R. No. 393, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 393, H.D. 1.

Signed by all members of the Committees except Representatives Bainum, M. Ige and Peters.

SCRep. 1579-92 Higher Education and the Arts and Housing on H.C.R. No. 381

The purpose of this concurrent resolution is to request the University of Hawaii's Board of Regents to form a task force to address alternative means for student and faculty housing development.

Testimony in support of this concurrent resolution was given by the University of Hawaii, the Affordable Housing Alliance, the Public Policy Program of the Roman Catholic Church, as well as by University of Hawaii students.

Your Committees have amended this concurrent resolution by:

- (1) Deleting references to a study of faculty housing (the University of Hawaii has already conducted a study regarding this matter which was approved by the Board of Regents); and
- (2) Changing the title of the concurrent resolution from "REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CREATE A TASK FORCE TO ADDRESS ALTERNATIVE MEANS FOR THE DEVELOPMENT OF UNIVERSITY STUDENT AND FACULTY HOUSING," to "REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CREATE A TASK FORCE TO ADDRESS ALTERNATIVE MEANS FOR THE DEVELOPMENT OF UNIVERSITY STUDENT HOUSING."

- (3) Requiring the task force's report to include a financing plan for housing development at the University of Hawaii.

Your Committees on Higher Education and the Arts and Housing concur with the intent and purpose of H.C.R. No. 381, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 381, H.D. 1.

Signed by all members of the Committees except Representatives Bainum, M. Ige, Peters, O'Kieffe and Tatibouet.

SCRep. 1580-92 Higher Education and the Arts and Health on H.C.R. No. 306

The purpose of this concurrent resolution is to request Hawaii Community College to provide nursing education and training to emergency medical technicians. The concurrent resolution also requests the Department of Health (DOH), Division of Community Hospitals, to provide time, with pay, to those emergency medical technicians who enroll in the nursing program and that such time includes, but is not limited to, the time necessary to attend classes, travel to and from classes, and study for classes.

Your Committees received supporting testimony from the Department of Health, the nursing staff at Kau Hospital, and an interested citizen.

Testimony was also submitted by the Chancellor for the University of Hawaii (UH) Community Colleges. The Chancellor testified Hawaii Community College's intention to modify its existing nursing curriculum this summer by creating a separate, shortened licensed practical nurse (LPN) training program, and by reallocating the resources to do so. However, the Chancellor indicated that Hawaii Community College will require additional resources to deliver the modified curriculum requested by this concurrent resolution.

Noting the anticipated State revenue shortfall, and believing that any references to pay compensation is an administrative function of the DOH, your Committees have amended this measure by deleting the reference within the concurrent resolution that requests DOH to provide time, with pay, to emergency medical technicians who enroll in the nursing program.

Your Committees on Higher Education and the Arts and Health concur with the intent and purpose of H.C.R. No. 306, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 306, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1581-92 Higher Education and the Arts on H.C.R. No. 358

The purpose of this concurrent resolution is to have the Director of Finance convene a Telecommunications and Information Technology Coordination and Policy Advisory Council to develop short- and long-range strategic plans on telecommunications and information technology policy for the State of Hawaii. The Council will:

- (1) Develop plans for the Hawaii Area Wide Integrated Information Access Network (HAWAIIAN) for State agency telecommunications and information technology support;
- (2) Formulate and guide the State's telecommunications and information technology policy and plans;
- (3) Coordinate intergovernmental or interagency telecommunication and information technology projects; and
- (4) Determine the role and responsibilities of each State agency in telecommunications and information technology infrastructure.

Testimony in support of this measure was submitted by the University of Hawaii's Office of Information Technology, the Department of Budget and Finance, the Department of Education, and the Hawaii Public Broadcasting Authority.

This concurrent resolution has been amended by:

- (1) Adding the following four additional members to the Advisory Council:
 - (a) A representative from the Department of Commerce and Consumer Affairs;
 - (b) The Chief Information Officer of the Department of Transportation;
 - (c) The Director of Information Technology of the University of Hawaii; and
 - (d) The Executive Director of the Hawaii Public Broadcasting Authority;
- (2) Including these additional members of the Advisory Council to the list of those to receive a certified copy of the concurrent resolution; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 358, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 358, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1582-92 Higher Education and the Arts on H.C.R. No. 374

The purpose of this concurrent resolution is to request the Department of Accounting and General Services (DAGS), in consultation with the State Librarian, to examine the feasibility of purchasing and preserving the Aiea Sugar Mill as a historic site and converting the adjacent Hawaiian Sugar Planters' Association building into a public library.

Your Committee notes that the current library facility in Aiea must accommodate the ever-increasing community population that surrounds Aiea, and acknowledges that the community would greatly benefit from a larger and more comprehensive library facility. To address this public need, your Committee is committed to pursuing prudent and feasible alternatives that will enhance the quality of library and educational services to the public.

It is your Committee's understanding that the State stands the possibility of purchasing the Aiea Sugar Mill site, and would be an ideal location for a new public library in Aiea.

Your Committee received testimony from the Chairperson of the Board of Agriculture, DAGS, and the Hawaiian Sugar Planters' Association (HSPA). Testimony submitted by the Board of Agriculture indicated its recommendation that HSPA facilities not be converted to nonagricultural purposes, and proposed instead, a feasibility to establish HSPA as a public/private partnership research facility for agriculture. On the other hand, HSPA testimony indicated, with certain provisions, that the companies which fund HSPA are in substantial agreement that Aiea Sugar Mill would be an appropriate site to construct a new library in Aiea. HSPA also indicated that it does not appear that designation of Aiea Sugar Mill as a historical Hawaiian site would be appropriate, nor would this action assist the State or any other purchaser in the appropriate future use of the property.

Upon further consideration, your Committee has amended the concurrent resolution by:

- (1) Clarifying that the Aiea Sugar Mill site is owned by the California & Hawaiian Sugar Company and is leased by the Hawaiian Sugar Planters' Association;
- (2) Inserting a WHEREAS clause that emphasizes that a larger, upgraded, and well-facilitated library in Aiea would provide a much-needed "center of community activity" that fulfills a necessary public need, and satisfies the educational, informational, cultural, and recreational needs of its patrons;
- (3) Changing the BE IT RESOLVED clause to request the DAGS, in consultation with the State Librarian, to examine the feasibility of purchasing the Aiea Sugar Mill acreage and setting aside a portion for a new Aiea public library; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 374, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 374, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1583-92 Higher Education and the Arts on H.C.R. No. 257

The purpose of this concurrent resolution is to request the University of Hawaii to develop a plan to implement year round classes throughout the University system.

The ever increasing student population at all campuses in the University system requires the need for solutions to ease the burden on an overcrowded learning environment. Year-round classes were proposed to alleviate this burden.

This concurrent resolution has been amended by:

- (1) Requesting the University to study the feasibility of year-round general funded classes throughout the UH system; and
- (2) Having the study include a year-round schedule of classes instead of the development of year-round classes on a quarter system;
- (3) Having the study include the general fund support required to implement a year-round concept and alternative scenarios for a phased implementation to manage general fund requirements; and
- (4) Making technical, non-substantive changes.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 257, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 257, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1584-92 Higher Education and the Arts on H.C.R. No. 340

The purpose of this concurrent resolution, as received by your Committee, is to request the Board of Regents of the University of Hawaii (UH) to provide financial tuition waivers in accordance with Section 304-17, Hawaii Revised Statutes (HRS). The concurrent resolution also requests the Board of Regents to report to the Legislature twenty days before the convening of the Regular Session of 1993 regarding:

- (1) How the fall 1992 tuition waivers were allocated;
- (2) The positive and negative impact of the tuition waiver allocation, which is subject to the criteria set forth in Section 304-17, HRS; and
- (3) Recommendations to insure that all persons desiring access to the UH system on limited finances, have adequate State resources.

Your Committee recognizes the questions and concerns raised regarding the allocation and utilization of tuition waivers of the University of Hawaii, in accordance with Section 304-17, HRS. These concerns relate to the importance of tuition waivers in meeting the needs of those individuals who, without the award of a tuition waiver, would be prevented from pursuing a higher education and enrolling in the UH system because of financial circumstances.

According to Section 304-17, HRS, tuition waivers are based not only on financial need, but also on scholarship, department, and are awarded to "highly qualified, full-time students at any University of Hawaii campus whose presence advances the university's unique mission as a bridge between east and west, and also enhances the leadership role the university and the State have assumed in the Pacific and Asian regions". The statutory material suggest a need for a review of the current statutes relating to tuition waivers and a review of the availability of tuition waivers in meeting the needs of individuals who are in need of financial assistance to be able to pursue their education at a campus of the UH.

As the above-mentioned title of the concurrent resolution, "REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PROVIDE FINANCIAL TUITION WAIVERS IN ACCORDANCE WITH SECTION 304-17, HAWAII REVISED STATUTES", and the BE IT RESOLVED section of the concurrent resolution imply that the UH has been negligent in awarding tuition waivers according to the statute, your Committee has taken a more objective approach to request the Board of Regents of the UH to prepare a report on the allocation and utilization of financial tuition waivers of the fall and spring 1992 semesters in accordance with Section 304-17, HRS.

Accordingly, your Committee has amended the title of the concurrent resolution to read: "REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PREPARE A REPORT ON THE ALLOCATION AND UTILIZATION OF FINANCIAL TUITION WAIVERS IN ACCORDANCE WITH SECTION 304-17, HAWAII REVISED STATUTES". The concurrent resolution has also been amended to request that the report include, but not be limited to:

- (1) An account and historical report of Section 304-17, HRS, as it is currently stated, and any other existing statute that relates to tuition waivers of the University of Hawaii;
- (2) A description of the application criteria for tuition waivers of each college, school, and department of the University of Hawaii;
- (3) Statistics and any other pertinent information relating to the number of financially-needy individuals who have been unable to attend the University of Hawaii due to lack of, or the unavailability of, tuition waivers based on financial need;
- (4) A demographic survey of the recipients who receive tuition waivers, including the ethnicity; family income; family number and composition; course of study; major, college, school, or department; and basis for receiving the tuition waiver of the recipient;
- (5) A breakdown by number and percentage of the allocation of tuition waivers by departments, schools, and colleges of the University of Hawaii and according to scholarship, department, individual merit (athletics, music, dance, or other), financial need, and any other basis for which tuition waivers are awarded;
- (6) A breakdown by number and percentage of the utilization of tuition waivers by campuses and according to the various programs through which tuition waivers are awarded;
- (7) The apportionment formula, if any, that the Board of Regents uses to award tuition waivers;
- (8) A review of the overall tuition waiver allocation and utilization of the University of Hawaii; and
- (9) Any proposals and recommendations to insure that adequate resources are provided for those individuals who desire access to the University of Hawaii system through tuition waivers based on their financial need.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 340, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 340, H.D. 1.

Signed by all members of the Committee except Representatives Honda and Lee.

SCRep. 1585-92 Higher Education and the Arts on H.C.R. No. 259

The purpose of this concurrent resolution is to request the Legislative Auditor to review the hiring of personnel and the procurement of equipment by the University of Hawaii by service order.

There has been some concern that the University may not be in compliance with State and University requirements regarding the hiring and procurements practices used by the University. This measure was introduced in order to address these concerns.

The concurrent resolution has been amended by:

- (1) Having the University of Hawaii's Presidential Task Force conduct the study rather than the Legislative Auditor;
- (2) Changing the title to read, "REQUESTING THE UNIVERSITY OF HAWAII'S PRESIDENTIAL TASK FORCE TO REVIEW THE PROCEDURES AND PRACTICES RELATING TO HIRING OF PERSONNEL AND PROCUREMENT OF EQUIPMENT BY THE UNIVERSITY OF HAWAII BY SERVICE ORDER;" and
- (3) Making technical, non-substantive amendments.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 259, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 259, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1586-92 Higher Education and the Arts on H.C.R. No. 356

The purpose of this concurrent resolution is to request the University of Hawaii to not sell its lands to fund projects for the University.

Your Committee fully supports the intent of this concurrent resolution. It is the Legislature's intent to establish that no lands owned by the University be sold to fund future projects. Your Committee has concerns regarding leases below market value currently being proposed by the University for an existing project and feels that the sale of assets to fund projects should only be used as a last resort option.

This measure has been amended by:

- (1) Changing the title to "REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A POLICY REGARDING THE DISPOSITION OF LANDS IN UNIVERSITY OF HAWAII DEVELOPMENT PROJECTS;" and
- (2) Adding whereas clauses describing the lease rents for a current University project in Manoa; and
- (3) Requesting the University to establish a policy regarding the disposition of lands in its development projects; and
- (4) Requiring that the policy address the sale of land assets and the setting of lease rates; and
- (5) Urging that before any future development in which the sale of University assets is contemplated, the University go before the Legislature in order to give the Legislature the right of first refusal; and

Although your Committee is in full support of this concurrent resolution, it is not intended to hinder the University's current project in Manoa.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 356, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 356, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1587-92 Higher Education and the Arts on H.C.R. No. 357

The purpose of this concurrent resolution is to request the Office of Technology Transfer and Economic Development to determine the feasibility of establishing a Consortium for Interactive Multimedia in Hawaii that would foster the development of this technology and facilitate its application in Hawaii public schools.

The testimony by the Office of Technology Transfer and Economic Development and Jan Stelovsky of proVisions unlimited support the passage of this concurrent resolution. Interactive Multimedia is already changing the way pilot users communicate, learn and work. Hawaii's economy will benefit if we encourage this new industry. Hawaii's educational system will be revitalized with an increase in reading skills, analytical problem solving and communication skills.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 357 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1588-92 Higher Education and the Arts on H.C.R. No. 342

This concurrent resolution requests the Office of Technology Transfer and Economic Development of the University of Hawaii to conduct a study on the ways and means to enhance its programs in information technology, computer sciences, and software development to further business and economic development within the State of Hawaii.

The testimony by the Office of Technology Transfer and Economic Development, Department of Business, Economic Development & Tourism, and the High Technology Development Corporation, supports this measure because they recognize the importance of technology transfer in the business and economic development of Hawaii. They have committed themselves to work together toward this goal.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.C.R. No. 342 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1589-92 Intergovernmental Relations and International Affairs on H.C.R. No. 385

The purpose of this concurrent resolution is to obtain a more accurate reading of water pollutant discharge by requesting the Department of Public Works of the City and County of Honolulu to include a storm water quality sampling station in Waikiki for its National Pollutant Discharge Elimination System (NPDES) Program.

The sponsor of this concurrent resolution testified in favor of the measure citing the importance of obtaining thorough and accurate data with regard to water pollutant discharge in the Waikiki area to protect the public health of Hawaii's citizens and visitors.

Since the City and County of Honolulu has already selected sites for sampling stations required by the NPDES Program, your Committee has amended this measure to request the City and County of Honolulu to consider including an additional sampling station in Waikiki. Consequently, the title of this measure has been changed to: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONSIDER INCLUDING A STORM WATER QUALITY SAMPLING STATION IN WAIKIKI FOR ITS NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM."

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.C.R. No. 385, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 385, H.D. 1.

Signed by all members of the Committee.

SCRep. 1590-92 Ocean and Marine Resources on H.C.R. No. 421

The purpose of this concurrent resolution is to urge the Department of Land and Natural Resources (DLNR) to conduct a study assessing the use of gill nets on Hawaii's fishery.

Testimony in favor of this concurrent resolution was received from the American Fisheries Society, Hawaii Chapter, and the National Audubon Society. DLNR testified that, if given a choice, it would prefer the passage of H.B. No. 38, S.D. 2, currently being considered by the Legislature, since funds are not provided to conduct a study as proposed in this measure.

Taking into consideration the lack of funds to initiate a study as outlined in this concurrent resolution and recognizing that enough data previously and currently being assembled by DLNR is available to make an assessment of the use of gill nets in State waters, your Committee has amended this measure to provide:

- 1) That the DLNR utilize current, ongoing studies of nearshore fishery resources to augment prior documentation on the use of gill nets;
- 2) That the report encompass evaluations of the data on the use of gill nets; and
- 3) That the DLNR recommend proposed legislation or new rules and regulations based on the study's appraisal of the impact of this gear on the fishery.

Further technical and non-substantive amendments were made for the purposes of clarity and style.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 421, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 421, H.D. 1.

Signed by all members of the Committee.

SCRep. 1591-92 Ocean and Marine Resources on H.C.R. No. 289

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR), in conjunction with other pertinent State agencies, to conduct a study of Hawaii's boundaries surrounding its internal waters.

Testimony was received from the DLNR, which indicated that it believed the measure to be premature in its requests and that legal costs are not provided for. Testimony was also received in support of the concurrent resolution from a maritime boundary lawyer.

The testifiers concurred, however, that it would be beneficial for Hawaii to monitor the Supreme Court case of United States v. Alaska; to review the options available to the State in using "straight" baselines versus "normal" baselines; to consider the State's boundaries based on archipelagic guidelines; and to weigh the comparative benefits which the State may derive from pursuing any of these options.

Because of the major financial and labor requirements of a comprehensive assessment of State boundaries as outlined in this concurrent resolution, the title of this measure has been amended as follows:

"REQUESTING THE ATTORNEY GENERAL'S OFFICE TO REVIEW HAWAII'S LEGAL OPTIONS REGARDING THE POSSIBLE EXPANSION OF THE BOUNDARIES SURROUNDING THE STATE'S INTERNAL WATERS."

Subsequently, further amendments were made to this measure as follows:

- 1) Designated the Attorney General's Office to serve as the lead agency in chairing a baseline select committee and to coordinate information as required;
- 2) Included the University of Hawaii, Richardson School of Law as a participant/advisor;
- 3) Required the submission of a report from the Attorney General's Office sixty days prior to the next legislative session; and
- 4) Made other non-substantive and technical amendments for the purpose of clarity and style.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 289, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 289, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Bunda, Hiraki and O'Kieffe.

SCRep. 1592-92 Ocean and Marine Resources; Intergovernmental Relations and International Affairs; and Tourism on H.C.R. No. 41

The purpose of this concurrent resolution, as received, is to request the Department of Land and Natural Resources (DLNR) to prepare a progress report on a management plan for Hanauma Bay and the designation of additional marine life conservation districts (MLCD) to alleviate the overcrowded situations at Hanauma Bay.

The DLNR testified that it had provided a limited report to the 1992 Legislature on potential additional sites which could be designated as MLCD's. The DLNR acknowledged the need to increase the number of MLCD sites.

Upon further consideration, your Committees determined that the necessity for more MLCD's statewide would be beneficial and to achieve this goal an action plan is required. For this reason the concurrent resolution has been amended to change the focus from Hanauma Bay to the wider scope of establishing and managing MLCD's statewide in a timely manner. In this consideration the title of this concurrent resolution has been amended to read:

"REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMPREHENSIVE PLAN FOR ESTABLISHING MARINE LIFE CONSERVATION DISTRICTS AND UNDERWATER PARKS ON A STATEWIDE BASIS."

Further amendments have been made to outline the type of plan requested and include:

- (1) A timetable of target dates;
- (2) The need to utilize other agencies and documents outside of DLNR;
- (3) Annual report on progress;
- (4) Marine education included where possible, in each MLCD plan;
- (5) Identification of long-term and short-term objectives.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs and Tourism concur with the intent and purpose of H.C.R. No. 41, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 41, H.D. 1.

Signed by all members of the Committees except Representatives Kanohe and Anderson.

SCRep. 1593-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on H.C.R. No. 265

The purpose of this concurrent resolution is to request that the President of the United States invoke restrictive trade sanctions against countries which continue to practice driftnet fishing. In addition, Korea and Taiwan, are specifically urged to halt fishing with this technique and to adopt the United Nations (UN) agreement which bans driftnetting.

Fishing with driftnets can decimate an entire fishery and indiscriminately kill a host of marine mammals, birds, and other forms of life. The United States has prohibited the use of driftnets and has been successful in securing Japan's endorsement of the United Nations resolution banning driftnet fishing.

Testimony supporting this concurrent resolution was received from the Maui Trailer Boat Club.

Inquiry was made of the President of Pacific Fishery Consultants who was present at the hearing. He indicated that considerable progress was being made on securing the commitment of other nations, and Taiwan and South Korea in particular, to adopt the United Nations resolution calling for a global moratorium on driftnetting.

Since your Committees do not want to impede any progress the President of the United States is making at the international level on this issue, the following amendments have been made:

- 1) Added information regarding the United Nations General Assembly Resolution 44/255;
- 2) Deleted the reference to the imposition of "stiff trade sanctions;" and
- 3) Added provisions that all available procedures under the law be utilized to elicit compliance with the UN resolution from offending nations.

Accordingly, your Committees have amended the title of this concurrent resolution to read:

"REQUESTING THE PRESIDENT OF THE UNITED STATES TO USE ALL AVAILABLE PROCEDURES TO SECURE COMPLIANCE WITH THE UNITED NATIONS MORATORIUM ON DRIFTNET FISHING FROM NATIONS THAT CONTINUE TO EMPLOY THIS TECHNIQUE."

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 265, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 265, H.D. 1.

Signed by all members of the Committees except Representative Hiraki.

SCRep. 1594-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on H.C.R. No. 424

The purpose of this concurrent resolution is to commend the government of Japan for its decision to support a total ban on driftnet fishing under a United Nations agreement.

Your Committees find that it is unfortunate that the United Nations, in a well-intentioned effort to feed hungry nations, pioneered the idea of using driftnets. These "walls of death" can annihilate entire fisheries and indiscriminately destroy a vast variety of other marine life.

Japan is the world's largest per capita consumer of seafood. To meet these needs, the country has developed a large fishing fleet utilizing commercial-scale driftnets. By banning the use of driftnets, the Japanese will be faced with higher seafood costs, the need to retrofit a large fishing fleet, and other economic and employment hardships.

When considering this issue, Japan was faced with a serious dilemma; internal opposition against abandoning the driftnet practice, on one hand, and worldwide condemnation for continuing the practice, on the other. Your Committees applaud the Prime Minister and the government of Japan for courageously choosing to put aside their own immediate economic needs and electing to participate in aquatic resource conservation for the benefit of future generations worldwide.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 424 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1595-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on H.C.R. No. 422

The purpose of this concurrent resolution is to urge congressional support for the creation of modern, up-to-date water quality research facility at the Oceanic Institute.

The Oceanic Institute is a non-profit, private research institution focusing on the development of aquaculture and has been successful in bringing into existence and co-managing the federally-designated applied aquaculture center located in Hawaii. Through cooperative funding, the State has also made a substantial commitment to the development of the aquaculture industry.

Testimony in support of this measure was submitted by the Oceanic Institute.

By establishing a state-of-the art water quality research facility at the Oceanic Institute, scientifically sound data can be secured and utilized, not only in the field of aquaculture, but by State agencies, educational institutions and other interested parties. Recognizing the need to monitor water resources to safeguard public health, to effectively manage and protect the environment, and to ensure the success of Hawaii's aquaculture industry, your Committees believe that the development of a water quality lab at the Oceanic Institute could help achieve these goals.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 422 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1596-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on H.C.R. No. 308

The purpose of this concurrent resolution is to acknowledge the significance of a Pacific Island planning conference, sponsored by the State, during which participants will prepare for the United Nations Conference on Environment and Development. This meeting will provide an opportunity for participants to share ideas on environmental issues unique to the Pacific, develop positions on those issues, and begin to formulate a consensus on the manner in which recommendations from the conference can be fulfilled.

The State has recognized, in the Ocean Resources Management Plan and the State General Plan, its responsibility for the stewardship of ocean-related resources. The community of Pacific Islands shares this diverse resource and it seems only prudent and wise that this larger community meet to discuss this obligation.

It is hoped that a copy of this concurrent resolution will be included in the materials utilized by the conferees.

Testimony in favor of this concurrent resolution was received from Office of International Relations.

Since not all of the Pacific Island societies can be appropriately designated nations, your Committees have amended the title of this concurrent resolution to read:

"SUPPORTING THE EFFORTS OF THE OFFICE OF INTERNATIONAL RELATIONS TO INVITE OUR PACIFIC ISLAND NEIGHBORS TO HAWAII FOR AN OCEAN-RELATED ENVIRONMENTAL CONFERENCE AS A PRELIMINARY PLANNING SESSION FOR THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT."

Further amendments were made to this concurrent resolution to conform with the amended title, reflecting a community of Pacific Island neighbors.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 308, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 308, H.D. 1.

Signed by all members of the Committees except Representative Hiraki.

SCRep. 1597-92 Ocean and Marine REsources and Education on H.C.R. No. 431

The purpose of this concurrent resolution, as received, establishes a task force which would be empowered with the duties of creating a cadre of marine resource experts and educational materials to further facilitate the marine science education program in Hawaii's schools. Additionally, the task force is asked to have this collective group and material ready for a pilot program for the 1992 fall semester, and an evaluation of the pilot program be made to the 1993 Legislature for further consideration.

Testimony in support of the intent of this concurrent resolution was received from the Department of Land and Natural Resources (DLNR), the University of Hawaii (UH), Sea Grant Program, the Department of Education (DOE), and several concerned citizens.

All of the agencies submitting testimony indicated the need for a lead agency to administer the task force and the lack of funds required to oversee, coordinate, and develop a pilot program.

Upon consideration of the recommendations of those testifying, your Committees have amended this concurrent resolution as follows:

- (1) Collaborative efforts from DOE and UH, Sea Grant to identify aquatic resource experts who would be willing to participate in a voluntary task force;
- (2) UH, Sea Grant Program to coordinate the task force;
- (3) The task force to search for private funding in order to establish an independent office;
- (4) Made further recommendations for the composition of the task force to enlarge the scope of education beyond fishery experts,
- (5) Deleted provisions for a pilot program, materials, and assessment of the program.

The various changes made to this concurrent resolution made it necessary to amend the title to read as follows:

"REQUESTING THE SEA GRANT PROGRAM AT THE UNIVERSITY OF HAWAII TO ORGANIZE A VOLUNTARY TASK FORCE TO IDENTIFY A CADRE OF AQUATIC RESOURCE EXPERTS WHO WILL BE UTILIZED AS GUEST LECTURERS IN THE ESTABLISHED MARINE SCIENCE PROGRAMS OF HAWAII'S SCHOOLS."

Your Committees on Ocean and Marine Resources and Education concur with the intent and purpose of H.C.R. No. 431, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 431, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki and Shon.

SCRep. 1598-92 Ocean and Marine Resources and Health on H.C.R. No. 423 (Majority)

The purpose of this concurrent resolution, as received, is to ask the Department of Health to lower the acceptable air temperature of mechanical refrigeration cases containing fresh fish.

Informative testimony was received from the Department of Health (DOH) and the Hawaii Food Industry Association.

Your Committees learned that while the ambient air temperature of display cases containing fish may be a factor with regard to quality and safety, internal temperature is the true standard of determining fish temperature. Additionally, the DOH testified that it would be prudent to lower the current standard of acceptable internal temperature of fish during the several stages of distribution.

To more accurately address the intent of this concurrent resolution, the title has been amended as follows:

"REQUESTING THE DEPARTMENT OF HEALTH TO LOWER THE ESTABLISHED MAXIMUM ALLOWABLE INTERNAL TEMPERATURE OF FRESH FISH WHILE BEING STORED OR DISPLAYED."

Accordingly, those paragraphs referring to the "ambient air temperature" have been deleted. Your Committees have also amended this concurrent resolution further by:

- (1) Clarifying that during the entire distribution chain of fresh fish, the commodity can be subjected to fluctuating temperatures; and
- (2) Specifying that the recommended internal temperature of fresh fish should be optimally maintained at 32-38 degrees Fahrenheit; and
- (3) Requesting the DOH to adopt rules establishing the maximum allowable internal temperature of fresh fish at 35 degrees Fahrenheit, whether in a wholesale or retail setting.

Your Committees on Ocean and Marine Resources and Health concur with the intent and purpose of H.C.R. No. 423, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 423, H.D. 1.

Signed by all members of the Committees except Representatives M. Ige and Peters.
(Representative Bunda did not concur.)

SCRep. 1599-92 Ocean and Marine Resources and Transportation on H.C.R. No. 38 (Majority)

The purpose of this concurrent resolution is to grant a one-year extension to the Board of Land and Natural Resources and the Department of Transportation to lease and provide for the reclamation of land at Ke'ehi Lagoon through a private developer.

H.C.R. No. 386, H.D. 1, S.D. 1, C.D. 1, adopted in 1988, authorized the lease negotiation period until July 1, 1993. However, it has become apparent that the authorization period needs to be extended, because the complex and varied federal and State permits are requiring more time to obtain than anticipated.

Testimony was received from the Department of Land and Natural Resources (DLNR) and the Department of Transportation supporting this concurrent resolution. In conjunction with the DLNR's development of an industrial park at Sand Island, the DLNR indicated their desire to administer and manage the area to ensure a uniform approach. Since present plans call for the transfer of the small boat harbor at Ke'ehi Lagoon to DLNR, the request for management of the area will be made at that time.

Considering the sizeable financial commitment to a project of this scope, it is unlikely that any private developer would be willing to enter into a lease without first being reasonably assured that the necessary permits had been secured and the environmental issues addressed. For this reason, the extension of one year seems reasonable.

Your Committees on Ocean and Marine Resources and Transportation concur with the intent and purpose of H.C.R. No. 38 and recommend its adoption.

Signed by all members of the Committees except Representative Yonamine.
(Representative Hagino did not concur.)

SCRep. 1600-92 Judiciary on H.C.R. No. 172

The purpose of this concurrent resolution is to request the Judiciary to review and evaluate the adequacy of various mandatory penalty or sentencing structures for crimes.

Testimony in support of this measure was submitted by the Department of Public Safety and the Department of the Prosecuting Attorney of the City and County of Honolulu. The Judiciary neither supported nor opposed the passage of the measure.

Your Committee has amended this concurrent resolution by:

- (1) Amending the title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT AN EVALUATION BE MADE REGARDING THE ADEQUACY OF VARIOUS MANDATORY PENALTY OR SENTENCING STRUCTURES FOR CRIMES";
- (2) Requesting that the Judicial Council of Hawaii (Council) establish a committee to evaluate the adequacy of various mandatory penalty or sentencing structures for crimes;
- (3) Requiring that the Council appoint members to the committee and that membership include representation from various organizations and citizens from the community; and
- (4) Making technical, nonsubstantive changes for purposes of style and clarity.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 172, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 172, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Peters and Ward.

SCRep. 1601-92 Judiciary on H.C.R. No. 322

The purpose of this concurrent resolution is to urge the Governor of the State of Hawaii to designate June 5, 1992, as "100 Infantry Battalion Day", on the 50th anniversary of the formation of the 100th Infantry Battalion in commemoration of the contributions made by this honorable unit in war and in peace.

Testimony in support of this concurrent resolution was received by the Office of Veteran Services, Japanese American Citizens League, Sons and Daughters of the 100th Infantry Battalion and other private individuals.

At the beginning of World War II accusations of disloyalty and an aura of suspicions were unjustly cast upon all Japanese Americans. Members of the 100th Infantry Battalion were brave and loyal individuals who volunteered into the Armed Services of the United States of America despite the internment of their friends and families at home in the United States. Their gallantry is unmatched as they fought for freedom in the European Theater. They left the battlefields of Europe as victorious heroes. They returned to Hawaii and were instrumental leaders of government, business, labor and the community. The members of the 100th Infantry Battalion hold a special and honored position in the history of the United States and the State of Hawaii.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 322 and recommends its adoption.

Signed by all members of the Committee except Representatives Hiraki, Peters and Ward.

SCRep. 1602-92 Judiciary on H.C.R. No. 67

The purpose of this concurrent resolution is to urge the Child Support Enforcement Agency (CSEA) to develop and implement mechanisms to increase efficiency and timeliness in the child support payments collection process.

According to a federal audit in 1988, CSEA failed to meet certain compliance standards and was severely deficient in its operations. As a result, the State was penalized \$621,065 in which the monies were drawn from the Department of Human Services Aid to Families with Dependent Children program.

In 1989, the State Legislative Auditor also conducted an audit and discovered that inadequate staffing and errors in the CSEA's computer files affected the timeliness of child support payments and other operations. Although the CSEA has already begun to work at increasing the timeliness of child support payments and other operations, this measure will further encourage CSEA to develop and implement additional mechanisms to improve the process as well as monitor CSEA's progress.

Testimony in support of this measure was submitted by the Department of the Attorney General and the Parent's Child Support Network.

Your Committee on Judiciary is in accord with the intent and purpose of H.C.R. No. 67 and recommends its adoption.

Signed by all members of the Committee except Representatives Peters and Ward.

SCRep. 1603-92 Judiciary on H.C.R. No. 299

The purpose of this concurrent resolution is to request that the Lieutenant Governor establish a task force to examine and make recommendations regarding:

- (1) Whether the responsibilities of overseeing elections should be transferred from the Office of the Lieutenant Governor to a non-partisan commission; and
- (2) Whether the duties associated with Secretaries of State should be created and attached to the Office of the Lieutenant Governor.

Essentially, the passage of this measure will help determine and eliminate any potential conflicts of interest that may arise from having the Office of the Lieutenant Governor oversee the election process, as well as examine and determine other areas of duties in which the Lieutenant Governor can effectively and meaningfully serve the public.

Testimony in support of this measure was submitted by the Office of the Lieutenant Governor and the State Ethics Commission.

Your Committee on Judiciary is in accord with the intent and purpose of H.C.R. No. 299 and recommends its adoption.

Signed by all members of the Committee except Representatives Hiraki, Peters and Ward.

SCRep. 1604-92 Judiciary on H.C.R. No. 222

The purpose of this concurrent resolution is to request that the Department of Public Safety provide information regarding the purpose, the criteria necessary for inmate placement, and a profile of the current prison population, facilities, and programs of the Kulani Correctional Facility (Facility).

The provision of the requested information would assist the State in assessing whether there are management and operational problems at the Facility, as well as determine if there exists an overload of prisoners from other facilities that may not meet the Facility's inmate placement criteria.

Testimony in opposition to this measure was submitted by the Department of Public Safety.

Your Committee on Judiciary is in accord with the intent and purpose of H.C.R. No. 222 and recommends its adoption.

Signed by all members of the Committee except Representatives Hiraki, Peters and Ward.

SCRep. 1605-92 Judiciary on H.C.R. No. 224

The purpose of this concurrent resolution is to request a report from the Governor of the State of Hawaii on the current disposition of all lands taken by the power of eminent domain by the state and county governments.

Your Committee received testimony in favor of this measure from the Kamehameha Schools/Bernice Pauahi Bishop Estate and a private citizen.

This concurrent resolution proposes that the Governor provide the Legislature with a report of all lands taken by eminent domain by the state and county governments. The taking of land by eminent domain can be a traumatic as well as a financial disaster for the parties who lost their properties. There has been several occasions whereby land that was taken for a particular public purpose has not been used for that particular purpose. The land remained unused for years serving no public purpose or was sold to a third party for a price that far exceeded the price that was paid by the original owner of the property.

Your Committee was informed that the State of Kentucky allows the original private landowner the right of first refusal if the land is taken by the power of eminent domain and is not used for a public purpose within 8 years after being taken. Your Committee finds that an inventory of these lands will allow the Legislature to consider and propose legislation that will allow for the return of lands taken by eminent domain and that is no longer being used for the original public purpose.

This concurrent resolution has been amended by providing that all lands originally condemned by the state or county government since 1959 should be identified. The year 1959 will reflect the beginning of Statehood for Hawaii and the use of eminent domain powers by the state or county governments.

Your Committee has also made other technical, nonsubstantive amendments for purposes of clarity and style.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 224, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 224, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1606-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 463

The purpose of this concurrent resolution is to commend the Waikiki Yacht Club for its community and youth activities and to support its efforts to obtain a long term lease for its continued operation at its current site.

Your Committee received testimony in support of the Waikiki Yacht Club's community and youth activities from the Department of Land and Natural Resources and the Department of Transportation. Their testimony indicated that they are working together on the issue of the Waikiki Yacht Club lease. Your Committee also received testimony in support of the concurrent resolution from the Ala Wai Boat Harbor Advisory Committee, four persons from the Waikiki Yacht Club, the Committee Chair from the Sea Explorer Ship One, and three other private citizens.

Your Committee finds that the Waikiki Yacht Club is a valuable organization which provides many important services for the community, and especially for young people. Your Committee feels that the uncertainty regarding the lease should be resolved as quickly as is reasonably possible with fairness to all parties concerned.

Your Committee made technical, non-substantive amendments for the purposes of style, clarity, and consistency.

Your Committee on Water, Land Use, and Hawaiian Affairs is in accord with the intent and purpose of H.C.R. No. 463, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 463, H.D. 1.

Signed by all members of the Committee except Representative Hiraki.

SCRep. 1607-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 45

The purpose of this concurrent resolution is to seek a long-term solution for the future use of some 442 acres of undeveloped land mauka of Pearl City and Newtown on Oahu that Daitoh (Hawaii), Incorporated has proposed for golf course development.

Your Committee finds that community opposition to this proposed development has been united and vocal. During a Pearl City Neighborhood Board meeting held on August 22, 1991, there was no favorable endorsement of the proposed development despite the fact that more than 150 residents were in attendance. A 1991 survey conducted by the Newtown Estates Community Association also concluded widespread community opposition to the project.

Due to the narrow geographic scope of this measure as well as H.B. No. 3192 (appropriating funds to establish a State park at the same site), your Committee held its public hearing at the Newtown Recreation Center on February 13, 1992 that was attended by 40 - 50 people. Except for one individual, your Committee received testimony from area residents opposing the project. The Department of Land and Natural Resources also submitted testimony.

Your Committee finds that the proposed project is inconsistent with how neighboring residents want to see their community grow. In addition, your Committee remains concerned about the negative impacts that will result from the project.

Accordingly, your Committee has amended this concurrent resolution by:

- (1) Changing the title of this measure to read: "HOUSE CONCURRENT RESOLUTION OPPOSING THE PROPOSED GOLF COURSE DEVELOPMENT ON CONSERVATION LANDS LOCATED MAUKA OF PEARL CITY AND NEWTOWN, OAHU";
- (2) Clarifying the 4th WHEREAS clause to only describe the Pearl City Neighborhood Board's opposition to the development;
- (3) Summarizing the results of a survey taken by the Newtown Estates Community Association and the testimony presented during your Committee's public hearing held on February 13, 1992;
- (4) Urging the Board of Land and Natural Resources to conduct a public hearing on the landowner's conservation district use application in the affected community if and when such an application is filed; and further urging the Land Board to subsequently deny that application;
- (5) Re-phrasing a reference for all parties to consider a range of alternative uses with a request for the landowner to consider alternative uses on the subject property that are consistent with community needs, including such uses as a passive park; and
- (6) Replacing the last BE IT FURTHER RESOLVED clause with language transmitting copies of this concurrent resolution to appropriate parties.

Finally, your Committee expresses its appreciation to you for supporting our efforts to hold our public hearing in the community.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 45, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 45, H.D. 1.

Signed by all members of the Committee except Representative O'Kieffe.

SCRep. 1608-92 Water, Land Use, and Hawaiian Affairs on H.C.R. No. 392

The purpose of this measure is protect a historic building while providing for convenient access to governmental services, by requesting the Department of Accounting and General Services (DAGS) to study the feasibility of establishing a civic center at the old Oahu Railway and Land Terminal Building.

Testimony on this concurrent resolution was received from DAGS and from Catholic Services to the Elderly.

Upon further consideration, your Committee has amended this concurrent resolution and its title by:

- (1) Requesting DAGS to explore the feasibility of establishing a transportation museum in the building;
- (2) Requesting DAGS to explore the feasibility of establishing a market hall in the building; and
- (3) Making nonsubstantive amendments for the purposes of style and clarity.

It is the intent of your Committee that the three possible uses of the building not be mutually exclusive for the purposes of the study requested.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 392, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 392, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki and O'Kieffe.

SCRep. 1609-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.C.R. No. 135

The purpose of this measure is to request the return of the jurisdiction over the island of Kaho'olawe to the State of Hawaii, and to request the cessation of military training exercises on the island.

Testimony on this measure was received from the Office of State Planning, the Office of Hawaiian Affairs, the Kaho'olawe Island Conveyance Commission, the Protect Kaho'olawe 'Ohana, the Aged Hawaiians, and Ka Lahui Hawai'i.

Upon further consideration, your Committees have amended this concurrent resolution by deleting its contents and title and replacing them with text and title to request:

- (1) The permanent cessation of bombing of the island;
- (2) The continuation of the current moratorium on bombing until the U.S. Congress determines the final disposition of the island;
- (3) The removal of unexploded ordnance and other materials to the extent practical and deemed appropriate by the State; and
- (4) The preservation of Kaho'olawe and its surrounding ocean.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 135, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 135, H.D. 1.

Signed by all members of the Committees.

SCRep. 1610-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.C.R. No. 207

The purpose of this concurrent resolution is to help protect the historic, cultural, natural and economic resources of Waipio Valley by requesting the Department of Land and Natural Resources (DLNR), in conjunction with other concerned parties, to develop and implement mechanisms to control public and commercial uses of the valley.

Testimony on this measure was received from DLNR, the Bishop Museum, and the Waipio Taro Farmers Association.

Your Committees note the interest on the part of both the State and Bishop Museum, as well as other concerned parties, in the eventual public acquisition of Waipio. Until such time as fiscal considerations will allow for that eventuality, your Committees hope that ways can be found to minimize adverse impacts in the valley, as requested in this concurrent resolution.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 207 and recommend its adoption.

Signed by all members of the Committees except Representatives Hashimoto and O'Kieffe.

SCRep. 1611-92 Water, Land Use, and Hawaiian Affairs and Judiciary on H.C.R. No. 300

The purpose of this measure is to describe and recognize the failures of the State to fulfill its trust responsibilities to the Hawaiian people as defined in the Admission Act and the Hawaiian Homes Commission Act of 1920, as amended, and to extend a formal apology to the Hawaiian people for these failures.

Testimony in support of this measure before your Committee on Water, Land Use, and Hawaiian Affairs was offered by the Office of State Planning, the Office of Hawaiian Affairs, Hawaii Island Ahupua'a, the Kawaihae Hawaiian Homesteaders' Association, the Homestead Advisory Council, and the Aged Hawaiians.

Upon further consideration, your Committees have amended this measure by incorporating into its text the following provisions of a related measure, Senate Bill No. 3486, S.D. 2, H.D. 2, which was heard before both committees:

- (1) A description of the illegal overthrow of the Hawaiian monarchy and annexation of the Hawaiian islands by the United States, as well as the consequences of these events for Hawaii's indigenous people;
- (2) A provision recognizing the inherent right of the indigenous Hawaiian people to sovereignty; and
- (3) A provision calling upon the President and Congress of the United States to recognize and assist in the reestablishment of a sovereign indigenous Hawaiian government.

In addition, your Committees have amended the concurrent resolution to:

- (1) Adding the Secretary General of the United Nations to the list of persons to which certified copies of the resolution are to be transmitted;
- (2) Changing the title of the concurrent resolution to reflect the amendments to its content; and
- (3) Making nonsubstantive changes for the purposes of style and clarity.

Your Committees recognize that no simple apology by the State can rectify the severe injustices which have been perpetrated against Hawaii's indigenous people. However, your Committees finds that in conjunction with the recent and ongoing actions by the State to explore the issue of sovereignty and to compensate the beneficiaries of the Hawaiian Home Lands Trust for past abuses, this formal, unambiguous recognition of past injustices represents an important statement on behalf of all of Hawaii's people.

Your Committees on Water, Land Use, and Hawaiian Affairs and Judiciary concur with the intent and purpose of H.C.R. No. 300, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 300, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Arakaki, Bunda, Hirono, Oshiro, Peters, Takamine and O'Kieffe.

SCRep. 1612-92 Water, Land Use, and Hawaiian Affairs and Judiciary on H.C.R. No. 404

The purpose of this concurrent resolution is to request that the Governor reconstitute a State War Memorial Commission to study alternatives for the restoration of the Waikiki War Memorial Natatorium, including the possibilities of developing an Ocean Hall of Fame and a world-class coral reef exhibit.

Testimony on this measure was submitted by the Department of Land and Natural Resources, the Department of Health, the Friends of the Natatorium, the Director of the Waikiki Aquarium, two members of the Friends of the Waikiki Aquarium, the Waikiki Improvement Association, the West Diamond Head Community Association, the Waikiki Residents Association, the Hawaii Beachboy Service Association, the Waikiki Roughwater Swim Committee, the Kapiolani Park Preservation Society, the Vietnam Veterans Memorial Group, the New Otani Kaimana Beach Hotel, a member of the Diamond Head, Kapahulu, St. Louis Heights Neighborhood Board of the City and County of Honolulu, and four private citizens.

Your Committees find that health concerns about the use of the Natatorium as a salt water swimming course necessitate the exploration of alternative uses. Your Committees further find that an Ocean Hall of Fame would more perfectly reflect the Legislature's original intent of acknowledging Hawaii's preeminence in aquatic matters, and that a coral reef exhibit would make excellent use of the facility while representing a powerful "living" memorial to the veterans of World War I.

Your Committees have amended this measure by:

- (1) Listing the composition of the Commission's membership;
- (2) Deleting references to the restoration of the sandy beaches on the ewa side of the Natatorium, out of concern for the integrity of the existing coral reef;
- (3) Deleting references to the compatibility of a swimming course and a coral reef exhibit, as testimony indicated that these two uses are probably mutually exclusive; and
- (4) Making nonsubstantive amendment for the purposes of style and clarity.

It is emphatically not the intent of your Committees that the memory of those who served in the First World War should be dishonored by the commercial exploitation of the Natatorium for private gain.

Your Committees on Water, Land Use, and Hawaiian Affairs and Judiciary concur with the intent and purpose of H.C.R. No. 404, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 404, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Amaral, Arakaki, Bunda, Hirono, Oshiro, Peters, Takamine and O'Kieffe.

SCRep. 1613-92 Water, Land Use, and Hawaiian Affairs and Judiciary on H.C.R. No. 409

The purpose of this concurrent resolution is to disapprove a recent set aside of land in Lalamilo, County of Hawaii, by executive order.

The Department of Land and Natural Resources (DLNR), the Department of Water Supply of the County of Hawaii, and an attorney representing Mauna Lani Resort, Inc. and Mauna Kea Properties, Inc., presented testimony in opposition to the measure. According to all three testifiers, the executive order to be disapproved by the concurrent resolution completes the implementation of a series of agreements among the three parties which made water resources available to the public at large, as well as for the development of Mauna Lani Resort and Mauna Kea Properties and their attendant economic benefit.

Testimony in support of the concurrent resolution was offered by a private landowner and developer alleging to have been improperly denied water permits as a result of the agreement consummated by the executive order in question.

The Native Hawaiian Legal Corporation also presented comments, noting that the concurrent resolution does raise the question of whether the disposition of State water resources by executive order, followed by the transfer of water rights to a private party, is interpreted as requiring the payment of entitlements to the Office of Hawaiian Affairs (OHA) and the Department of Hawaiian Home Lands (DHHL) from any resulting revenues.

Upon further consideration, your Committees have amended this concurrent resolution by:

- (1) Deleting its contents; and
- (2) Substituting a title and text requesting that the interim legislative committee established by Senate Concurrent Resolution No. 185, S.D. 1, H.D. 1 (1991), for the purpose of reviewing issues relating to the Hawaiian Home Lands Trust and the Public Lands Trust, consider the issue of OHA and DHHL entitlements to revenues derived from disposition of State water resources by means of an executive order.

Your Committees on Water, Land Use, and Hawaiian Affairs and Judiciary concur with the intent and purpose of H.C.R. No. 409, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 409, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Amaral, Arakaki, Bunda, Hirono, Morihiro, Oshiro, Peters, Takamine, O'Kieffe and Thielen.

SCRep. 1614-92 Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources on H.C.R. No. 287

The purpose of this concurrent resolution is to support the recommendations of the Kaneohe Bay Task Force regarding the return of jurisdiction, preservation, and revitalization of the Nu'uipa Fishponds at Kaneohe Bay.

Testimony in general support of this measure was submitted by the Department of Land and Natural Resources, the Oceanic Institute, and a member of the Kaneohe Bay Task Force. The United States Marine Corps opposed the measure. The Office of State Planning, the United States Department of the Interior, and a concerned citizen also commented on this measure.

Based on the testimony, your Committees find that the Kaneohe Bay Task Force did not call for the return of the Nuupia Fishponds to the Office of Hawaiian Affairs. Instead, the Task Force had called for the return of Nuupia Ekahi Pond only. In addition, negotiations are in progress between the Kaneohe community and the Marine Corps Air Station regarding the status of these fishponds.

As a result, your Committees have amended the scope of this measure to encourage cooperation and facilitate communication among the involved parties with regard to the preservation and revitalization of the fishponds. At the same time, the title of this measure has been amended to read: "HOUSE CONCURRENT RESOLUTION ENCOURAGING MULTI-AGENCY COOPERATION WITH REGARD TO THE PRESERVATION AND REVITALIZATION OF THE NU'UIPA FISHPONDS AT KANEOHE BAY."

The following amendments have been made to address concerns of the United States Department of the Interior:

- (1) Stating that since 1990, the inventory of thirty historic ponds have been reduced to thirteen along the Windward Coast due to a variety of factors, such as modern developments, population demands, general neglect, and lack of adequate financial support; and

- (2) Recognizing that the fishpond complex, and not only the eastern ponds, contribute significantly to the continued survival and recovery of the Hawaiian stilt.

Other technical, nonsubstantive amendments have been made for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources concur with the intent and purpose of H.C.R. No. 287, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 287, H.D. 1.

Signed by all members of the Committees except Representative Hiraki.

SCRep. 1615-92 Housing; Intergovernmental Relations and International Affairs; and Water, Land Use, and Hawaiian Affairs on H.C.R. No. 263

The purpose of this concurrent resolution to urge the counties to work with the Department of Hawaiian Homes Lands, the native Hawaiian community representatives, architects, and community planners to:

- (1) Establish minimal interim development standards, such as gravel roads and shared bathing and toilet facilities that would allow the occupation and development of homes on Hawaiian Home Lands, house lots prior to the completion of county standard infrastructure;
- (2) Determine the minimum interim development standards compatible with public health, safety, and welfare that will allow such early development; and
- (3) Balance the requirements imposed by interim development standards with the cost to native Hawaiians and the community of homelessness which leads too many native Hawaiians to house their families in tents at public beach parks;

Testimony was submitted by the Department of Hawaiian Home Lands, the Hawaii Chapter of the American Planning Association, the native Hawaiian Legal Corporation and concerned citizens.

Upon careful consideration, your Committees have amended this concurrent resolution by:

- (1) Urging the evaluations of county building codes with the intent to grant exemption, where applicable, for the purposes enumerated herein; and
- (2) Examining the feasibility of obtaining waivers from the uniform building codes set by the United States' Department of Housing and Urban Development and the Federal Housing Administration.

Your Committees on Housing and Intergovernmental Relations and International Affairs and Water, Land Use, and Hawaiian Affairs concur with the intent and purpose of H.C.R. No. 263, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 263, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Hiraki, Takamine, Taniguchi, O'Kieffe, Tatibouet and Ward.

SCRep. 1616-92 Housing and Education on H.C.R. No. 288

The purpose of this concurrent resolution is to request the Hawaii Housing Authority to work with the Department of Education, in consultation with the Hawaii State Teachers Association, to address teachers concerns regarding teachers housing which would include but not be limited to the following:

- (1) Provide site managers for teacher housing who are not members of collective bargaining unit 6;
- (2) Establish minimum standards for the upkeep and maintenance of the units throughout the State;
- (3) Develop a brochure or other mechanism to provide new tenants, prior to occupancy, with accurate and complete information about rental policies and procedures including deposit requirements, the amount of the monthly rent, move-in date and time and whom to contact if there are problems, inventory of furnishings and amenities within the unit any other information that would facilitate a new teacher's move into teacher housing; and
- (4) Develop a method of incremental payment of the rental deposit through payroll deduction or other appropriate means.

Your Committees find that the affordable housing and the dire housing shortage is closely tied to the teacher shortage in Hawaii. The Department of Education has experienced serious difficulty in recruiting and retaining teachers to teach in rural or remote areas.

Testimony was submitted by the Hawaii Housing Authority, the Department of Education and Hawaii State Teachers Association.

Upon careful consideration, your Committees have amended this concurrent resolution by:

- (1) Requesting the State Department of Accounting and General Services (DAGS) to work with the Hawaii Housing Authority and the Department of Education;
- (2) Reporting on the additional matters:
 - (a) A budget for the planning, construction, repair, maintenance, and operation of housing for teachers employed and assigned by the DOE, which includes:
 - (1) The standards and methodology for the dispersal of funds for teacher housing; and
 - (2) A cost analysis and recommendations regarding the total funding required for teacher housing;
 - (b) The kinds of funding mechanisms that may be used for teacher housing;
 - (c) Requirements and procedures for adequate management and oversight of teacher housing;
 - (d) A study of the various communities within the State that have urgent housing needs and that cannot attract and retain teachers to their communities;
 - (e) Recommendation by HHA, DOE & DAGS on which agency is best suited to be in charge of teachers housing; and
- (3) Making technical, non-substantive revisions for the purposes clarity and style.

Your Committees on Housing and Education concur with the intent and purpose of H.C.R. No. 288, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 288, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Bainum, Bunda, Duldulao, Hashimoto, M. Ige, Peters, Stegmaier, Young and O'Kieffe.

SCRep. 1617-92 Planning and Economic Development on H.C.R. No. 293

The purpose of this concurrent resolution is to request the State Board of Land and Natural Resources to consider a subzone classification of "protective" for all conservation lands in Waikane and Waiahole Valleys on Oahu and to deny any golf course development on land designated as Tax Map Key Nos. 4-8-06:01 and 4-08-14.

The Chairman of the Board of Land and Natural Resources, representatives from the Waiahole-Waikane Community Association, the Concerned Residents of Waiahole-Waikane and Kahaluu Neighborhood Board #29 gave testimony in support of this measure.

Your Committee found the scope of the concurrent resolution too broad and amended the concurrent resolution be limited to the 326.76 acres designated as Tax Map Key 4-8-06:01. All testifiers were in support of the amendment.

Your Committee finds that the Land Use Commission has recently reclassified 326.76 acres in Waikane Valley, Oahu, from agriculture to conservation and did not incorporate the whole of Waikane and Waiahole Valley lands, portions of which currently lie in the conservation district. As a result, the immediate action before the Land Board is to subzone the new conservation lands in accordance with the criteria set for in administrative rules.

Your Committee further notes that the Board of Land and Natural Resources will be conducting a comprehensive review of its Conservation Lands Plan, which is the basis for a review of their administrative rules and existing subzones. This will result in a review of the subzone classifications of all conservation district lands. Therefore, your Committee finds that it would be untimely to request the Board of Land and Natural Resources to consider the subzone designations of other adjacent lands in Waiahole and Waikane Valleys.

Your Committee finds that the reason for the request to classify this area in the "protective" subzone is to prevent the development of a golf course which is not supported by the communities of Waiahole and Waikane Valleys. In the event that the "protective" subzone designation is not selected, your Committee believes that any conservation district use application that is submitted to the Board of Land and Natural Resources for the purpose of developing a golf course be denied.

Your Committee has amended the title of the bill as follows: "REQUESTING THE STATE BOARD OF LAND AND NATURAL RESOURCES TO CONSIDER A SUBZONE CLASSIFICATION OF "PROTECTIVE" FOR THE CONSERVATION DISTRICT LANDS OF WAIKANE VALLEY ON OAHU DESIGNATED AS TAX MAP KEY 4-8-06:01 AND TO DENY ANY REQUEST FOR DEVELOPMENT OF THIS AREA FOR THE PURPOSE OF A GOLF COURSE."

Your Committee has further amended the concurrent resolution to eliminate reference to Waiahole Valley lands and other lands in Waikane Valley that are outside the boundaries of Tax Map Key No. 4-8-06:01. Your Committee has also made nonsubstantive amendments for the purpose of clarity.

Your Committee on Planning and Economic Development concurs with the intent and purpose of H.C.R. No. 293, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 293, H.D. 1.

Signed by all members of the Committee except Representative Okamura.

SCRep. 1618-92 Human Services and Health on H.C.R. No. 295

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) and the Department of Accounting and General Services (DAGS) to evaluate and determine an optimal site for a multipurpose center for the North Shore on Oahu (North Shore).

Testimony in support of this concurrent resolution was submitted by the State Advisory Council on Mental Health and Substance Abuse; Catholic Charities of the Diocese of Honolulu; the Mental Health Association of Hawaii; the Kamehameha Schools/Bernice Pauahi Bishop Estate; and the chairperson of the Central Oahu Service Area Board on Mental Health and Substance Abuse of the Department of Health.

While concurring with the need for the multipurpose center itself, the DLNR stated that the proposed site selection study was unnecessary because the Waiialua Courthouse property would be the logical site.

Your Committees believe that in the proposed selection process, serious consideration should be given not only to the Waiialua Courthouse site, but the Waiialua Community Association Building site as well, since preliminary discussions on the feasibility of utilizing these sites are in progress.

Additionally, in selecting the site and its needs, your Committees stress the importance of community input, assessment of community needs, and collaboration with pertinent service provider agencies, including the Departments of Human Services, Health, and Education.

Upon careful consideration, your Committees have amended the concurrent resolution by:

- (1) Requesting the DLNR and DAGS to work with the North Shore community and the Departments of Human Services, Health, and Education to determine not only the optimal multipurpose center site, but site needs as well;
- (2) Reflecting the foregoing amendments in the title of the concurrent resolution which, as amended, reads as follows:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF LAND AND NATURAL RESOURCES, AND ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE NORTH SHORE COMMUNITY AND THE DEPARTMENTS OF HUMAN SERVICES, HEALTH, AND EDUCATION TO DETERMINE THE SITE NEEDS AND EVALUATE, DETERMINE, AND SELECT THE OPTIMAL SITE FOR A MULTIPURPOSE CENTER FOR THE NORTH SHORE ON OAHU";
- (3) Directing that the evaluation include but not be limited to consideration of the Waiialua Courthouse site and the Waiialua Community Association Building site (formerly known as the "Haleiwa Gym") as possible locations for the multipurpose center;
- (4) Adding the Departments of Human Services, Health, and Education to the list of entities to which certified copies of the concurrent resolution are to be transmitted; and
- (5) Making technical, nonsubstantive amendments for the purposes of style.

Your Committees on Human Services and Health concur with the intent and purpose of H.C.R. No. 295, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 295, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Duldulao, M. Ige and Peters.

SCRep. 1619-92 Human Services and Judiciary on H.C.R. No. 386

The purpose of this concurrent resolution is to request the Department of Human Services to establish an interagency task force for the review of child advocacy and protection systems throughout the State of Hawaii. Specifically, the task force is requested to:

- (1) Assess the effectiveness of child advocacy and protection services, given existing systemic problems; and
- (2) Determine ways of enhancing cooperation and communication among the various agencies regarding the detection, intervention, prevention, and prosecution of child abuse and neglect cases.

Supportive testimony was submitted by the Department of Human Services; the Department of Education; the Department of Health; the Hawaii State Judiciary; the Hawaii Public Health Association; Child and Family Services; the Child Abuse and Neglect Secondary Prevention Advisory Committee; the Hawaii Medical Association; and the Department of the Prosecuting Attorney of the City and County of Honolulu.

According to the Department of Health, eighteen states now have child death review committees. Reviews of child deaths in California and Oregon have resulted in an increase in criminal prosecution and better coordination of protective services for surviving siblings.

The Hawaii State Judiciary stated that after five years of studying child death and serious reabuse cases, the Child Welfare Advisory Committee cites the lack of coordination among the agencies involved as the foremost problem in the child protection and advocacy system.

Your Committees recognize that child protection and advocacy services are the responsibility of all entities dealing with these issues. Coordination and cooperation among health, human services, education, and law enforcement communities are necessary in order to successfully identify, prosecute, and prevent child abuse.

Your Committees have amended this concurrent resolution by:

- (1) Reducing its scope to focus on child death review;
- (2) Instructing the Child Welfare Services Advisory Committee to plan and develop a statewide interagency child death review system;
- (3) Incorporating the foregoing amendments into the title which, as amended, reads as follows:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE CHILD WELFARE SERVICES ADVISORY COMMITTEE OF THE DEPARTMENT OF HUMAN SERVICES TO WORK TOWARDS THE ESTABLISHMENT OF AN INTERAGENCY CHILD DEATH REVIEW SYSTEM IN THE STATE OF HAWAII FOR THE PURPOSE OF IDENTIFYING CHILD ABUSE AND NEGLECT CASES";
- (4) Urging the Child Welfare Services Advisory Committee to consult with representatives from various agencies and fields of expertise during the course of this project; and
- (5) Making technical, nonsubstantive revisions for the purpose of clarity and style.

Your Committees on Human Services and Judiciary concur with the intent and purpose of H.C.R. No. 386, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 386, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Duldulao, Hiraki, Hirono, M. Ige, Peters and Thompson.

SCRep. 1620-92 Human Services and Labor and Public Employment on H.C.R. No. 395

The purpose of this concurrent resolution is to request the Department of Labor and Industrial Relations (DLIR), in consultation with the University of Hawaii, the Department of Human Services, the Department of Health, and the Department of Personnel Services to:

- (1) Assess the training resources of multilingual and multicultural workers in the State of Hawaii;
- (2) Utilize the findings of a study conducted pursuant to H.C.R. No. 30, 1991, as a basis for the instant study; and
- (3) Submit a report of its findings and recommendations to the Legislature prior to the convening of the Regular Session of 1993.

Supportive testimony was submitted by the Susannah Wesley Community Center and a concerned multilingual and multicultural citizen.

After careful consideration, your Committees have amended this concurrent resolution by:

- (1) Directing the DLIR to consult with the Interagency Council for Immigrant Services during the course of the proposed study;
- (2) Adding the Interagency Council for Immigrant Services to the list of entities to which a certified copy of the concurrent resolution is to be transmitted;
- (3) Clarifying that the study shall assess training resources in order to "develop" rather than "conduct" a comprehensive training program;
- (4) Reflecting the foregoing amendment in the title which, as amended, reads as follows:

"REQUESTING A STUDY TO ASSESS AVAILABLE TRAINING RESOURCES AND DEVELOP A COMPREHENSIVE TRAINING PROGRAM FOR MULTILINGUAL AND MULTICULTURAL WORKERS ASSISTING IMMIGRANTS"; and
- (5) Making technical, nonsubstantive revisions for the purposes of clarity and style.

Your Committees believe that the Interagency Council for Immigrant Services will assist the DLIR by providing pertinent demographic data on multicultural and multilingual communities, as well as information on services available to multilingual and multicultural groups throughout the State.

Your Committees on Human Services and Labor and Public Employment concur with the intent and purpose of H.C.R. No. 395, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 395, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Duldulao, Hashimoto, Hirono, Horita, M. Ige, Ihara and Peters.

SCRep. 1621-92 Human Services; Water, Land Use, and Hawaiian Affairs; Intergovernmental Relations and International Affairs; and Housing on H.C.R. No. 391

The purpose of this concurrent resolution is to request the provision of emergency housing shelters for low-income and homeless individuals and families who have access to building sites on Department of Hawaiian Home Lands.

Your Committees have amended the concurrent resolution to:

1. Delete the entire paragraph three; and
2. Make the requested amendments proposed by the Hawaii Housing Authority to refer to HHA instead of DHS where the homeless issues are mentioned.

Your Committees on Human Services and Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs and Housing concur with the intent and purpose of H.C.R. No. 391, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 391, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1622-92 Consumer Protection and Commerce on H.C.R. No. 428

The purpose of this concurrent resolution is to urge the Department of Taxation (DOTAX) and representatives from Hawaii's local wholesale liquor industry (liquor industry) to arrive at a compromise regarding the potential reformation of Hawaii's Liquor Tax Law.

Supportive testimony was submitted by the Department of Taxation, and the Wholesale Liquor Dealers Association.

Your Committee finds that there has been much controversy and dispute between the State and the liquor industry regarding Hawaii's Liquor Tax Law. The impetus for debate has stemmed from questions over the equity and effectiveness of the "escalator clause" of the liquor tax law--an automatically adjusted rate-setting mechanism based on: the volume of products sold; and changes in the unit price of products over a designated time period.

During the Sixteenth Legislature of 1991, your Committee reviewed the provisions of S.B. No. 1812, a measure which represented attempts by DOTAX and the liquor industry to arrive at a compromise regarding the manner in which alcoholic beverages are taxed in the State. At the public hearing for this measure, your Committee heard drastically opposing positions by DOTAX and the liquor industry on the continued utilization of the "escalator clause":

- (1) The DOTAX position: The implementation of the "escalator clause" has significantly reduced the State's ability to generate revenue from liquor sales. It was estimated that the provisions of the current liquor tax law had cost the State over \$7 million in lost revenues when compared to the amount of revenues that would have been generated from the ad valorem tax, an excise tax on alcoholic beverages that was used prior to the adoption of the current liquor tax law. In addition, in similar comparisons made for the fiscal years following 1986, the year the current law was established, the total liquor tax revenues collected would have been 18.1 percent less than the revenues generated if the ad valorem tax on liquor sales was still in use; and
- (2) The liquor industry position: The elimination of the "escalator clause" would precipitate the increased taxation of alcoholic beverages in the State. Any increase in the liquor tax would seriously threaten the stability and viability of the entire liquor industry. In addition, the costs attributed to an increase in the liquor tax would likely be passed along to the consuming public in the form of higher prices or shortages of certain products at the marketplace.

In light of these concerns, the Sixteenth Legislature of 1991 chose to extend the provisions of the current liquor tax law to July 1, 1993, to allow DOTAX and members of the liquor industry a period to discuss the issues and accord an agreement regarding the future of the "escalator clause". The Legislature found that the only way to adequately address these concerns would be for DOTAX and the liquor industry to reach a compromise on any future proposal regarding the reformation of Hawaii's liquor tax law.

Although this assertion was noted in Conference Committee Report No. 154 on S.B. No. 1812, your Committee believes that the provisions of this concurrent resolution are necessary to:

- (1) Reaffirm the legislative intent behind extending the provisions of the "escalator clause" to July 1, 1993; and
- (2) Instruct the affected parties to submit the compromise proposal to the Legislature prior to the next regular session so that Committee members may thoroughly assess the proposal before the start of the legislative process.

While your Committee is in accord with the intent of this concurrent resolution, your Committee believes that DOTAX and the liquor industry should also examine the following subjects, inter alia, during the development of the compromise proposal:

- (1) The possible establishment of a liquor tax system based on the alcoholic content of products (or the "proof" of a beverage); and

- (2) The manner in which other states tax alcoholic beverages.

Representatives from both DOTAX and the liquor industry did not object to this stipulation and noted that no further clarification or revision to this concurrent resolution was necessary for these areas to be assessed.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 428 and recommends its adoption.

Signed by all members of the Committee except Representative Peters.

SCRep. 1623-92 Consumer Protection and Commerce on H.C.R. No. 346

The purpose of this concurrent resolution is to request the Housing Finance and Development Corporation (HFDC) to develop a proposal for a direct loan program to assist qualified single-family, multi-family and cooperative lessees in obtaining low-interest loans to acquire the fee title to their leasehold properties.

Your Committee heard testimony in support of the measure from HFDC, Kamehameha Schools/Bernice Pauahi Bishop Estate and a private citizen.

Your Committee supports this effort to stimulate voluntary conversion of leasehold properties.

The study is due in 1993, but your Committee recognizes that HFDC may be charged by the Legislature with producing other reports during the interim. These measures, if enacted, would require HFDC to research, develop, and establish criteria and rules for the rental housing trust fund; down payment loan program; mortgage guaranty program; multi-family mortgage insurance program; rent to own program; homebuyers club program; and mutual housing association program. Your Committee intends HFDC to set a priority on these other measures, if enacted. However, if HFDC does not have the resources to fully address the requirements of this concurrent resolution because of the requirements to produce all of the other aforementioned reports, this Committee intends HFDC to produce an interim report addressing the concerns raised in this concurrent resolution. HFDC is agreeable to this approach.

Your Committee amended the concurrent resolution to clarify HFDC's tasks, and to clarify that the loan program is to assist lessors to acquire residential properties, including cooperatives.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 346, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 346, H.D. 2.

Signed by all members of the Committee except Representatives Amaral, Peters, Takamine and Thompson.

SCRep. 1624-92 Legislative Management on H.C.R. No. 173

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study to examine the current and future needs of quadriplegics in the State of Hawaii, including:

- (1) How those needs are being met; and
- (2) Whether a center or an independent living project for quadriplegics should be established.

Testimony in support of this concurrent resolution was submitted by a quadriplegic and a concerned citizen. Confronted with the physical challenges of daily living, all quadriplegics have certain basic needs in common, including the need for accessible and affordable housing, and support services such as personal care services. These needs must be taken care of before independence can be attained through work and other activities.

The Commission on Persons with Disabilities also submitted testimony urging that more emphasis be given to providing quadriplegics with better access to services or providing better coordination of available service.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 173 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Taniguchi and O'Kieffe.

SCRep. 1625-92 Legislative Management on H.C.R. No. 403

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a comprehensive review of the commercial practices and regulation of out-of-state pharmacies.

The State Board of Pharmacy submitted testimony in support of this concurrent resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 403 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Taniguchi and O'Kieffe.

SCRep. 1626-92 Legislative Management on H.C.R. No. 127

The purpose of this concurrent resolution is for the Legislative Reference Bureau to study the feasibility of modifying State parking control policies to enhance development of ridesharing arrangements between State and non-State employees.

Your Committee agrees that the present State parking program severely restricts carpooling and ridesharing between state, city, federal, and private sector employees by allowing only a particular vehicles to park in designated employee stalls.

Testimony in support of this concurrent resolution was submitted by the Leeward Oahu Transportation Management Association and the Oahu Metropolitan Planning Organization. Testimony was also submitted by the Department of Accounting and General Services.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 127, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Taniguchi and O'Kieffe.

SCRep. 1627-92 Legislative Management on H.C.R. No. 225

The purpose of this concurrent resolution requests the Legislative Auditor to evaluate procedures used by the Department of Accounting and General Services in repair, maintenance, and alteration projects for the public schools and libraries, and to evaluate the effectiveness of the roving repair and maintenance crews.

Testimony from the Department of Education and the Department of Accounting and General Services generally supported the intent of this concurrent resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 225 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Taniguchi and O'Kieffe.

SCRep. 1628-92 Legislative Management on H.C.R. No. 333

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a study on the current contract policies and administrative processes of the Department of Health regarding the provision of services to persons with developmental disabilities.

Testimony in support of the concurrent resolution was received from the Department of Health and the State Planning Council on Developmental Disabilities.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 333, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Taniguchi and O'Kieffe.

SCRep. 1629-92 Legislative Management on H.C.R. No. 326

The purpose of this concurrent resolution requests a study on the increase in repetitive child abuse cases and an evaluation of other roles of the medical director and multi-disciplinary team in the diagnosis and treatment of child abuse.

Your Committee received testimony in support of this concurrent resolution from the Department of Human Services, Kapiolani Medical Center's CPS Multidisciplinary Team, the American Academy of Pediatrics, and others.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 326, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1630-92 Legislative Management on H.C.R. No. 14

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the feasibility of establishing a warehouse district for businesses in Hawaii and to consider other ways of addressing the need for industrial sites near sea and air cargo terminals including the acquisition of available federal lands.

The Construction Industry Legislative Organization, the Industrial Business Association, and a concerned individual testified in support of the concurrent resolution.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 14, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1631-92 Legislative Management on H.C.R. No. 201

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to conduct a study on the salary and benefits package of public school principals and vice principals.

Your Committee received supporting testimony from the Hawaii Government Employees Association/AFSCME (HGEA/AFSCME), the principals of Aliiolani Elementary School and Mililani Waena Elementary School, and others.

Your Committee concurs with the need of a review of the salary and benefits package of public school principals and vice principals, particularly in light of efforts currently underway in the Department of Education to assign new positions directly to the schools through Project Ke Au Hou. In addition, your Committee requests that LRB work in collaboration with the HGEA/AFSCME in conducting this study as issues that concern job descriptions, appointments, compensation, and five-year contracts involve collective bargaining rights.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 201, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1632-92 Legislative Management on H.C.R. No. 433

The purpose of this concurrent resolution is to request the Legislative Auditor to assess various aspects of the coordination of mental health services for emotionally handicapped children and adolescents in Hawaii's public schools by the Department of Health (DOH) and the Department of Education (DOE) per their Memorandum of Agreement.

Representatives of the Mental Health Association in Hawaii, the State Advisory Council on Mental Health and Substance Abuse, Hawaii Advocates for Children and Youth, and the Hawaii Public Health Association testified in support of the original version of this concurrent resolution, and that the recommended scope of the Legislative Auditor's evaluation might be so broad as to render it unworkable.

Representatives of the DOE and DOH testified that problems in effecting full implementation of the Memorandum of Agreement were due to a lack of funding for required services. They further testified that they would develop an action plan in lieu of the Auditor's evaluation.

Your Committee has amended this concurrent resolution by deleting paragraphs 3, 5 and 6 of the requested actions to be undertaken by the Legislative Auditor as a means of defining the appropriate scope of study which will allow the Auditor and the Legislature to determine if further action should be taken. Also, other technical, non-substantive amendments have been made for purposes of style and clarity.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 433, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 433, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1633-92 Legislative Management on H.C.R. No. 312

The purpose of this concurrent resolution is to request a study be done by the Legislative Reference Bureau in conjunction with the Employees' Retirement System and the State Department of Personnel Services, to develop standards under which members of the Employees' Retirement System, who previously rendered national service, would be eligible to purchase membership service credit.

Your Committee received testimony from the Employees' Retirement System.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 312 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1634-92 Legislative Management on H.C.R. No. 187

The purpose of this concurrent resolution is to request the Legislative Auditor to study the feasibility of decentralizing the capital improvement project (CIP) implementation functions currently performed by the Department of Accounting and General Services (DAGS) to individual departments.

Testimony from DAGS pointed out that the department processes only about 40% of the State's total construction volume, and that centralization has allowed for development of expertise in such areas as energy management and other areas of building construction.

Accordingly, your Committee has amended this concurrent resolution to request that the Legislative Reference Bureau study the current CIP implementation process and to identify problems adversely affecting the timely implementation of projects by all departments involved in CIP projects.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 187, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 187, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1635-92 Legislative Management on H.C.R. No. 213

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau (LRB) with the assistance of the Department of Education (DOE), to study the feasibility of transferring certain public schools to the United States Department of Defense (U.S. DOD), pursuant to Public Law 81-874.

Testimony in support of the intent of this concurrent resolution was received from the DOE, however, the DOE has requested that the LRB be given the sole responsibility and latitude to conduct this study. Testimony was also received from the Military Affairs Council, a body within the Chamber of Commerce of Hawaii, which neither supported nor opposed this measure but voiced caution. Other individuals submitted testimony in support of the concurrent resolution.

Your Committee on Legislative Management believes that the amendment for a survey of the public's views on the proper use of impact aid funds is not germane, and has therefore deleted the amendment.

Your Committee on Legislative Management concurs with the intent and purpose of H.C.R. No. 213, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 213, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1636-92 Education on H.C.R. No. 231

The purpose of this concurrent resolution is to request the Department of Personnel Services (DPS) to work with the Department of Education (DOE), the Hawaii Government Employees Association (HGEA), and the Educational Assistants' Association (Association) to streamline the hiring procedures for educational assistants (EAs) so that vacant positions can be filled on a timely basis to minimize disruption of needed services in the schools.

Testimony on this measure was submitted by the DPS, the DOE, the Association, and interested individuals. Testimony in favor of this concurrent resolution emphasized the frustration that EAs, teachers, and administrators face due to the temporary status of the positions. Most pointedly, the yearly civil service exam requirement and the poor communication lines between applicants, the DOE, and the schools have left many EAs highly disillusioned. Ultimately, they concluded, the students suffer because high turnovers result in discontinuity in personnel, that in turn leads to lesser quality instruction. The exasperation of these EAs and teachers is further complicated with the lowered morale that accompanies this dilemma.

The DPS, however, testified in opposition to this concurrent resolution, stating that there has been enough studies and reports done to properly address this issue. They believe that the correct solution to the plight of the EAs is to increase legislative support and resources. The DPS submitted a budget request to convert the 767 temporary EA positions to permanent in the Executive Supplemental Budget of 1992, an action they believe will improve the timeliness in personnel transactions. They also noted that Senate Bill No. 2742 calls for a similar streamlined process for the filling of vacancies.

While your Committee fully appreciates the sensitive nature of this problem and is very cognizant of the work undertaken by all parties to resolve this issue, it believes that much can still be accomplished at the bureaucratic level to improve EA hiring procedures. For example, your Committee would like to see a streamlined process that eliminates the outdated applicant list process, the annual re-testing of personnel, and redundant job applications.

With consideration to all recommendations, your Committee has amended this concurrent resolution accordingly by:

- (1) Adding the following recommendations for the DPS, DOE, HGEA, and the Association to consider as initial steps in streamlining the hiring procedures:
 - (a) Grant permanent status to temporary EAs;
 - (b) Provide more funds for in-service training of EAs;
 - (c) Set a longer eligibility period for employment from one to five years; and
 - (d) Submit proposed legislation to the 1993 Legislature to transfer the management and operational control of EAs from the DPS to the DOE;
- (2) Requiring the DPS to report before the 1993 Legislature on the status of the actions taken to streamline EA hiring procedures; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 231, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 231, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Hashimoto, Stegmaier, Young and O'Kieffe.

SCRep. 1637-92 Education on H.C.R. No. 227

The purpose of this concurrent resolution is to request the Department of Education (DOE) to expedite the process necessary to construct a permanent administration and library building at Kaimiloa Elementary School.

Your Committee is sensitive to the frustrations voiced by Kaimiloa students, parents, and staff surrounding the construction of the administration and library facilities. However, because priority for new facilities is given for the establishment of additional classroom buildings, your Committee believes that this project should either be moved up in the district's capital improvement project matrix, or allocations for the school from the State Educational Facilities Improvement Special Fund should be increased, or both.

Accordingly, upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Requesting the Department of Education to submit a report to the Seventeenth Legislature of 1993 that shall include, inter alia:
 - (A) A detailed account of the actions taken to expedite the construction of a permanent administration and library building at Kaimiloa Elementary School;
 - (B) A list of the steps taken to increase the amount and effective period of the district's CIP matrix;
 - (C) An assessment of whether the hardships experienced at Kaimiloa Elementary School have been alleviated by the steps taken pursuant to this concurrent resolution; and
 - (D) A determination of whether current and future enrollment projections for the school have been accounted for during the revision of the school's master plan;
- (2) Requesting that the DOE consult with the Department of Accounting and General Services to expedite the process necessary to construct a permanent administration and library building at Kaimiloa Elementary School;
- (3) Stipulating that a certified copy of this concurrent resolution be transmitted to the Comptroller; and
- (4) Making technical, nonsubstantive revisions for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 227, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 227, H.D. 1.

Signed by all members of the Committee except Representative Young.

SCRep. 1638-92 Education on H.C.R. No. 250

The purpose of this concurrent resolution is to urge the Governor to approve Board of Education (BOE) Policy 6700 regarding educational specifications and standards for facilities.

Your Committee has received a litany of complaints from school officials, students, parents, and others on the long delays in receiving approval on revisions or deviations from air-conditioning standards for temperature control. Concerns also have been received from Department of Education (DOE) officials about the Department of Budget and Finance's (B&F) role and expertise in reviewing educational specifications for facilities in the DOE.

Moreover, B&F's review and approval of revisions to educational specifications veers from the philosophy of school/community-based management that seeks to increase the autonomy of the department and schools.

Testimony on this concurrent resolution was submitted by the DOE and the United Parents for Education Coalition.

Upon consideration of the testimony and thorough discussion by your Committee, this concurrent resolution has been amended by respectfully urging the Governor to either approve proposed revisions to educational specifications or rescind the Administrative Memorandum date November 19, 1987, to allow the DOE to exercise administrative control of Policy 6700.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 250, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 250, H.D. 1.

Signed by all members of the Committee except Representative Young.

SCRep. 1639-92 Education on H.C.R. No. 282

The purpose of this concurrent resolution is to request the Department of Education (DOE) to utilize a comprehensive user-oriented approach in the development, testing, and installation of the Financial Management System (FMS) and the Student Information System (SIS). A report would also provide the status on steps taken to implement recommendations made by the Legislative Auditor to improve the FMS, a status of any modification to improve the financial as well as student information systems, and the status of implementing a comprehensive user support and evaluation system relating to the FMS.

Testimony on this concurrent resolution was submitted by the DOE, the Hawaii Government Employees Association (HGEA), the United Parents for Education Coalition, and a concerned individual. The DOE stated that progress is being made to make both systems fully operational. The HGEA noted the concerns of users of both systems with respect to delays in calling up a screen, inaccessibility to get on-line on particular days, and problems with the software.

Your Committee senses that the early system and user problems have abated, yet recognizes that a better understanding on these problems will accelerate progress in the future.

This concurrent resolution has been amended by encouraging the DOE to work with users for identifying, as well as addressing, individual user needs of the systems.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 282, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 282, H.D. 1.

Signed by all members of the Committee except Representative Young.

SCRep. 1640-92 Education and Water, Land Use, and Hawaiian Affairs on H.C.R. No. 361

The purpose of this concurrent resolution is to request the Department of Education (DOE) to report on its current efforts and recommendations to improve the delivery of programs and services to gifted and talented native Hawaiian students.

Your Committees uphold the value of programs and services provided to gifted and talented students while equally upholding the value of providing these programs and services to all students regardless of their ethnicity. As such, any policy or practice that separates students strictly along ethnic lines runs contrary to the Legislature's philosophy of providing educational opportunities equally to all students.

Testimony for this concurrent resolution was submitted by the DOE; the Office of Hawaiian Affairs (OHA); the University of Hawaii at Manoa's College of Education; the University of Hawaii at Hilo's Center for Gifted and Talented native Hawaiian Children (Na Pua No'eau program); the Waimanalo Health Center; Juniroa Productions, Inc.; and a concerned individual. The testimony indicated that there is general disagreement on the philosophy of what should be the criteria for alarm when recognizing the disproportionate ratios of students in gifted and talented programs. Two arguments presented by testifiers highlight the issue:

- (1) The DOE believes that access to the gifted and talented program is provided equally to all students, and that any effort to single out one ethnic groups would, "compromise the standards and quality of services for particular groups"; and
- (2) The overwhelming under-representation of native Hawaiian students in the gifted and talented program (made glaringly obvious through statistics provided by OHA, who reports that native Hawaiian children comprise twenty-two percent of the public school population, yet comprise only eleven percent of gifted and talented students) warrants an investigation on procedures of admittance policies and practices so that no group of students is unintentionally denied entry into the program.

Your Committees believe that whenever any ethnic group is grossly under-represented in any educational excellence program, a vigorous effort must be made to understand why this condition exists and how it might be corrected.

Upon consideration of all the testimony, this concurrent resolution has been amended by:

- (1) Amending the above-referred title: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON ITS CURRENT EFFORTS AND RECOMMENDATIONS TO IMPROVE THE DELIVERY OF PROGRAMS AND SERVICES TO NATIVE HAWAIIAN CHILDREN WHO ARE GIFTED AND TALENTED" to read as follows: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS POLICIES AND PRACTICES AND REPORT ITS CURRENT EFFORTS AND RECOMMENDATIONS TO IMPROVE THE DELIVERY OF PROGRAMS AND SERVICES TO NATIVE HAWAIIAN CHILDREN AND CHILDREN OF OTHER UNDER-REPRESENTED ETHNIC GROUPS WHO ARE GIFTED AND TALENTED";
- (2) Including references to the Na Pua No'eau program for its work in identifying gifted and talented native Hawaiian students, and recommending their inclusion in the review process;
- (3) Expanding the scope of the review to include:
 - (a) The policies and practices of the gifted and talented program; and
 - (b) Other ethnic groups that are similarly under-represented in the gifted and talented program; and

- (4) Adding the Director of the Na Pua No'eau program to the section of this concurrent resolution.

Your Committees on Education and Water, Land Use, and Hawaiian Affairs concur with the intent and purpose of H.C.R. No. 361, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 361, H.D. 1.

Signed by all members of the Committees except Representative Hiraki.

SCRep. 1641-92 Education on H.C.R. No. 134

The purpose of this concurrent resolution, as received by your Committee, is to request the Board of Education (BOE) to reexamine its policy regarding curriculum development and implementation.

In establishing policies to create and implement curricula, the BOE has faced an increasing number and variety of issues formerly assumed by the home. This has led to fragmented attempts to include narrowly-defined curricula, which in turn has led to diversion of funds that could be better spent for under-funded textbooks and classroom equipment.

Your Committee has amended the measure by deleting the substance, the purpose of which is to request the BOE to report on its progress on achieving the Hawaii Goals for Education.

Upon consideration, your Committee has amended this concurrent resolution by:

- (1) Broadening curriculum development and implementation to include alignment with the eight Hawaii Goals for Education;
- (2) Requesting the BOE to establish and coordinate the work of a task force to include other state agencies, state offices, and groups of students, teachers, business people, and others, each group to be made up of two representatives;
- (3) Adding policy options and specific actions, for example, programs and services, for reaching each of the eight goals;
- (4) Deleting cost assessment by grade levels for implementing the curriculum; and
- (5) Amending the title of the concurrent resolution: "REQUESTING THE BOARD OF EDUCATION TO EXAMINE ITS POLICY REGARDING CURRICULUM DEVELOPMENT AND IMPLEMENTATION" to read as follows: "REQUESTING THE BOARD OF EDUCATION TO REPORT ON ITS PROGRESS ON ACHIEVING THE HAWAII GOALS FOR EDUCATION."

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 134, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 134, H.D. 1.

Signed by all members of the Committee except Representatives Chun, Isbell, Santiago and Stegmaier.

SCRep. 1642-92 Housing and Intergovernmental Relations and International Affairs on H.C.R. No. 317

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau conduct a study to:

- (1) Determine whether revisions to Chapter 53, Hawaii Revised Statutes, are necessary, in light of the current controversy at the Queen Emma Gardens project;
- (2) Investigate transactions involving any transfer of ownership interest in the Queen Emma Gardens project, including transactions involving the Hawaii Community Foundation, the Queen Emma Gardens Redevelopment Corporation, the Black Development Corporation, and the Hawaiian Trust Company;
- (3) Determine the effects which such transactions have had or similar transactions will have on the affordable housing market in Hawaii;
- (4) Compile a list of statutory amendments necessary to prevent the occurrence of similar transactions in the future, should it be determined that these transactions are not in the best interests of the community;
- (5) Draft legislation necessary to address the foregoing issues; and
- (6) Submit a report of its findings, recommendations, and legislative proposals to the Legislature at least twenty days prior to the convening of the Regular Session of 1993.

Your Committees received favorable testimony from the Queen Emma Gardens Tenants' Association, a retired public health nurse, and the Hawaiian Trust Company.

The issue of U.S. Department of Housing and Urban Development (HUD) housing and the possible twenty to thirty housing projects throughout the State of Hawaii directly affected by this concurrent resolution were discussed during the public hearing.

Upon consideration of the testimony, your Committees have amended this concurrent resolution by:

- (1) Amending the title to read: "REQUESTING A COMPREHENSIVE REVIEW OF CHAPTER 53, HAWAII REVISED STATUTES, THE "URBAN RENEWAL LAW" AS IT RELATES TO U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) PROJECTS IN HAWAII";
- (2) Requesting that the Housing Finance and Development Corporation (HFDC) work with the counties of Kauai, Hawaii, and Maui, and the Department of Housing and Community Development of the City and County of Honolulu to:
 - A. Determine the location and number of HUD and non-HUD projects which are covered by Chapter 53, Hawaii Revised Statutes, and for which of these projects government limitations or restrictions regarding affordable rental housing will expire in the next decade;
 - B. Study the impact of possible dissolution of HUD-guaranteed or HUD-subsidized housing projects which are part of the urban renewal plan and the effects of such transactions on the availability of rental housing in the State of Hawaii and the City and County of Honolulu in particular;
 - C. Determine whether the dissolution of Chapter 53 urban renewal projects are in the best interest of the community and, if it is determined that such dissolution is not in the best interest of the community, to compile a list of statutory amendments necessary to implement the purpose of the urban renewal plan; and
 - D. Determine whether revisions to Chapter 53, including but not limited to Sections 53-23, 53-32, 53-34, 53-35, are necessary, in light of concerns over rapidly escalating rents at certain urban renewal and federally insured housing projects; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committees on Housing and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 317, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 317, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Duldulao, Hashimoto, Horita, M. Ige, Peters, Yonamine and Ward.

SCRep. 1643-92 Health and Ocean and Marine Resources on H.C.R. No. 175

The purpose of this concurrent resolution is to request the Department of Health (DOH) to perform a comprehensive evaluation of the sewage treatment needs of Oahu's North Shore region (North Shore) which addresses, inter alia, the following issues:

- (1) The detrimental effects of wastewater from cesspools on public safety and the environment;
- (2) The feasibility of installing a sewage treatment system;
- (3) The feasibility of using alternative methods to solve the area's sewage problems, including the cost of such alternatives; and
- (4) The estimated time frame of government agency response to remedy the area's sewage problems,

The DOH submitted testimony which indicated that there are approximately 5,400 cesspools existing in the North Shore Oahu area. Because of caprock and high water table conditions, the area has a relatively high cesspool failure rate of twenty percent. Seepage from cesspools may contaminate valuable underground potable water sources and cause degradation of shoreline waters. Accordingly, resolution of the wastewater management problems of the North Shore area is a high priority.

The Department of Public Works of the City and County of Honolulu commented that the wastewater management needs for the area from Kaena Point to Waimea Bay were addressed in the Waialua-Haleiwa Facilities Plan dated September 1987, but that implementation of the plan is on hold while the wetland alternative is being evaluated. Additionally, the wastewater management needs for the area from Waimea Bay to Kaio Point (Kaaawa) were addressed in the North Oahu Facilities Plan, dated March 1985, which recommended no action. Finally, the Department of Public Works recommended that any re-evaluation for the North Shore Oahu area be in accordance with Section 201 of the Federal Water Pollution Control Act relating to facilities' plans so project construction will qualify under the State Revolving Fund program.

Your Committees believe that an evaluation of the current sewage treatment needs and situation on the North Shore is warranted, given the adverse impact which cesspool failure and untreated wastewater may have on the public health and the environment.

Your Committees on Health and Ocean and Marine Resources concur with the intent and purpose of H.C.R. No. 175 and recommend its adoption.

Signed by all members of the Committees except Representatives Alcon, Hiraki, M. Ige, Peters, Stegmaier and Thielen.

SCRep. 1644-92 Health and Human Services on H.C.R. No. 434

The purpose of this concurrent resolution is to request the Department of Health to develop a plan for the implementation of its principles of care for emotionally handicapped children and adolescents.

Representatives of the Department of Health, the Hawaii Public Health Association, and the State Advisory Council on Mental Health and Substance Abuse testified in support of this concurrent resolution. All three described serious inadequacies in current programs for serving emotionally handicapped children and adolescents.

Your Committees have amended this concurrent resolution by adding language:

- (1) Requesting that all agencies involved in the State cluster actively support the development of a comprehensive plan of action, and
- (2) Directing that those agencies be sent certified copies of this concurrent resolution.

Your Committees on Health and Human Services concur with the intent and purpose of H.C.R. No. 434, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 434, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1645-92 Health and Human Services on H.C.R. No. 190

The purpose of this concurrent resolution as received is to request the Department of Health in collaboration with the Department of Human Services to develop a long-range plan for the comprehensive care of patients with Hansen's Disease.

The Department of Health testified in support of this concurrent resolution.

Your Committees recognize that the aging patient population at Kalaupapa and Hale Mohalu will dictate a necessary change in the type of care and delivery of services currently provided at these facilities.

Your Committees have amended this concurrent resolution as follows:

- (1) The title has been expanded to include the Kalaupapa Patients Advisory Council as a collaborating body in the development of a long-range plan to care for Hansen's Disease patients.
- (2) Housing for health professionals is to be included in the long term plan for the comprehensive care of patients with Hansen's Disease in Hawaii.

Your Committees on Health and Human Services concur with the intent and purpose of H.C.R. No. 190, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 190, H.D. 1.

Signed by all members of the Committees except Representatives Chun, M. Ige, Isbell, Kawakami, Peters and Tatibouet.

SCRep. 1646-92 Health and Intergovernmental Relations and International Affairs on H.C.R. No. 167

The purpose of this concurrent resolution is to plan and develop options on how aviation resources can be utilized for emergency aeromedical evacuation support services statewide in collaboration with State and County agencies including federal and military branches of service.

Your Committees received testimony in support of the concurrent resolution from the State Department of Defense and the Department of Health.

Your Committees have adopted the compromise language submitted by the Department of Defense and amended the concurrent resolution as follows:

- (1) Additional language was inserted on page 2, paragraph 3, asking for the retainment and modification of the Hawaii Army National Guard Aviation unit in Hilo, Hawaii, to provide backup aeromedical evacuation support to the Big Island's emergency medical transport system.
- (2) Additional language was inserted on page 2, paragraph 5, requesting the State Department of Defense to continue pursuing the retention and conversion of its Hawaii Army National Guard assets at Hilo.
- (3) Language on page 3, "the Commanding General, U.S. Army, Western Command", has been amended to read "the Commanding General, U.S. Army, Pacific".

Your Committees on Health and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 167, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 167, H.D. 1.

Signed by all members of the Committees except Representatives Peters, Takamine, Tam, Taniguchi, Yonamine and Ward.

SCRep. 1647-92 Health and Intergovernmental Relations and International Affairs on H.C.R. No. 303

The purpose of this concurrent resolution, as received, is to evaluate the adequacy of emergency ambulance services and provide information on future plans to improve ambulance services to the residents of the Waianae Coast.

Testimony in support of this concurrent resolution was submitted by the Department of Health and individuals representing the Waianae Coast community.

Your Committees have amended this concurrent resolution as follows:

- (1) The purpose of this concurrent resolution was expanded to reflect the statewide needs for emergency medical services.
- (2) Additional language was inserted on page two, indicating that similar problems in obtaining ambulance service has been reported in other rural areas of Oahu and the islands of Maui, Hawaii, Kauai and Molokai.
- (3) The request to the State Department of Health and the City and County of Honolulu Department of Health for the provision of adequate ambulance service has been expanded to include other rural areas of Oahu and the islands of Maui, Hawaii, Kauai, and Molokai.

Your Committees on Health and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.C.R. No. 303, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 303, H.D. 1.

Signed by all members of the Committees except Representatives Peters, Takamine, Tam, Taniguchi, Yonamine and Ward.

SCRep. 1648-92 Health on H.C.R. No. 416

The purpose of this concurrent resolution is to request the State Planning Council on Developmental Disabilities to conduct a study regarding staff, decreasing population, and the cost-effectiveness of the operation of the Waimano Training School and Hospital.

A representative of the Department of Health supported this concurrent resolution's intent but also stated that another study is not needed at this time because the Department already is valiantly attempting to maximize its resources for persons with developmental disabilities and to maintain quality of care at Waimano Home. A representative of the State Planning Council on Developmental Disabilities testified that the study is necessary to provide needed guidance on how best to proceed with the downsizing of the institution. One individual also submitted testimony.

Your Committee has amended this concurrent resolution by adding the following to the topics and issues to be studied:

- (1) The impact of Medicaid and social security benefits on the costs of providing institutional and community-based services;
- (2) Cost breakdowns for direct and indirect costs of operating the facility,
- (3) Circumstances in which Medicaid certification might be unproductive, and
- (4) Possible advantages to continuing the operation of Waimano.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 416, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 416, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1649-92 Health on H.C.R. No. 316

The purpose of this concurrent resolution, as reported to your Committee, is to request the State Health Planning and Development Agency (SHPDA) to conduct a comprehensive review of home health care services provided on the island of Hawaii.

Representatives from the SHPDA, the Kona Hospital Cancer Program, the Personnel Pool of Hawaii, and individuals of the Kona community testified on this measure. All testimony received was in support of this concurrent resolution, with the exception of testimony from Medical Personnel Pool.

The representative from SHPDA proposed changes to the concurrent resolution that would further the Committee's intent of receiving a comprehensive study of the issues surrounding Home Health Care in West Hawaii. The changes proposed for the sixth paragraph, second page are as follows:

- (1) Changing the date for the SHPDA's final report to the Legislature to twenty days prior to the convening of the Regular Session of 1993;
- (2) Amending the list of providers of home health services to include all current providers, Medical Personnel Pool, and Kohala Home Health Care Agency, as well as Hilo Hospital;

Your Committee concurred with purpose and phrasing of the SHPDA's amendment and the concurrent resolution was so amended.

Your Committee feels that this concurrent resolution furthers the Legislature's intent of providing a greater level of access to medical services in the Hawaii's medically underserved communities.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 316, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 316, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1650-92 Human Services; Water, Land Use, and Hawaiian Affairs; Intergovernmental Relations and International Affairs; and Housing on H.R. No. 392

The purpose of this resolution is to request the provision of emergency housing shelters for low-income and homeless individuals and families who have access to building sites on Department of Hawaiian Home Lands.

Your Committees have amended the resolution to:

- (1) Delete the entire paragraph three; and
- (2) Make the requested amendments proposed by the Hawaii Housing Authority to refer to HHA instead of DHS where the homeless issues are mentioned.

Your Committees on Human Services and Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs and Housing concur with the intent and purpose of H.R. No. 392, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 392, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1651-92 Human Services and Labor and Public Employment on H.R. No. 396

The purpose of this resolution is to request the Department of Labor and Industrial Relations (DLIR), in consultation with the University of Hawaii, the Department of Human Services, the Department of Health, and the Department of Personnel Services to:

- (1) Assess the training resources of multilingual and multicultural workers in the State of Hawaii;
- (2) Utilize the findings of a study conducted pursuant to H.C.R. No. 30, 1991, as a basis for the instant study; and
- (3) Submit a report of its findings and recommendations to the Legislature prior to the convening of the Regular Session of 1993.

Supportive testimony was submitted by the Susannah Wesley Community Center and a concerned multilingual and multicultural citizen.

After careful consideration, your Committees have amended this resolution by:

- (1) Directing the DLIR to consult with the Interagency Council for Immigrant Services during the course of the proposed study;
- (2) Adding the Interagency Council for Immigrant Services to the list of entities to which a certified copy of the resolution is to be transmitted;
- (3) Clarifying that the study shall assess training resources in order to "develop" rather than "conduct" a comprehensive training program;
- (4) Reflecting the foregoing amendment in the title which, as amended, reads as follows:

"REQUESTING A STUDY TO ASSESS AVAILABLE TRAINING RESOURCES AND DEVELOP A COMPREHENSIVE TRAINING PROGRAM FOR MULTILINGUAL AND MULTICULTURAL WORKERS ASSISTING IMMIGRANTS"; and
- (5) Making technical, nonsubstantive revisions for the purposes of clarity and style.

Your Committees believe that the Interagency Council for Immigrant Services will assist the DLIR by providing pertinent demographic data on multicultural and multilingual communities, as well as information on services available to multilingual and multicultural groups throughout the State.

Your Committees on Human Services and Labor and Public Employment concur with the intent and purpose of H.R. No. 396, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 396, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Duldulao, Hashimoto, Hirono, Horita, M. Ige, Ihara and Peters.

SCRep. 1652-92 Human Services and Judiciary on H.R. No. 387

The purpose of this resolution is to request the Department of Human Services to establish an interagency task force for the review of child advocacy and protection systems throughout the State of Hawaii. Specifically, the task force is requested to:

- (1) Assess the effectiveness of child advocacy and protection services, given existing systemic problems; and
- (2) Determine ways of enhancing cooperation and communication among the various agencies regarding the detection, intervention, prevention, and prosecution of child abuse and neglect cases.

Supportive testimony was submitted by the Department of Human Services; the Department of Education; the Department of Health; the Hawaii State Judiciary; the Hawaii Public Health Association; Child and Family Services; the Child Abuse and Neglect Secondary Prevention Advisory Committee; the Hawaii Medical Association; and the Department of the Prosecuting Attorney of the City and County of Honolulu.

According to the Department of Health, eighteen states now have child death review committees. Reviews of child deaths in California and Oregon have resulted in an increase in criminal prosecution and better coordination of protective services for surviving siblings.

The Hawaii State Judiciary stated that after five years of studying child death and serious reabuse cases, the Child Welfare Advisory Committee cites the lack of coordination among the agencies involved as the foremost problem in the child protection and advocacy system.

Your Committees recognize that child protection and advocacy services are the responsibility of all entities dealing with these issues. Coordination and cooperation among health, human services, education, and law enforcement communities are necessary in order to successfully identify, prosecute, and prevent child abuse.

Your Committees have amended this resolution by:

- (1) Reducing its scope to focus on child death review;
- (2) Instructing the Child Welfare Services Advisory Committee to plan and develop a statewide interagency child death review system;
- (3) Incorporating the foregoing amendments into the title which, as amended, reads as follows:

"HOUSE RESOLUTION REQUESTING THE CHILD WELFARE SERVICES ADVISORY COMMITTEE OF THE DEPARTMENT OF HUMAN SERVICES TO WORK TOWARDS THE ESTABLISHMENT OF AN INTERAGENCY CHILD DEATH REVIEW SYSTEM IN THE STATE OF HAWAII FOR THE PURPOSE OF IDENTIFYING CHILD ABUSE AND NEGLECT CASES";
- (4) Urging the Child Welfare Services Advisory Committee to consult with representatives from various agencies and fields of expertise during the course of this project; and
- (5) Making technical, nonsubstantive revisions for the purpose of clarity and style.

Your Committees on Human Services and Judiciary concur with the intent and purpose of H.R. No. 387, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 387, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Duldulao, Hiraki, Hirono, M. Ige, Peters, Takamine and Thompson.

SCRep. 1653-92 Human Services and Health on H.R. No. 303

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) and the Department of Accounting and General Services (DAGS) to evaluate and determine an optimal site for a multipurpose center for the North Shore on Oahu (North Shore).

Testimony in support of this resolution was submitted by the State Advisory Council on Mental Health and Substance Abuse; Catholic Charities of the Diocese of Honolulu; the Mental Health Association of Hawaii; the Kamehameha Schools/Bernice Pauahi Bishop Estate; and the chairperson of the Central Oahu Service Area Board on Mental Health and Substance Abuse of the Department of Health.

While concurring with the need for the multipurpose center itself, the DLNR stated that the proposed site selection study was unnecessary because the Waiialua Courthouse property would be the logical site.

Your Committees believe that in the proposed selection process, serious consideration should be given not only to the Waiialua Courthouse site, but the Waiialua Community Association Building site as well, since preliminary discussions on the feasibility of utilizing these sites are in progress.

Additionally, in selecting the site and its needs, your Committees stress the importance of community input, assessment of community needs, and collaboration with pertinent service provider agencies, including the Departments of Human Services, Health, and Education.

Upon careful consideration, your Committees have amended the resolution by:

- (1) Requesting the DLNR and DAGS to work with the North Shore community and the Departments of Human Services, Health, and Education to determine not only the optimal multipurpose center site, but site needs as well;
- (2) Reflecting the foregoing amendments in the title of the resolution which as amended, reads as follows:

"HOUSE RESOLUTION REQUESTING THE DEPARTMENTS OF LAND AND NATURAL RESOURCES, AND ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE NORTH SHORE COMMUNITY AND THE DEPARTMENTS OF HUMAN SERVICES, HEALTH, AND EDUCATION TO DETERMINE THE SITE NEEDS AND EVALUATE, DETERMINE, AND SELECT THE OPTIMAL SITE FOR A MULTIPURPOSE CENTER FOR THE NORTH SHORE ON OAHU";
- (3) Directing that the evaluation include but not be limited to consideration of the Waiialua Courthouse site and the Waiialua Community Association Building site (formerly known as the "Haleiwa Gym") as possible locations for the multipurpose center;
- (4) Adding the Departments of Human Services, Health, and Education to the list of entities to which certified copies of the resolution are to be transmitted; and
- (5) Making technical, nonsubstantive amendments for the purposes of style.

Your Committees on Human Services and Health concur with the intent and purpose of H.R. No. 303, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 303, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Duldulao, M. Ige and Peters.

SCRep. 1654-92 Legislative Management on H.R. No. 212

The purpose of this resolution is to request the Legislative Reference Bureau (LRB) to conduct a study on the salary and benefits package of public school principals and vice principals.

Your Committee received supporting testimony from the Hawaii Government Employees Association/AFSCME (HGEA/AFSCME), the principals of Aliiolani Elementary School and Mililani Waena Elementary School, and others.

Your Committee concurs with the need of a review of the salary and benefits package of public school principals and vice principals, particularly in light of efforts currently underway in the Department of Education to assign new positions directly to the schools through Project Ke Au Hou. In addition, your Committee requests that LRB work in collaboration with the HGEA/AFSCME in conducting this study as issues that concern job descriptions, appointments, compensation, and five-year contracts involve collective bargaining rights.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 212, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1655-92 Legislative Management on H.R. No. 136

The purpose of this resolution is for the Legislative Reference Bureau to study the feasibility of modifying State parking control policies to enhance development of ridesharing arrangements between State and non-State employees.

Your Committee agrees that the present State parking program severely restricts carpooling and ridesharing between State, City, federal, and private sector employees by allowing only a particular vehicles to park in designated employee stalls.

Testimony in support of this resolution was submitted by the Leeward Oahu Transportation Management Association and the Oahu Metropolitan Planning Organization. Testimony was also submitted by the Department of Accounting and General Services.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 136, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Taniguchi and O'Kieffe.

SCRep. 1656-92 Legislative Management on H.R. No. 335

The purpose of this resolution is to request the Legislative Auditor to conduct a study on the current contract policies and administrative processes of the Department of Health regarding the provision of services to persons with developmental disabilities.

Testimony in support of the resolution was received from the Department of Health and the State Planning Council on Developmental Disabilities.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 335, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Taniguchi and O'Kieffe.

SCRep. 1657-92 Legislative Management on H.R. No. 185

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study to examine the current and future needs of quadriplegics in the State of Hawaii, including:

- (1) How those needs are being met; and
- (2) Whether a center or an independent living project for quadriplegics should be established.

Testimony in support of this resolution was submitted by a quadriplegic and a concerned citizen. Confronted with the physical challenges of daily living, all quadriplegics have certain basic needs in common, including the need for accessible and affordable housing, and support services such as personal care services. These needs must be taken care of before independence can be attained through work and other activities.

The Commission on Persons with Disabilities also submitted testimony urging that more emphasis be given to providing quadriplegics with better access to services or providing better coordination of available service.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 185 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Taniguchi and O'Kieffe.

SCRep. 1658-92 Legislative Management on H.R. No. 223

The purpose of this resolution is to request that the Legislative Reference Bureau (LRB), with the assistance of the Department of Education (DOE), to study the feasibility of transferring certain public schools to the United States Department of Defense (U.S. DOD), pursuant to Public Law 81-874.

Testimony in support of the intent of this resolution was received from the DOE, however, the DOE has requested that the LRB be given the sole responsibility and latitude to conduct this study. Testimony was also received from the Military Affairs Council, a body within the Chamber of Commerce of Hawaii, which neither supported nor opposed this measure but voiced caution. Other individuals submitted testimony in support of the resolution.

Your Committee on Legislative Management believes that the amendment for a survey of the public's views on the proper use of impact aid funds is not germane, and has therefore deleted the amendment.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 223, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 223, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1659-92 Legislative Management on H.R. No. 16

The purpose of this resolution is to request the Legislative Reference Bureau to study the feasibility of establishing a warehouse district for businesses in Hawaii and to consider other ways of addressing the need for industrial sites near sea and air cargo terminals including the acquisition of available federal lands.

The Construction Industry Legislative Organization, the Industrial Business Association, and a concerned individual testified in support of the resolution.

Your Committee on Legislative Management 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 except Representatives Apo, Kihano and Taniguchi.

SCRep. 1660-92 Legislative Management on H.R. No. 434

The purpose of this resolution is to request the Legislative Auditor to assess various aspects of the coordination of mental health services for emotionally handicapped children and adolescents in Hawaii's public schools by the Department of Health (DOH) and the Department of Education (DOE) per their Memorandum of Agreement.

Representatives of the Mental Health Association in Hawaii, the State Advisory Council on Mental Health and Substance Abuse, Hawaii Advocates for Children and Youth, and the Hawaii Public Health Association testified in support of the original version of this resolution, and that the recommended scope of the Legislative Auditor's evaluation might be so broad as to render it unworkable.

Representatives of the DOE and DOH testified that problems in effecting full implementation of the Memorandum of Agreement were due to a lack of funding for required services. They further testified that they would develop an action plan in lieu of the Auditor's evaluation.

Your Committee has amended this resolution by deleting paragraphs 3, 5 and 6 of the requested actions to be undertaken by the Legislative Auditor as a means of defining the appropriate scope of study which will allow the Auditor and the Legislature to determine if further action should be taken. Also, other technical, non-substantive amendments have been made for purposes of style and clarity.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 434, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 434, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1661-92 Legislative Management on H.R. No. 315

The purpose of this resolution is to request a study be done by the Legislative Reference Bureau in conjunction with the Employees' Retirement System and the State Department of Personnel Services, to develop standards under which members of the Employees' Retirement System, who previously rendered national service, would be eligible to purchase membership service credit.

Your Committee received testimony from the Employees' Retirement System.

Your Committee on Legislative Management concurs with the intent and purpose of H.R. No. 315 and recommends its adoption.

Signed by all members of the Committee except Representatives Apo, Kihano and Taniguchi.

SCRep. 1662-92 Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources on H.R. No. 296

The purpose of this resolution is to support the recommendations of the Kaneohe Bay Task Force regarding the return of jurisdiction, preservation, and revitalization of the Nu'uipa Fishponds at Kaneohe Bay.

Testimony in general support of this measure was submitted by the Department of Land and Natural Resources, the Oceanic Institute, and a member of the Kaneohe Bay Task Force. The United States Marine Corps opposed the measure. The Office of State Planning, the United States Department of the Interior, and a concerned citizen also commented on this measure.

Based on the testimony, your Committees find that the Kaneohe Bay Task Force did not call for the return of the Nuupia Fishponds to the Office of Hawaiian Affairs. Instead, the Task Force had called for the return of Nuupia Ekahi Pond only. In addition, negotiations are in progress between the Kaneohe community and the Marine Corps Air Station regarding the status of these fishponds.

As a result, your Committees have amended the scope of this measure to encourage cooperation and facilitate communication among the involved parties with regard to the preservation and revitalization of the fishponds. At the same time, the title of this measure has been amended to read: "HOUSE RESOLUTION ENCOURAGING MULTI-AGENCY COOPERATION WITH REGARD TO THE PRESERVATION AND REVITALIZATION OF THE NU'UIPA FISHPONDS AT KANEOHE BAY."

The following amendments have been made to address concerns of the United States Department of the Interior:

- (1) Stating that since 1990, the inventory of thirty historic ponds have been reduced to thirteen along the Windward Coast due to a variety of factors, such as modern developments, population demands, general neglect, and lack of adequate financial support; and
- (2) Recognizing that the fishpond complex, and not only the eastern ponds, contribute significantly to the continued survival and recovery of the Hawaiian stilt.

Other technical, nonsubstantive amendments have been made for the purposes of style and clarity.

Your Committees on Water, Land Use, and Hawaiian Affairs and Ocean and Marine Resources concur with the intent and purpose of H.R. No. 296, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 296, H.D. 1.

Signed by all members of the Committees except Representative Hiraki.

SCRep. 1663-92 Water, Land Use, and Hawaiian Affairs and Judiciary on H.R. No. 410

The purpose of this resolution is to request that the Governor reconstitute a State War Memorial Commission to study alternatives for the restoration of the Waikiki War Memorial Natatorium, including the possibilities of developing an Ocean Hall of Fame and a world-class coral reef exhibit.

Testimony on this measure was submitted by the Department of Land and Natural Resources, the Department of Health, the Friends of the Natatorium, the Director of the Waikiki Aquarium, two members of the Friends of the Waikiki Aquarium, the Waikiki Improvement Association, the West Diamond Head Community Association, the Waikiki Residents Association, the Hawaii Beachboy Service Association, the Waikiki Roughwater Swim Committee, the Kapiolani Park Preservation Society, the Vietnam Veterans Memorial Group, the New Otani Kaimana Beach Hotel, a member of the Diamond Head, Kapahulu, St. Louis Heights Neighborhood Board of the City and County of Honolulu, and four private citizens.

Your Committees find that health concerns about the use of the Natatorium as a salt water swimming course necessitate the exploration of alternative uses. Your Committees further find that an Ocean Hall of Fame would more perfectly reflect the Legislature's original intent of acknowledging Hawaii's preeminence in aquatic matters, and that a coral reef exhibit would make excellent use of the facility while representing a powerful "living" memorial to the veterans of World War I.

Your Committees have amended this measure by:

- (1) Listing the composition of the Commission's membership;
- (2) Deleting references to the restoration of the sandy beaches on the ewa side of the Natatorium, out of concern for the integrity of the existing coral reef;
- (3) Deleting references to the compatibility of a swimming course and a coral reef exhibit, as testimony indicated that these two uses are probably mutually exclusive; and
- (4) Making nonsubstantive amendment for the purposes of style and clarity.

It is emphatically not the intent of your Committees that the memory of those who served in the First World War should be dishonored by the commercial exploitation of the Natatorium for private gain.

Your Committees on Water, Land Use, and Hawaiian Affairs and Judiciary concur with the intent and purpose of H.R. No. 410, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 410, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Amaral, Arakaki, Bunda, Cachola, Hirono, Oshiro, Peters, Takamine and O'Kieffe.

SCRep. 1664-92 Water, Land Use, and Hawaiian Affairs and Judiciary on H.R. No. 408

The purpose of this resolution to disapprove a recent set aside of land in Lalamilo, County of Hawaii, by executive order.

The Department of Land and Natural Resources (DLNR), the Department of Water Supply of the County of Hawaii, and an attorney representing Mauna Lani Resort, Inc. and Mauna Kea Properties, Inc., presented testimony in opposition to the measure. According to all three testifiers, the executive order to be disapproved by the resolution completes the implementation of a series of agreements among the three parties which made water resources available to the public at large, as well as for the development of Mauna Lani Resort and Mauna Kea Properties and their attendant economic benefit.

Testimony in support of the resolution was offered by a private landowner and developer alleging to have been improperly denied water permits as a result of the agreement consummated by the executive order in question.

The native Hawaiian Legal Corporation also presented comments, noting that the resolution does raise the question of whether the disposition of State water resources by executive order, followed by the transfer of water rights to a private party, is interpreted as requiring the payment of entitlements to the Office of Hawaiian Affairs (OHA) and the Department of Hawaiian Home Lands (DHHL) from any resulting revenues.

Upon further consideration, your Committees have amended this resolution by:

- (1) Deleting its contents; and
- (2) Substituting a title and text requesting that the interim legislative committee established by Senate Concurrent Resolution No. 185, S.D. 1, H.D. 1 (1991), for the purpose of reviewing issues relating to the Hawaiian Home Lands Trust and the Public Lands Trust, consider the issue of OHA and DHHL entitlements to revenues derived from disposition of State water resources by means of an executive order.

Your Committees on Water, Land Use, and Hawaiian Affairs and Judiciary concur with the intent and purpose of H.R. No. 408, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 408, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Amaral, Arakaki, Bunda, Cachola, Hirono, Oshiro, Peters, Takamine and O'Kieffe.

SCRep. 1665-92 Waater, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.R. No. 218

The purpose of this resolution is to help protect the historic, cultural, natural and economic resources of Waipio Valley by requesting the Department of Land and Natural Resources (DLNR), in conjunction with other concerned parties, to develop and implement mechanisms to control public and commercial uses of the valley.

Testimony on this measure was received from DLNR, the Bishop Museum, and the Waipio Taro Farmers Association.

Your Committee notes the interest on the part of both the State and Bishop Museum, as well as other concerned parties, in the eventual public acquisition of Waipio. Until such time as fiscal considerations will allow for that eventuality, your Committee hopes that ways can be found to minimize adverse impacts in the valley, as requested in this resolution.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 218 and recommend its adoption.

Signed by all members of the Committees except Representatives Hashimoto and O'Kieffe.

SCRep. 1666-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on H.R. No. 145

The purpose of this measure is to request the return of the jurisdiction over the island of Kaho'olawe to the State of Hawaii, and to request the cessation of military training exercises on the island.

Testimony on this measure was received from the Office of State Planning, the Office of Hawaiian Affairs, the Kaho'olawe Island Conveyance Commission, the Protect Kaho'olawe 'Ohana, the Aged Hawaiians, and Ka Lahui Hawai'i.

Upon further consideration, your Committees have amended this resolution by deleting its contents and title and replacing them with text and title to request:

- (1) The permanent cessation of bombing of the island;
- (2) The continuation of the current moratorium on bombing until the U.S. Congress determines the final disposition of the island;
- (3) The removal of unexploded ordnance and other materials to the extent practical and deemed appropriate by the State; and
- (4) The preservation of Kaho'olawe and its surrounding ocean.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 145, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 145, H.D. 1.

Signed by all members of the Committees.

SCRep. 1667-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 393

The purpose of this measure is protect a historic building while providing for convenient access to governmental services, by requesting the Department of Accounting and General Services (DAGS) to study the feasibility of establishing a civic center at the old Oahu Railway and Land Terminal Building.

Testimony on this resolution was received from DAGS and from Catholic Services to the Elderly.

Upon further consideration, your Committee has amended this resolution and its title by:

- (1) Requesting DAGS to explore the feasibility of establishing a transportation museum in the building;
- (2) Requesting DAGS to explore the feasibility of establishing a market hall in the building; and
- (3) Making nonsubstantive amendments for the purposes of style and clarity.

It is the intent of your Committee that the three possible uses of the building not be mutually exclusive for the purposes of the study requested.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 393, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 393, H.D. 1.

Signed by all members of the Committee except Representative O'Kieffe.

SCRep. 1668-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 43

The purpose of this resolution is to seek a long-term solution for the future use of some 442 acres of undeveloped land mauka of Pearl City and Newtown on Oahu that Daitoh (Hawaii), Incorporated has proposed for golf course development.

Your Committee finds that community opposition to this proposed development has been united and vocal. During a Pearl City Neighborhood Board meeting held on August 22, 1991, there was no favorable endorsement of the proposed development despite the fact that more than 150 residents were in attendance. A 1991 survey conducted by the Newtown Estates Community Association also concluded widespread community opposition to the project.

Due to the narrow geographic scope of this measure as well as H.B. No. 3192 (appropriating funds to establish a state park at the same site), your Committee held its public hearing at the Newtown Recreation Center on February 13, 1992 that was attended by 40 - 50 people. Except for one individual, your Committee received testimony from area residents opposing the project. The Department of Land and Natural Resources also submitted testimony.

Your Committee finds that the proposed project is inconsistent with how neighboring residents want to see their community grow. In addition, your Committee remains concerned about the negative impacts that will result from the project.

Accordingly, your Committee has amended this resolution by:

- (1) Changing the title of this measure to read: "HOUSE RESOLUTION OPPOSING THE PROPOSED GOLF COURSE DEVELOPMENT ON CONSERVATION LANDS LOCATED MAUKA OF PEARL CITY AND NEWTOWN, OAHU";
- (2) Clarifying the 4th WHEREAS clause to only describe the Pearl City Neighborhood Board's opposition to the development;
- (3) Summarizing the results of a survey taken by the Newtown Estates Community Association and the testimony presented during your Committee's public hearing held on February 13, 1992;
- (4) Urging the Board of Land and Natural Resources to conduct a public hearing on the landowner's conservation district use application in the affected community if and when such an application is filed; and further urging the Land Board to subsequently deny that application;
- (5) Re-phrasing a reference for all parties to consider a range of alternative uses with a request for the landowner to consider alternative uses on the subject property that are consistent with community needs, including such uses as a passive park; and
- (6) Replacing the last BE IT FURTHER RESOLVED clause with language transmitting copies of this resolution to appropriate parties.

Finally, your Committee expresses its appreciation to you for supporting our efforts to hold our public hearing in the community.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 43, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 43, H.D. 1.

Signed by all members of the Committee except Representative O'Kieffe.

SCRep. 1669-92 Water, Land Use, and Hawaiian Affairs on H.R. No. 461

The purpose of this resolution is to commend the Waikiki Yacht Club for its community and youth activities and to support its efforts to obtain a long term lease for its continued operation at its current site.

Your Committee received testimony in support of the Waikiki Yacht Club's community and youth activities from the Department of Land and Natural Resources and the Department of Transportation. Their testimony indicated that they are working together on the issue of the Waikiki Yacht Club lease. Your Committee also received testimony in support of the resolution from the Ala Wai Boat Harbor Advisory Committee, four persons from the Waikiki Yacht Club, the Committee Chair from the Sea Explorer Ship One, and three other private citizens.

Your Committee finds that the Waikiki Yacht Club is a valuable organization which provides many important services for the community, and especially for young people. Your Committee feels that the uncertainty regarding the lease should be resolved as quickly as is reasonably possible with fairness to all parties concerned.

Your Committee made technical, non-substantive amendments for the purposes of style, clarity, and consistency.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 461, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 461, H.D. 1.

Signed by all members of the Committee except Representative Hiraki.

SCRep. 1670-92 Higher Education and the Arts on H.R. No. 354

The purpose of this resolution is to request the Office of Technology Transfer and Economic Development to determine the feasibility of establishing a Consortium for Interactive Multimedia in Hawaii that would foster the development of this technology and facilitate its application in Hawaii public schools.

The testimony by the Office of Technology Transfer and Economic Development and Jan Stelovsky of provisions unlimited support the passage of this resolution. Interactive Multimedia is already changing the way pilot users communicate, learn and work. Hawaii's economy will benefit if we encourage this new industry. Hawaii's educational system will be revitalized with an increase in reading skills, analytical problem solving and communication skills.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 354 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1671-92 Higher Education and the Arts on H.R. No. 268

The purpose of this resolution is to request the University of Hawaii to develop a plan to implement year-round classes throughout the University of Hawaii (UH) system.

The ever increasing student population at all campuses in the University system requires the need for solutions to ease the burden on an overcrowded learning environment. Year-round classes were proposed to alleviate this burden.

This resolution has been amended by:

- (1) Requesting the University to study the feasibility of year-round general funded classes throughout the UH system; and
- (2) Having the study include a year-round schedule of classes instead of the development of year-round classes on a quarter system;
- (3) Having the study include the general fund support required to implement a year-round concept and alternative scenarios for a phased implementation to manage general fund requirements; and
- (4) Making technical, non-substantive changes.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 268, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 268, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1672-92 Higher Education and the Arts on H.R. No. 341

The purpose of this resolution, as received by your Committee, is to request the Board of Regents of the University of Hawaii (UH) to provide financial tuition waivers in accordance with Section 304-17, Hawaii Revised Statutes (HRS). The resolution also requests the Board of Regents to report to the Legislature twenty days before the convening of the Regular Session of 1993 regarding:

- (1) How the fall 1992 tuition waivers were allocated;
- (2) The positive and negative impact of the tuition waiver allocation, which is subject to the criteria set forth in Section 304-17, HRS; and
- (3) Recommendations to insure that all persons desiring access to the UH system on limited finances, have adequate State resources.

Your Committee recognizes the questions and concerns raised regarding the allocation and utilization of tuition waivers of the University of Hawaii, in accordance with Section 304-17, HRS. These concerns relate to the importance of tuition waivers in meeting the needs of those individuals who, without the award of a tuition waiver, would be prevented from pursuing a higher education and enrolling in the UH system because of financial circumstances.

According to Section 304-17, HRS, tuition waivers are based not only on financial need, but also on scholarship, department, and are awarded to "highly qualified, full-time students at any University of Hawaii campus whose presence advances the university's unique mission as a bridge between east and west, and also enhances the leadership role the university and the State have assumed in the Pacific and Asian regions". The statutory material suggest a need for a review of the current statutes relating to tuition waivers and a review of the availability of tuition waivers in meeting the needs of individuals who are in need of financial assistance to be able to pursue their education at a campus of the UH.

As the above-mentioned title of the resolution, "REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PROVIDE FINANCIAL TUITION WAIVERS IN ACCORDANCE WITH SECTION 304-17, HAWAII REVISED STATUTES", and the BE IT RESOLVED section of the resolution imply that the UH has been negligent in awarding tuition waivers according to the statute, your Committee has taken a more objective approach to request the

Board of Regents of the UH to prepare a report on the allocation and utilization of financial tuition waivers of the fall and spring 1992 semesters in accordance with Section 304-17, HRS.

Accordingly, your Committee has amended the title of the resolution to read: "REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PREPARE A REPORT ON THE ALLOCATION AND UTILIZATION OF FINANCIAL TUITION WAIVERS IN ACCORDANCE WITH SECTION 304-17, HAWAII REVISED STATUTES". The resolution has also been amended to request that the report include, but not be limited to:

- (1) An account and historical report of Section 304-17, HRS, as it is currently stated, and any other existing statute that relates to tuition waivers of the University of Hawaii;
- (2) A description of the application criteria for tuition waivers of each college, school, and department of the University of Hawaii;
- (3) Statistics and any other pertinent information relating to the number of financially-needy individuals who have been unable to attend the University of Hawaii due to lack of, or the unavailability of, tuition waivers based on financial need;
- (4) A demographic survey of the recipients who receive tuition waivers, including the ethnicity; family income; family number and composition; course of study; major, college, school, or department; and basis for receiving the tuition waiver of the recipient;
- (5) A breakdown by number and percentage of the allocation of tuition waivers by departments, schools, and colleges of the University of Hawaii and according to scholarship, department, individual merit (athletics, music, dance, or other), financial need, and any other basis for which tuition waivers are awarded;
- (6) A breakdown by number and percentage of the utilization of tuition waivers by campuses and according to the various programs through which tuition waivers are awarded;
- (7) The apportionment formula, if any, that the Board of Regents uses to award tuition waivers;
- (8) A review of the overall tuition waiver allocation and utilization of the University of Hawaii; and
- (9) Any proposals and recommendations to insure that adequate resources are provided for those individuals who desire access to the University of Hawaii system through tuition waivers based on their financial need.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 341, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 341, H.D. 1.

Signed by all members of the Committee except Representatives Honda and Lee.

SCRep. 1673-92 Higher Education and the Arts on H.R. No. 355

The purpose of this resolution is to have the Director of Finance convene a Telecommunications and Information Technology Coordination and Policy Advisory Council to develop short- and long-range strategic plans on telecommunications and information technology policy for the State of Hawaii. The Council will:

- (1) Develop plans for the Hawaii Area Wide Integrated Information Access Network (HAWAIIAN) for State agency telecommunications and information technology support;
- (2) Formulate and guide the State's telecommunications and information technology policy and plans;
- (3) Coordinate intergovernmental or interagency telecommunication and information technology projects; and
- (4) Determine the role and responsibilities of each State agency in telecommunications and information technology infrastructure.

Testimony in support of this measure was submitted by the University of Hawaii's Office of Information Technology, the Department of Budget and Finance, the Department of Education, and the Hawaii Public Broadcasting Authority.

This resolution has been amended by:

- (1) Adding the following four additional members to the Advisory Council:
 - (a) A representative from the Department of Commerce and Consumer Affairs;
 - (b) The Chief Information Officer of the Department of Transportation;
 - (c) The Director of Information Technology of the University of Hawaii; and
 - (d) The Executive Director of the Hawaii Public Broadcasting Authority;
- (2) Including these additional members of the Advisory Council to the list of those to receive a certified copy of the resolution; and

- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 355, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 355, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1674-92 Higher Education and the Arts on H.R. No. 342

This resolution requests the Office of Technology Transfer and Economic Development of the University of Hawaii to conduct a study on the ways and means to enhance its programs in information technology, computer sciences, and software development to further business and economic development within the State of Hawaii.

The testimony by the Office of Technology Transfer and Economic Development, Department of Business, Economic Development & Tourism, and the High Technology Development Corporation, supports this measure because they recognize the importance of technology transfer in the business and economic development of Hawaii. They have committed themselves to work together toward this goal.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 342 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1675-92 Higher Education and the Arts on H.R. No. 381

The purpose of this resolution is to request the Department of Accounting and General Services (DAGS), in consultation with the State Librarian, to examine the feasibility of purchasing and preserving the Aiea Sugar Mill as a historic site and converting the adjacent Hawaiian Sugar Planters' Association building into a public library.

Your Committee notes that the current library facility in Aiea must accommodate the ever-increasing community population that surrounds Aiea, and acknowledges that the community would greatly benefit from a larger and more comprehensive library facility. To address this public need, your Committee is committed to pursuing prudent and feasible alternatives that will enhance the quality of library and educational services to the public.

It is your Committee's understanding that the State stands the possibility of purchasing the Aiea Sugar Mill site, and would be an ideal location for a new public library in Aiea.

Your Committee received testimony from the Chairperson of the Board of Agriculture, DAGS, and the Hawaiian Sugar Planters' Association (HSPA). Testimony submitted by the Board of Agriculture indicated its recommendation that HSPA facilities not be converted to nonagricultural purposes, and proposed instead, a feasibility to establish HSPA as a public/private partnership research facility for agriculture. On the other hand, HSPA testimony indicated, with certain provisions, that the companies which fund HSPA are in substantial agreement that Aiea Sugar Mill would be an appropriate site to construct a new library in Aiea. HSPA also indicated that it does not appear that designation of Aiea Sugar Mill as a historical Hawaiian site would be appropriate, nor would this action assist the State or any other purchaser in the appropriate future use of the property.

Upon further consideration, your Committee has amended the resolution by:

- (1) Clarifying that the Aiea Sugar Mill site is owned by the California & Hawaiian Sugar Company and is leased by the Hawaiian Sugar Planters' Association;
- (2) Inserting a WHEREAS clause that emphasizes that a larger, upgraded, and well-facilitated library in Aiea would provide a much-needed "center of community activity" that fulfills a necessary public need, and satisfies the educational, informational, cultural, and recreational needs of its patrons;
- (3) Changing the BE IT RESOLVED clause to request the DAGS, in consultation with the State Librarian, to examine the feasibility of purchasing the Aiea Sugar Mill acreage and setting aside a portion for a new Aiea public library; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of H.R. No. 381, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 381, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1676-92 Higher Education and the Arts and Transportation on H.R. No. 318

The purpose of this resolution is to request the University of Hawaii (UH) and the Honolulu Community College (HCC) to work collaboratively on the development of "Professional Aerospace Career Centers" (Centers) at Keahole Airport and Honolulu International Airport. In addition, the resolution specifies that UH and HCC work in conjunction with the Office of State Planning (OSP), the Department of Transportation (DOT), the Department of Business, Economic

Development, and Tourism (DBED), the Mayor of Hawaii, the County Council of Hawaii, and the Big Island Business Council in developing the Centers.

Your Committees believe that the establishment of these Centers will be instrumental in training and equipping Hawaii's students with the credentials, skills, and practical experience necessary to take on jobs in the competitive aviation and aerospace industries. Furthermore, these Centers would also generate State revenues and elevate the overall reputation of the State as a world-class travel destination and hub of higher academic learning.

The Chancellor for the UH Community Colleges and DBED testified in support of the resolution. The DOT testified in support of the intent of the measure and indicated its preparedness to assist the UH and HCC in selecting sites for the Centers as long as the sites do not impact the safe and efficient operation of the airports.

Your Committees on Higher Education and the Arts and Transportation concur with the intent and purpose of H.R. No. 318, and recommend its adoption.

Signed by all members of the Committees except Representative Taniguchi.

SCRep. 1677-92 Higher Education and the Arts and Health on H.R. No. 309

The purpose of this resolution is to request Hawaii Community College to provide nursing education and training to emergency medical technicians. The resolution also requests the Department of Health (DOH), Division of Community Hospitals, to provide time, with pay, to those emergency medical technicians who enroll in the nursing program and that such time includes, but is not limited to, the time necessary to attend classes, travel to and from classes, and study for classes.

Your Committees received supporting testimony from the Department of Health, the nursing staff at Kau Hospital, and an interested citizen.

Testimony was also submitted by the Chancellor for the University of Hawaii (UH) Community Colleges. The Chancellor testified Hawaii Community College's intention to modify its existing nursing curriculum this summer by creating a separate, shortened licensed practical nurse (LPN) training program, and by reallocating the resources to do so. However, the Chancellor indicated that Hawaii Community College will require additional resources to deliver the modified curriculum requested by this resolution.

Noting the anticipated State revenue shortfall, and believing that any references to pay compensation is an administrative function of the DOH, your Committees have amended this measure by deleting the reference within the resolution that requests DOH to provide time, with pay, to emergency medical technicians who enroll in the nursing program.

Your Committees on Higher Education and the Arts and Health concur with the intent and purpose of H.R. No. 309, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 309, H.D. 1.

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

SCRep. 1678-92 Higher Education and the Arts and Housing on H.R. No. 382

The purpose of this resolution is to request the University of Hawaii's Board of Regents to form a task force to address alternative means for student and faculty housing development.

Testimony in support of this resolution was given by the University of Hawaii, the Affordable Housing Alliance, the Public Policy Program of the Roman Catholic Church, as well as by University of Hawaii students.

Your Committees have amended this resolution by:

- (1) Deleting references to a study of faculty housing (the University of Hawaii has already conducted a study regarding this matter which was approved by the Board of Regents); and
- (2) Changing the title of the resolution from "REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CREATE A TASK FORCE TO ADDRESS ALTERNATIVE MEANS FOR THE DEVELOPMENT OF UNIVERSITY STUDENT AND FACULTY HOUSING," to "REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CREATE A TASK FORCE TO ADDRESS ALTERNATIVE MEANS FOR THE DEVELOPMENT OF UNIVERSITY STUDENT HOUSING."
- (3) Requiring the task force's report to include a financing plan for housing development at the University of Hawaii.

Your Committees on Higher Education and the Arts and Housing concur with the intent and purpose of H.R. No. 382, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 382, H.D. 1.

Signed by all members of the Committees except Representatives Bainum, M. Ige, Peters, O'Kieffe and Tatibouet.

SCRep. 1679-92 Higher Education and the Arts and Housing on H.R. No. 394

The purpose of this resolution is to request a study on the feasibility of establishing a multi-disciplinary institute for housing at the University of Hawaii be conducted by a task force convened by the Senior Vice President for Academic Affairs.

Your Committees recognize that the increasing demand for affordable housing in the State has reached a crisis level. The establishment of a center relating to housing matters which could be used as a resource by all members of the community would greatly benefit the State.

The University of Hawaii, the Hawaii Association of Realtors, and private individuals gave supporting testimony for this measure.

This resolution has been amended by:

- (1) Requiring the task force to conduct a survey of other states which currently have multi-disciplinary institutes of housing; and
- (2) Requiring the task force to develop a vision/mission statement for the institute.

Your Committees on Higher Education and the Arts and Housing concur with the intent and purpose of H.R. No. 394, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 394, H.D. 1.

Signed by all members of the Committees except Representatives Bainum, M. Ige and Peters.

SCRep. 1680-92 Higher Education and the Arts and Human Services on H.R. No. 276

The purpose of this resolution is to ask the University of Hawaii to devise methods to motivate and guide high school students towards careers in the human services professions and advise them on career placement.

Many high school graduates know little or nothing about careers in social work, nursing, or other human services professions. As a result, these professions have had a severe shortage of trained, qualified workers for many years. This resolution would enlist the University of Hawaii's assistance in providing information to stimulate students' interest in these careers.

Your Committees received testimony in support of this measure from many organizations including the University of Hawaii, the Hawaii Chapter of the National Association of Social Workers, and the Department of Education.

Your Committees on Higher Education and the Arts and Human Services concur with the intent and purpose of H.R. No. 276 and recommend its adoption.

Signed by all members of the Committees except Representative Peters.

SCRep. 1681-92 Higher Education and the Arts and Ocean and Marine Resources on H.R. No. 323

The purpose of this resolution is to request the University of Hawaii (UH), through the School of Ocean and Earth Science and Technology (SOEST), to study the feasibility of establishing a Center for Coastal Systems Research.

Your Committees received supporting testimony from SOEST. According to testimony by SOEST, a Center for Coastal Systems Research would provide a structure for focusing and enhancing the UH's role in Hawaii's coastal environment. Furthermore, a center of this caliber would provide a scientific and educational foundation to support and further a healthy coastal zone for Hawaii's future.

Per SOEST's recommendations, your Committees have amended the resolution by:

- (1) Clarifying the language in paragraphs 3 and 5 of the WHEREAS clauses of the resolution;
- (2) Changing item (3) of the first BE IT RESOLVED clause to read that the Center for Coastal Systems Research will: "Provide comprehensive and integrated research relevant to the future utilization of Hawaii's shorelines and coastal systems; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees on Higher Education and the Arts and Ocean and Marine Resources concur with the intent and purpose of H.R. No. 323, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 323, H.D. 1.

Signed by all members of the Committees except Representative Taniguchi.

SCRep. 1682-92 Higher Education and the Arts and Ocean and Marine Resources on H.R. No. 227

The purpose of this resolution is to request the University of Hawaii (UH) to establish a strategic plan to make the School of Ocean and Earth Science and Technology (SOEST) a premier school of its type in the nation.

The Dean of SOEST testified on behalf of the UH, and indicated the UH's strong endorsement of the goals of the resolution. The Dean of SOEST also emphasized that the resolution's aim is consistent with UH's intent to bring SOEST to the forefront of ocean science and technology research and education among other universities in the nation.

Your Committees recognize that Hawaii's economic well-being and high standard of living are critically dependent on maintaining and preserving Hawaii's rich coastal environment and clear waters, and therefore believes that any effort to enhance SOEST would enhance the State's precious resources and bring invaluable benefits to the State and to the people of Hawaii.

Your Committees on Higher Education and the Arts and Ocean and Marine Resources concur with the intent and purpose of H.R. No. 227, and recommend its adoption.

Signed by all members of the Committees except Representative Taniguchi.

SCRep. 1683-92 Higher Education and the Arts; Ocean and Marine Resources; and Tourism on H.R. No. 364

The purpose of this resolution is to request the University of Hawaii's Sea Grant College Program, in cooperation with the Department of Health, to establish an ultraviolet radiation monitoring and public educational program which would inform both residents and visitors about the harmful effects of ozone depletion and the precautions they can take when exposed to the sun.

Testimony in support of this measure was given by many organizations including the University of Hawaii's Sea Grant Program and the Department of Health, as well as by many concerned private individuals.

Your Committees have amended this resolution by including the Hawaii Visitors Bureau, the Department of Education, and the Society of Professional Journalists to be included in the group which will develop and implement the public educational plan.

Your Committees on Higher Education and the Arts and Ocean and Marine Resources and Tourism concur with the intent and purpose of H.R. No. 364, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 364, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Say and Thompson.

SCRep. 1684-92 Ocean and Marine Resources on H.R. No. 422

The purpose of this resolution is to urge the Department of Land and Natural Resources (DLNR) to conduct a study assessing of the use of gill nets on Hawaii's fishery.

Testimony in favor of this resolution was received from the American Fisheries Society, Hawaii Chapter, and the National Audubon Society. DLNR testified that, if given a choice, it would prefer the passage of H.B. No. 38, S.D. 2, currently being considered by the Legislature, since funds are not provided to conduct a study as proposed in this measure.

Taking into consideration the lack of funds to initiate a study as outlined in this resolution and recognizing that enough data previously and currently being assembled by DLNR is available to make an assessment of the use of gill nets in State waters, your Committee has amended this measure to provide:

- 1) That the DLNR utilize current, ongoing studies of nearshore fishery resources to augment prior documentation on the use of gill nets;
- 2) That the report encompass evaluations of the data on the use of gill nets; and
- 3) That the DLNR recommend proposed legislation or new rules and regulations based on the study's appraisal of the impact of this gear on the fishery.

Further technical and non-substantive amendments were made for the purpose of clarity and style.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 422, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 422, H.D. 1.

Signed by all members of the Committee.

SCRep. 1685-92 Ocean and Marine Resources and Health on H.R. No. 424

The purpose of this resolution, as received, is to ask the Department of Health to lower the acceptable air temperature of mechanical refrigeration cases containing fresh fish.

Informative testimony was received from the Department of Health (DOH) and the Hawaii Food Industry Association.

Your Committees learned that while the ambient air temperature of display cases containing fish may be a factor with regard to quality and safety, internal temperature is the true standard of determining fish temperature. Additionally, the

DOH testified that it would be prudent to lower the current standard of acceptable internal temperature of fish during the several stages of distribution.

To more accurately address the intent of this resolution, the title has been amended as follows:

"REQUESTING THE DEPARTMENT OF HEALTH TO LOWER THE ESTABLISHED MAXIMUM ALLOWABLE INTERNAL TEMPERATURE OF FRESH FISH WHILE BEING STORED OR DISPLAYED."

Accordingly, those paragraphs referring to the "ambient air temperature" have been deleted. Your Committees have also amended this resolution further by:

- (1) Clarifying that during the entire distribution chain of fresh fish, the commodity can be subjected to fluctuating temperatures; and
- (2) Specifying that the recommended internal temperature of fresh fish should be optimally maintained at 32-38 degrees Fahrenheit; and
- (3) Requesting the DOH to adopt rules establishing the maximum allowable internal temperature of fresh fish at 35 degrees Fahrenheit, whether in a wholesale or retail setting.

Your Committees on Ocean and Marine Resources and Health concur with the intent and purpose of H.R. No. 424, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 424, H.D. 1.

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

SCRep. 1686-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on H.R. No. 425

The purpose of this resolution is to commend the government of Japan for its decision to support a total ban on driftnet fishing under a United Nations agreement.

Your Committees find that it is unfortunate that the United Nations, in a well-intentioned effort to feed hungry nations, pioneered the idea of using driftnets. These "walls of death" can annihilate entire fisheries and indiscriminately destroy a vast variety of other marine life.

Japan is the world's largest per capita consumer of seafood. To meet these needs, the country has developed a large fishing fleet utilizing commercial-scale driftnets. By banning the use of driftnets, the Japanese will be faced with higher seafood costs, the need to retrofit a large fishing fleet, and other economic and employment hardships.

When considering this issue, Japan was faced with a serious dilemma; internal opposition against abandoning the driftnet practice, on one hand, and worldwide condemnation for continuing the practice, on the other. Your Committees applaud the Prime Minister and the government of Japan for courageously choosing to put aside their own immediate economic needs and electing to participate in aquatic resource conservation for the benefit of future generations worldwide.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 425 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1687-92 Ocean and Marine Resources and Education on H.R. No. 432

The purpose of this resolution, as received, is to establish a task force to create a cadre of marine resource experts and educational materials to further facilitate the marine science education program in Hawaii's schools. Additionally, the task force is asked to have this collective group and material ready for a pilot program for the 1992 fall school semester, and to present an evaluation of the pilot program to the 1993 Legislature for further consideration.

Testimony in support of the intent of this resolution was received from the Department of Land and Natural Resources (DLNR), the University of Hawaii (UH), Sea Grant Program, the Department of Education (DOE), and several concerned citizens.

Both DLNR and DOE observed a need for a lead agency to administer the task force. In addition, DLNR and UH, Sea Grant noted that funds are needed to oversee, coordinate, and develop a pilot program.

Upon consideration of the recommendations of those testifying, your Committees have amended this resolution as follows:

- (1) Requested the UH, Sea Grant to organize a voluntary task force to identify a cadre of fishery and marine resource experts;
- (2) Requested the DOE to work in collaboration with UH, Sea Grant;
- (3) Asked the task force to search for private funding in order to establish an independent office;

- (4) Made additional recommendations on the composition of the task force; and
- (5) Deleted provisions for the pilot program, materials, and assessment of the program.

The aforementioned amendments made it necessary to amend the title to read as follows:

"REQUESTING THE SEA GRANT PROGRAM AT THE UNIVERSITY OF HAWAII TO ORGANIZE A VOLUNTARY TASK FORCE TO IDENTIFY A CADRE OF AQUATIC RESOURCE EXPERTS WHO WILL BE UTILIZED AS GUEST LECTURERS IN THE ESTABLISHED MARINE SCIENCE PROGRAMS OF HAWAII'S SCHOOLS."

Your Committees on Ocean and Marine Resources and Education concur with the intent and purpose of H.R. No. 432, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 432, H.D. 1.

Signed by all members of the Committees except Representatives Hiraki and Shon.

SCRep. 1688-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on H.R. No. 275

The purpose of this resolution is to request that the President of the United States invoke restrictive trade sanctions against countries which continue to practice driftnet fishing. In addition, Korea and Taiwan, are specifically urged to halt fishing with this technique and to adopt the United Nations (UN) agreement which bans driftnetting.

Fishing with driftnets can decimate an entire fishery and indiscriminately kill a host of marine mammals, birds, and other forms of life. The United States has prohibited the use of driftnets and has been successful in securing Japan's endorsement of the United Nations resolution banning driftnet fishing.

Testimony supporting this resolution was received from the Maui Trailer Boat Club.

Inquiry was made of the President of Pacific Fishery Consultants who was present at the hearing. He indicated that considerable progress was being made on securing the commitment of other nations, and Taiwan and South Korea in particular, to adopt the United Nations resolution calling for a global moratorium on driftnetting.

Since your Committees do not want to impede any progress the President of the United States is making at the international level on this issue, the following amendments have been made:

- (1) Added information regarding the United Nations General Assembly Resolution 44/255;
- (2) Deleted the reference to the imposition of "stiff trade sanctions;" and
- (3) Added provisions that all available procedures under the law be utilized to elicit compliance with the UN resolution from offending nations.

Accordingly, your Committees have amended the title of this resolution to read:

"REQUESTING THE PRESIDENT OF THE UNITED STATES TO USE ALL AVAILABLE PROCEDURES TO SECURE COMPLIANCE WITH THE UNITED NATIONS MORATORIUM ON DRIFTNET FISHING FROM NATIONS THAT CONTINUE TO EMPLOY THIS TECHNIQUE."

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 275, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 275, H.D. 1.

Signed by all members of the Committees except Representative Hiraki.

SCRep. 1689-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on H.R. No. 311

The purpose of this resolution is to acknowledge the significance of a Pacific Island planning conference, sponsored by the State, during which participants will prepare for the United Nations Conference on Environment and Development. This meeting will provide an opportunity for participants to share ideas on environmental issues unique to the Pacific, develop positions on those issues, and begin to formulate a consensus on the manner in which recommendations from the conference can be fulfilled.

The State has recognized, in the Ocean Resources Management Plan and the State General Plan, its responsibility for the stewardship of our ocean-related resources. The community of Pacific Islands shares this diverse resource and it seems only prudent and wise that this larger community meet to discuss this obligation.

It is hoped that a copy of this resolution will be included in the materials utilized by the conferees.

Testimony in favor of this resolution was received from the Office of International Relations.

Since not all of the Pacific Island societies can be appropriately designated nations, your Committees have amended the title of this measure to read:

"SUPPORTING THE EFFORTS OF THE OFFICE OF INTERNATIONAL RELATIONS TO INVITE OUR PACIFIC ISLAND NEIGHBORS TO HAWAII FOR AN OCEAN-RELATED ENVIRONMENTAL CONFERENCE AS A PRELIMINARY PLANNING SESSION FOR THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT."

Further amendments were made to this resolution to conform with the amended title, reflecting a community of Pacific Island neighbors.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 311, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 311, H.D. 1.

Signed by all members of the Committees except Representative Hiraki.

SCRep. 1690-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on H.R. No. 423

The purpose of this resolution is to urge congressional support for the creation of a modern, up-to-date water quality research facility at the Oceanic Institute.

The Oceanic Institute is a non-profit, private research institution focusing on the development of aquaculture and has been successful in bringing into existence and co-managing the federally-designated applied aquaculture center located in Hawaii. Through cooperative funding, the State has also made a substantial commitment to the development of the aquaculture industry.

Testimony in support of this measure was submitted by the Oceanic Institute.

By establishing a state-of-the art water quality research facility at the Oceanic Institute, scientifically sound data can be secured and utilized not only in the field of aquaculture, but by State agencies, educational institutions and other interested parties. Recognizing the need to monitor water resources to safeguard public health, to effectively manage and protect the environment, and to ensure the success of Hawaii's aquaculture industry, your Committees believe that the development of a water quality lab at the Oceanic Institute could help achieve these goals.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs are in accord with the intent and purpose of H.R. No. 423 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1691-92 Intergovernmental Relations and International Affairs on H.R. No. 386

The purpose of this resolution is to obtain a more accurate reading of water pollutant discharge by requesting the Department of Public Works of the City and County of Honolulu to include a storm water quality sampling station in Waikiki for its National Pollutant Discharge Elimination System (NPDES) Program.

The sponsor of this resolution testified in favor of the measure citing the importance of obtaining thorough and accurate data with regard to water pollutant discharge in the Waikiki area to protect the public health of Hawaii's citizens and visitors.

Since the City and County of Honolulu has already selected sites for sampling stations required by the NPDES Program, your Committee has amended this measure to request the City and County of Honolulu to consider including an additional sampling station in Waikiki. Consequently, the title of this measure has been changed to: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONSIDER INCLUDING A STORM WATER QUALITY SAMPLING STATION IN WAIKIKI FOR ITS NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM."

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.R. No. 386, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 386, H.D. 1.

Signed by all members of the Committee.

SCRep. 1692-92 Education on H.R. No. 239

The purpose of this resolution is to request the Department of Personnel Services (DPS) to work with the Department of Education (DOE), the Hawaii Government Employees Association (HGEA), and the Educational Assistants' Association (Association) to streamline the hiring procedures for educational assistants (EAs) so that vacant positions can be filled on a timely basis to minimize disruption of needed services in the schools.

Testimony on this measure was submitted by the DPS, the DOE, the Association, and interested individuals. Testimony in favor of the resolution emphasized the frustration that EAs, teachers, and administrators face due to the temporary status of the positions. Most pointedly, the yearly civil service exam requirement and the poor communication lines between applicants, the DOE, and the schools have left many EAs highly disillusioned. Ultimately, they concluded, the students suffer because high turnovers result in discontinuity in personnel, that in turn leads to lesser quality

instruction. The exasperation of these EAs and teachers is further complicated with the lowered morale that accompanies this dilemma.

The DPS, however, testified in opposition to this resolution, stating that there has been enough studies and reports done to properly address this issue. They believe that the correct solution to the plight of the EAs is to increase legislative support and resources. The DPS submitted a budget request to convert the 767 temporary EA positions to permanent in the Executive Supplemental Budget of 1992, an action they believe will improve the timeliness in personnel transactions. They also noted that Senate Bill No. 2742 calls for a similar streamlined process for the filling of vacancies.

While your Committee fully appreciates the sensitive nature of this problem and is very cognizant of the work undertaken by all parties to resolve this issue, it believes that much can still be accomplished at the bureaucratic level to improve EA hiring procedures. For example, your Committee would like to see a streamlined process that eliminates the outdated applicant list process, the annual re-testing of personnel, and redundant job applications.

With consideration to all recommendations, your Committee has amended this resolution accordingly by:

- (1) Adding the following recommendations for the DPS, DOE, HGEA, and the Association to consider as initial steps in streamlining the hiring procedures:
 - (a) Grant permanent status to temporary EAs;
 - (b) Provide more funds for in-service training of EAs;
 - (c) Set a longer eligibility period for employment from one to five years; and
 - (d) Submit proposed legislation to the 1993 Legislature to transfer the management and operational control of EAs from the DPS to the DOE;
- (2) Requiring the DPS to report before the 1993 Legislature on the status of the actions taken to streamline EA hiring procedures; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Education concurs with the intent and purpose of H.R. No. 239, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 239, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Hashimoto, Stegmaier, Young and O'Kieffe.

SCRep. 1693-92 Education on H.R. No. 144

The purpose of this resolution as received by your Committee, is to request the Board of Education (BOE) to reexamine its policy regarding curriculum development and implementation.

In establishing policies to create and implement curricula, the BOE has faced an increasing number and variety of issues formerly assumed by the home. This has led to fragmented attempts to include narrowly-defined curricula, which in turn has led to diversion of funds that could be better spent for under-funded textbooks and classroom equipment.

Your Committee has amended the measure by deleting the substance, the purpose of which is to request the BOE to report on its progress on achieving the Hawaii Goals for Education.

Upon consideration, your Committee has amended this resolution by:

- (1) Broadening curriculum development and implementation to include alignment with the eight Hawaii Goals for Education;
- (2) Adding policy options and specific actions, for example, programs and services, for reaching each of the eight goals;
- (3) Deleting cost assessment by grade levels for implementing the curriculum; and
- (4) Amending the title of the resolution: "REQUESTING THE BOARD OF EDUCATION TO EXAMINE ITS POLICY REGARDING CURRICULUM DEVELOPMENT AND IMPLEMENTATION" to read as follows: "REQUESTING THE BOARD OF EDUCATION TO REPORT ON ITS PROGRESS ON ACHIEVING THE HAWAII GOALS FOR EDUCATION."

Your Committee on Education concurs with the intent and purpose of H.R. No. 144, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 144, H.D. 1.

Signed by all members of the Committee except Representatives Chun, Isbell, Santiago and Stegmaier.

SCRep. 1694-92 Education on H.R. No. 291

The purpose of this resolution is to request the Department of Education (DOE) to utilize a comprehensive user-oriented approach in the development, testing, and installation of the Financial Management System (FMS) and the Student Information System (SIS). A report would also provide the status on steps taken to implement recommendations made by the Legislative Auditor to improve the FMS, a status of any modification to improve the financial as well as student information systems, and the status of implementing a comprehensive user support and evaluation system relating to the FMS.

Testimony on this resolution was submitted by the DOE, the Hawaii Government Employees Association (HGEA), the United Parents for Education Coalition, and a concerned individual. The DOE stated that progress is being made to make both systems fully operational. The HGEA noted the concerns of users of both systems with respect to delays in calling up a screen, inaccessibility to get on-line on particular days, and problems with the software.

Your Committee senses that the early system and user problems have abated, yet recognizes that a better understanding on these problems will accelerate progress in the future.

This resolution has been amended by encouraging the DOE to work with users for identifying, as well as addressing, individual user needs of the systems.

Your Committee on Education concurs with the intent and purpose of H.R. No. 291, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 291, H.D. 1.

Signed by all members of the Committee except Representative Young.

SCRep. 1695-92 Education on H.R. No. 258

The purpose of this resolution is to urge the Governor to approve Board of Education (BOE) Policy 6700 regarding educational specifications and standards for facilities.

Your Committee has received a litany of complaints from school officials, students, parents, and others on the long delays in receiving approval on revisions or deviations from air-conditioning standards for temperature control. Concerns also have been received from Department of Education (DOE) officials about the Department of Budget and Finance's (B&F) role and expertise in reviewing educational specifications for facilities in the DOE.

Moreover, B&F's review and approval of revisions to educational specifications veers from the philosophy of school/community-based management that seeks to increase the autonomy of the Department and schools.

Testimony on this resolution was submitted by the DOE and the United Parents for Education Coalition.

Upon consideration of the testimony and thorough discussion by your Committee, this resolution has been amended by respectfully urging the Governor to either approve proposed revisions to educational specifications or rescind the Administrative Memorandum date November 19, 1987, to allow the DOE to exercise administrative control of Policy 6700.

Your Committee on Education concurs with the intent and purpose of H.R. No. 258, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 258, H.D. 1.

Signed by all members of the Committee except Representative Young.

SCRep. 1696-92 Education on H.R. No. 235

The purpose of this resolution is to request the Department of Education (DOE) to expedite the process necessary to construct a permanent administration and library building at Kaimiloa Elementary School.

Your Committee is sensitive to the frustrations voiced by Kaimiloa students, parents, and staff surrounding the construction of the administration and library facilities. However, because priority for new facilities is given for the establishment of additional classroom buildings, your Committee believes that this project should either be moved up in the district's capital improvement project matrix, or allocations for the school from the State Educational Facilities Improvement Special Fund should be increased, or both.

Accordingly, upon careful consideration, your Committee has amended this resolution by:

- (1) Requesting the Department of Education to submit a report to the Seventeenth Legislature of 1993 that shall include, inter alia:
 - (A) A detailed account of the actions taken to expedite the construction of a permanent administration and library building at Kaimiloa Elementary School;
 - (B) A list of the steps taken to increase the amount and effective period of the district's CIP matrix;
 - (C) An assessment of whether the hardships experienced at Kaimiloa Elementary School have been alleviated by the steps taken pursuant to this concurrent resolution; and
 - (D) A determination of whether current and future enrollment projections for the school have been accounted for during the revision of the school's master plan;

- (2) Requesting that the DOE consult with the Department of Accounting and General Services to expedite the process necessary to construct a permanent administration and library building at Kaimiloa Elementary School;
- (3) Stipulating that a certified copy of this concurrent resolution be transmitted to the Comptroller; and
- (4) Making technical, nonsubstantive revisions for the purposes of clarity and style.

Your Committee on Education concurs with the intent and purpose of H.R. No. 235, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 235, H.D. 1.

Signed by all members of the Committee except Representative Young.

SCRep. 1697-92 Education and Water, Land Use, and Hawaiian Affairs on H.R. No. 358

The purpose of this resolution is to request the Department of Education (DOE) to report on its current efforts and recommendations to improve the delivery of programs and services to gifted and talented native Hawaiian students.

Your Committees uphold the value of programs and services provided to gifted and talented students while equally upholding the value of providing these programs and services to all students regardless of their ethnicity. As such, any policy or practice that separates students strictly along ethnic lines runs contrary to the Legislature's philosophy of providing educational opportunities equally to all students.

Testimony for this resolution was submitted by the DOE; the Office of Hawaiian Affairs (OHA); the University of Hawaii at Manoa's College of Education; the University of Hawaii at Hilo's Center for Gifted and Talented native Hawaiian Children (Na Pua No'eau program); the Waimanalo Health Center; Juniroa Productions, Inc.; and a concerned individual. The testimony indicated that there is general disagreement on the philosophy of what should be the criteria for alarm when recognizing the disproportionate ratios of students in gifted and talented programs. Two arguments presented by testifiers highlight the issue:

- (1) The DOE believes that access to the gifted and talented program is provided equally to all students, and that any effort to single out one ethnic groups would, "compromise the standards and quality of services for particular groups"; and
- (2) The overwhelming under-representation of native Hawaiian students in the gifted and talented program (made glaringly obvious through statistics provided by OHA, who reports that native Hawaiian children comprise twenty-two percent of the public school population, yet comprise only eleven percent of gifted and talented students) warrants an investigation on procedures of admittance policies and practices so that no group of students is unintentionally denied entry into the program.

Your Committees believe that whenever any ethnic group is grossly under-represented in any educational excellence program, a vigorous effort must be made to understand why this condition exists and how it might be corrected.

Upon consideration of all the testimony, this resolution has been amended by:

- (1) Amending the above-referred title: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON ITS CURRENT EFFORTS AND RECOMMENDATIONS TO IMPROVE THE DELIVERY OF PROGRAMS AND SERVICES TO NATIVE HAWAIIAN CHILDREN WHO ARE GIFTED AND TALENTED" to read as follows: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS POLICIES AND PRACTICES AND REPORT ITS CURRENT EFFORTS AND RECOMMENDATIONS TO IMPROVE THE DELIVERY OF PROGRAMS AND SERVICES TO NATIVE HAWAIIAN CHILDREN AND CHILDREN OF OTHER UNDER-REPRESENTED ETHNIC GROUPS WHO ARE GIFTED AND TALENTED";
- (2) Including references to the Na Pua No'eau program for its work in identifying gifted and talented native Hawaiian students, and recommending their inclusion in the review process;
- (3) Expanding the scope of the review to include:
 - (a) The policies and practices of the gifted and talented program; and
 - (b) Other ethnic groups that are similarly under-represented in the gifted and talented program; and
- (4) Adding the Director of the Na Pua No'eau program to the section of this resolution.

Your Committees on Education and Water, Land Use, and Hawaiian Affairs concur with the intent and purpose of H.R. No. 358, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 358, H.D. 1.

Signed by all members of the Committees except Representative Hiraki.

SCRep. 1698-92 Planning and Economic Development on H.R. No. 301

The purpose of this resolution is to request the State Board of Land and Natural Resources to consider a subzone classification of "protective" for all conservation lands in Waikane and Waiahole Valleys on Oahu and to deny any golf course development on land designated as Tax Map Key Nos. 4-8-06:01 and 4-08-14.

The Chairman of the Board of Land and Natural Resources, representatives from the Waiahole-Waikane Community Association, the Concerned Residents of Waiahole-Waikane and Kahaluu Neighborhood Board #29 gave testimony in support of this measure.

Your Committee found the scope of the resolution too broad and amended the resolution be limited to the 326.76 acres designated as Tax Map Key 4-8-06:01. All testifiers were in support of the amendment.

Your Committee finds that the Land Use Commission has recently reclassified 326.76 acres in Waikane Valley, Oahu, from agriculture to conservation and did not incorporate the whole of Waikane and Waiahole Valley lands, portions of which currently lie in the conservation district. As a result, the immediate action before the Land Board is to subzone the new conservation lands in accordance with the criteria set for in administrative rules.

Your Committee further notes that the Board of Land and Natural Resources will be conducting a comprehensive review of its Conservation Lands Plan, which is the basis for a review of their administrative rules and existing subzones. This will result in a review of the subzone classifications of all conservation district lands. Therefore, your Committee finds that it would be untimely to request the Board of Land and Natural Resources to consider the subzone designations of other adjacent lands in Waiahole and Waikane Valleys.

Your Committee finds that the reason for the request to classify this area in the "protective" subzone is to prevent the development of a golf course which is not supported by the communities of Waiahole and Waikane Valleys. In the event that the "protective" subzone designation is not selected, your Committee believes that any conservation district use application that is submitted to the Board of Land and Natural Resources for the purpose of developing a golf course be denied.

Your Committee has amended the title of the bill as follows: "REQUESTING THE STATE BOARD OF LAND AND NATURAL RESOURCES TO CONSIDER A SUBZONE CLASSIFICATION OF "PROTECTIVE" FOR THE CONSERVATION DISTRICT LANDS OF WAIKANE VALLEY ON OAHU DESIGNATED AS TAX MAP KEY 4-8-06:01 AND TO DENY ANY REQUEST FOR DEVELOPMENT OF THIS AREA FOR THE PURPOSE OF A GOLF COURSE."

Your Committee has further amended the resolution to eliminate reference to Waiahole Valley lands and other lands in Waikane Valley that are outside the boundaries of Tax Map Key No. 4-8-06:01. Your Committee has also made nonsubstantive amendments for the purpose of clarity.

Your Committee on Planning and Economic Development concurs with the intent and purpose of H.R. No. 301, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 301, H.D. 1.

Signed by all members of the Committee.

SCRep. 1699-92 Consumer Protection and Commerce on H.R. No. 346

The purpose of this resolution is to request the Housing Finance and Development Corporation (HFDC) to develop a proposal for a direct loan program to assist qualified single-family, multi-family and cooperative lessees in obtaining low-interest loans to acquire the fee title to their leasehold properties.

Your Committee heard testimony in support of the measure from HFDC, Kamehameha Schools/Bernice Pauahi Bishop Estate and a private citizen.

Your Committee supports this effort to stimulate voluntary conversion of leasehold properties.

The study is due in 1993, but your Committee recognizes that HFDC may be charged by the Legislature with producing other reports during the interim. These measures, if enacted, would require HFDC to research, develop, and establish criteria and rules for the rental housing trust fund; down payment loan program; mortgage guaranty program; multi-family mortgage insurance program; rent to own program; homebuyers club program; and mutual housing association program. Your Committee intends HFDC to set a priority in these other measures, if enacted. However, if HFDC does not have the resources to fully address the requirements of this resolution because of the requirements to produce all of the other aforementioned reports, this Committee intends HFDC to produce an interim report addressing the concerns raised in this resolution. HFDC is agreeable to this approach.

Your Committee amended the resolution to clarify HFDC's tasks, and to clarify that the loan program is to assist lessors to acquire residential properties, including cooperatives.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 346, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 346, H.D. 2.

Signed by all members of the Committee except Representatives Amaral, Peters, Takamine and Thompson.

SCRep. 1700-92 Consumer Protection and Commerce on H.R. No. 429

The purpose of this resolution is to urge the Department of Taxation (DOTAX) and representatives from Hawaii's local wholesale liquor industry (liquor industry) to arrive at a compromise regarding the potential reformation of Hawaii's Liquor Tax Law.

Supportive testimony was submitted by the Department of Taxation, and the Wholesale Liquor Dealers Association.

Your Committee finds that there has been much controversy and dispute between the State and the liquor industry regarding Hawaii's Liquor Tax Law. The impetus for debate has stemmed from questions over the equity and effectiveness of the "escalator clause" of the liquor tax law--an automatically adjusted rate-setting mechanism based on: the volume of products sold; and changes in the unit price of products over a designated time period.

During the Sixteenth Legislature of 1991, your Committee reviewed the provisions of S.B. No. 1812, a measure which represented attempts by DOTAX and the liquor industry to arrive at a compromise regarding the manner in which alcoholic beverages are taxed in the State. At the public hearing for this measure, your Committee heard drastically opposing positions by DOTAX and the liquor industry on the continued utilization of the "escalator clause":

- (1) The DOTAX position: The implementation of the "escalator clause" has significantly reduced the State's ability to generate revenue from liquor sales. It was estimated that the provisions of the current liquor tax law had cost the State over \$7 million in lost revenues when compared to the amount of revenues that would have been generated from the ad valorem tax, an excise tax on alcoholic beverages that was used prior to the adoption of the current liquor tax law. In addition, in similar comparisons made for the fiscal years following 1986, the year the current law was established, the total liquor tax revenues collected would have been 18.1 percent less than the revenues generated if the ad valorem tax on liquor sales was still in use; and
- (2) The liquor industry position: The elimination of the "escalator clause" would precipitate the increased taxation of alcoholic beverages in the State. Any increase in the liquor tax would seriously threaten the stability and viability of the entire liquor industry. In addition, the costs attributed to an increase in the liquor tax would likely be passed along to the consuming public in the form of higher prices or shortages of certain products at the marketplace.

In light of these concerns, the Sixteenth Legislature of 1991 chose to extend the provisions of the current liquor tax law to July 1, 1993, to allow DOTAX and members of the liquor industry a period to discuss the issues and accord an agreement regarding the future of the "escalator clause". The Legislature found that the only way to adequately address these concerns would be for DOTAX and the liquor industry to reach a compromise on any future proposal regarding the reformation of Hawaii's liquor tax law.

Although this assertion was noted in Conference Committee Report No. 154 on S.B. No. 1812, your Committee believes that the provisions of this resolution are necessary to:

- (1) Reaffirm the legislative intent behind extending the provisions of the "escalator clause" to July 1, 1993; and
- (2) Instruct the affected parties to submit the compromise proposal to the Legislature prior to the next regular session so that committee members may thoroughly assess the proposal before the start of the legislative process.

While your Committee is in accord with the intent of this resolution, your Committee believes that DOTAX and the liquor industry should also examine the following subjects, inter alia, during the development of the compromise proposal:

- (1) The possible establishment of a liquor tax system based on the alcoholic content of products (or the "proof" of a beverage); and
- (2) The manner in which other states tax alcoholic beverages.

Representative from both DOTAX and the liquor industry did not object to this stipulation and noted that no further clarification or revision to this resolution was necessary for these areas to be assessed.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 429 and recommends its adoption.

Signed by all members of the Committee except Representative Peters.

SCRep. 1701-92 Housing on H.R. No. 328

The purpose of this resolution is to request that the Housing Finance and Development Corporation (HFDC) and the Hawaii Housing Authority (HHA):

- (1) Study the housing programs of the Singapore government;
- (2) Assess the applicability of strategies utilized by the foregoing programs to the housing situation in Hawaii; and
- (3) Develop strategies therefrom to address Hawaii's affordable housing problems.

Testimony was submitted by the Housing Finance and Development Corporation and the Hawaii Housing Authority.

Upon careful consideration, your Committee has amended this resolution by:

- (1) Changing the study by HFDC and HHA to a workshop sponsored by the Committee on Housing of the House of Representatives;
- (2) Inviting individuals with hands-on experience and expertise with the Singapore's housing programs and infrastructure development; and
- (3) Making technical, non-substantive revisions for the purposes of clarity and style.

Your Committee on Housing concurs with the intent and purpose of H.R. No. 328, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 328, H.D. 1.

Signed by all members of the Committee except Representative Shon.

SCRep. 1702-92 Housing on H.R. No. 321

The purpose of this resolution is to request the Housing Finance and Development Corporation to report its development plans for the Waikiki Community Center.

The resolution states that informal consideration has been given by the Housing Finance and Development Corporation to the feasibility of changing the Waikiki Community Center's location in order to construct affordable rental housing on its present site. The resolution points out that the Waikiki Community Center is heavily used by the community. Nine public health and social service organizations operate from the center, not including the meeting rooms that are provided.

Your Committee finds, after further discussion and research, the Housing Finance and Development Corporation found that replacing the Waikiki Community Center with affordable rental housing would not be feasible due to the cost of replacing the services which the Community Center provided. It was then discussed that the Housing Finance and Development Corporation should study other possible sites in Waikiki for affordable rental housing.

Testimony was submitted by Housing and Finance and Development Corporation, Waikiki Tenants United, and several concerned individuals.

Upon careful consideration, your Committee amends House Resolution 321 to have the Housing Finance and Development Corporation: (1) identify vacant lots, under-utilized units or non-conforming units which could be used as long-term residential rentals in Waikiki, and (2) provide a report of their findings.

The report includes the following guidelines:

- (1) Report the actual need for affordable rental units in Waikiki.
- (2) Identify vacant lots which could be developed into multi-family residential units.
- (3) Identify under-utilized units or non-conforming units being used as transient vacation rentals which could in fact be used as long-term residential rentals.
- (4) Identify those buildings that have empty units which could be used as is or in need of renovation for residential rental units.
- (5) Identify sources of funding from federal, state, county and private sources to assist in the development of such rental units.
- (6) Provide assessment of infrastructure needs at possible affordable rental sites.
- (7) Provide suggestions on what the state could do to assist and aid various profit and non-profit organizations such as hotels, churches, and other organizations to effect the building of affordable rental units.
- (8) Work with groups such as the Neighborhood Boards, Waikiki Tenants United, Hawaii Hotel Association, Waikiki Residence Association, other tenant groups and residents in collecting and evaluating data in order to identify the need for affordable rental housing in Waikiki.
- (9) Provide recommendations for proposed legislation to modify landlord/tenant codes to assist in relocation of displaced tenants.

Your Committee on Housing is in accord with the intent and purpose of H.R. 321, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 321, H.D. 1.

Signed by all members of the Committee.

SCRep. 1703-92 Housing and Intergovernmental Relations and Internatioinal Affairs on H.R. No. 320

The purpose of this resolution is to request that the Legislative Reference Bureau conduct a study to:

- (1) Determine whether revisions to Chapter 53, including but not limited to Sections 53-23, 53-32, 53-34, 53-35, and 53-36, are necessary, in light of the current controversy at the Queen Emma Gardens project;
- (2) Investigate transactions involving any transfer of ownership interest in the Queen Emma Gardens project, including transactions involving the Hawaii Community Foundation, the Queen Emma Gardens Redevelopment Corporation, the Black Development Corporation, and the Hawaiian Trust Company;
- (3) Determine the effects which such transactions have had or similar transactions will have on the affordable housing market in Hawaii;
- (4) Compile a list of statutory amendments necessary to prevent the occurrence of similar transactions in the future, should it be determined that these transactions are not in the best interests of the community;
- (5) Draft legislation necessary to address the foregoing issues; and
- (6) Submit a report of its findings, recommendations, and legislative proposals to the Legislature at least twenty days prior to the convening of the Regular Session of 1993.

Your Committees received favorable testimony from the Queen Emma Gardens Tenants' Association, a retired public health nurse and the Hawaiian Trust Company.

The issue of U.S. Department of Housing and Urban Development (HUD) housing and the possible twenty to thirty housing projects throughout the State of Hawaii directly affected by this resolution was discussed during the public hearing.

Upon consideration of the testimony, your Committees have expanded the scope of this resolution to include all HUD housing projects in Hawaii and have amended this resolution by:

- (1) Amending the title to read: "REQUESTING A COMPREHENSIVE REVIEW OF CHAPTER 53, HAWAII REVISED STATUTES, THE "URBAN RENEWAL LAW" AS IT RELATES TO U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) PROJECTS IN HAWAII."
- (2) Requesting that the Housing Finance and Development Corporation (HFDC) work with the counties of Kauai, Hawaii, Maui, and the City and County of Honolulu Department of Housing and Community Development, to do the following:
 - (a) Determine the location and number of HUD and non-HUD projects which are covered by Chapter 53 of the Hawaii Revised Statutes and for which the government limitations/restrictions regarding affordable rental housing will expire in the next decade;
 - (b) Study the impact of possible dissolution of HUD guaranteed or HUD subsidized housing projects which are part of the urban renewal plan and the effects of such transactions on the availability of rental housing in the City and County of Honolulu or the State of Hawaii;
 - (c) Determine whether the dissolution of Chapter 53 urban renewal projects are in the best interest of the community and/or thwart the purpose of the urban renewal plan and, if so, compile a list of statutory amendments necessary to implement the purpose of the urban renewal plan; and
 - (d) Determine whether revisions to Chapter 53, including but not limited to Section 53-23, 53-32, 53-34, 53-35, are necessary, in light of concerns over rapidly escalating rents at certain urban renewal and federally insured housing projects; and
 - (e) Draft legislation necessary to address the foregoing issues; and
 - (f) Submit a report of its findings, recommendations, and legislative proposals to the Legislature at least twenty days prior to the convening of the Regular Session of 1993.

Your Committees on Housing and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 320, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 320, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Duldulao, Hashimoto, Horita, M. Ige, Peters, Yonamine and Ward.

SCRep. 1704-92 Housing; Intergovernmental Relations and International Affairs; and Water, Land Use, and Hawaiian Affairs on H.R. No. 273

The purpose of this resolution is to urge the counties to work with the Department of Hawaiian Home Lands, representatives of the Hawaiian community, architects, community planners and the American Planning Association to:

- (1) Establish minimal interim development standards that would allow the occupation and development of homes on Hawaiian Home Lands house lots prior to the completion of county standard infrastructure;
- (2) Determine the minimum interim development standards compatible with public health, safety, and welfare that will allow such early development; and

- (3) Balance the requirement imposed by interim development standards with the cost to native Hawaiians and the community of homelessness which leads too many native Hawaiians to house their families in tents at public beach parks.

Testimony was submitted by the Department of Hawaiian Home Lands, the American Planning Association, and the native Hawaiian Legal Corporation.

Upon careful consideration, your Committees have amended this resolution by:

- (1) Urging the evaluations of county building codes with the intent to grant exemption, where applicable, for the purposes enumerated herein; and
- (2) Examining the feasibility of obtaining waivers from the uniform building codes, set by the United States' Department of Housing and Urban Development and the Federal Housing Administration.

Your Committees on Housing and Intergovernmental Relations and International Affairs and Water, Land Use, and Hawaiian Affairs concur with the intent and purpose of H.R. No. 273, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 273, H.D. 1.

Signed by all members of the Committees except Representatives Bunda, Hiraki, Takamine, Taniguchi, O'Kieffe, Tatibouet and Ward.

SCRep. 1705-92 Ocean and Marine Resources and Transportation on S.C.R. No. 70 (Majority)

The purpose of this concurrent resolution is to provide prior legislative authorization pursuant to Section 171-53(C), Hawaii Revised Statutes, to the Board of Land and Natural Resources to grant an easement over and/or to lease to Haseko (Hawaii), Inc., the submerged lands under the jurisdiction of the Department of Land and Natural Resources situated in Ewa, Oahu, for the purpose of the development, use, and maintenance of a marina.

Testimony was received from the Department of Land and Natural Resources and Haseko (Ewa), Inc.

Your Committees find that at present, there is a large unmet demand for berthing and mooring facilities for boaters throughout the State. The Department of Transportation has indicated that there are in excess of 2,300 boaters on the waiting list for berthing or mooring space on Oahu alone. Haseko (Hawaii), Inc., is pursuing plans to develop the Ewa Marina Community Development Project which will include a full-service recreational marina with 1,400 boat slips. In addition to addressing some of the recreational needs of Hawaii's boaters, this marina will serve as a stimulus for business and light industry.

Your Committees further find that also included in the Ewa Marina Community Development Project as additional components to support the marina are restaurants, meeting facilities, sundry and specialty stores, and visitor accommodation units. Your Committees understand that concern has been expressed regarding the potential negative impact that a constant influx of visitors may have on the character of the neighboring residential community and in relation to shoreline and ocean use. Your Committees believe that it is imperative that prior to the granting of an easement over and/or the leasing of submerged lands for the development of this marina, that all environmental, economic, and social impacts on the immediate and surrounding areas be thoroughly evaluated.

Your Committees have amended this concurrent resolution to include an expression of concern regarding the inclusion of visitor accommodation units to support the marina and to recommend that the appropriate entities responsible for approving land use authorizations implement provisions which would minimize any adverse impact created by the development of the marina or its supporting facilities. A provision has also been added to withdraw the legislative authorization expressed by this concurrent resolution if by July 1, 1997, the Board of Land and Natural Resources has not granted an easement over and/or leased to Haseko (Hawaii), Inc., the submerged lands for this marina. Additional amendments were made for the purpose of consistency.

In addition, your Committees wish to note a concern that there may exist a connection between an increase in the incidence of ciguatera poisoning in fish and the dredging of channels and the excavation of shorelines which this development will require. While this connection has never been verified, your Committees recognize the need for effective water quality monitoring in the area and encourage the Department of Health and other appropriate agencies to ensure that this take place. Your Committees are encouraged by the fact that the developer has made a commitment to take appropriate action should there be a clear indication of a relationship between an increase in ciguatera poisoning in fish in this area and the developer's construction activity.

Your Committees on Ocean and Marine Resources and Transportation concur with the intent and purpose of S.C.R. No. 70, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 70, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Horita, Ihara and Santiago.
(Representative Hagino did not concur.)

SCRep. 1706-92 Judiciary on S.B. No. 2234

This bill proposes constitutional amendments to eliminate holdover senators by providing for the expiration of the terms of office of all senators at the general election at which a new apportionment plan becomes effective. The bill also provides for the recomputation of staggered terms at that election.

Under present law reapportionment can result in several problems:

- (1) Some communities will go six years between senatorial elections;
- (2) All of the constituents of some districts find themselves represented by senators elected from, and possibly residing in, completely different areas; and
- (3) Virtually all holdover senators inherit significant new territory in which they did not previously campaign or stand for election.

Under this bill, there will be no holdover senators when the next reapportionment plan takes effect. All senate terms will expire in the year 2002. Senators whose terms were shortened by the occurrence of the reapportionment year, if reelected in 2002, are to be assigned to serve four-year terms. All other senators will serve two years, unless the number assigned to serve a two-year term exceeds twelve. In that case the number shall be reduced to twelve by random selection as provided by law.

Testimony in support of this bill was submitted by the Director, United Public Workers, AFSCME, Local 646, AFL-CIO, and three private citizens.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2234, 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. 1707-92 Health and Human Services on H.R. No. 435

The purpose of this resolution is to request the Department of Health to develop a plan for the implementation of its principles of care for emotionally handicapped children and adolescents.

Representatives of the Department of Health, the Hawaii Public Health Association, and the State Advisory Council on Mental Health and Substance Abuse testified in support of this resolution. All three described serious inadequacies in current programs for serving emotionally handicapped children and adolescents.

Your Committees have amended this resolution by:

- (1) Requesting that all agencies involved in the State cluster actively support the development of a comprehensive plan of action, and
- (2) Directing that those agencies be sent certified copies of this concurrent resolution.

Your Committees on Health and Human Services concur with the intent and purpose of H.R. No. 435, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 435, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1708-92 Health on H.R. No. 416

The purpose of this resolution is to request the State Planning Council on Developmental Disabilities to conduct a study regarding staff, decreasing population, and the cost-effectiveness of the operation of the Waimano Training School and Hospital.

A representative of the Department of Health supported the resolution's intent but also stated that another study is not needed at this time because the Department already is valiantly attempting to maximize its resources for persons with developmental disabilities and to maintain quality of care at Waimano Home. A representative of the State Planning Council on Developmental Disabilities testified that the study is necessary to provide needed guidance on how best to proceed with the downsizing of the institution. One individual also submitted testimony.

Your Committee has amended this resolution by adding the following to the topics and issues to be studied:

- (1) The impact of Medicaid and social security benefits on the costs of providing institutional and community-based services;
- (2) Cost breakdowns for direct and indirect costs of operating the facility,
- (3) Circumstances in which Medicaid certification might be unproductive, and
- (4) Possible advantages to continuing the operation of Waimano.

Your Committee on Health concurs with the intent and purpose of H.R. No. 416, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 416, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1709-92 Health on H.R. No. 319

The purpose of this resolution, as reported to your Committee, is to request the State Health Planning and Development Agency (SHPDA) to conduct a comprehensive review of home health care services provided on the island of Hawaii.

Representatives from the SHPDA, the Kona Hospital Cancer Program, the Personnel Pool of Hawaii, and individuals of the Kona community testified on this measure. All testimony received was in support of this resolution, with the exception of testimony from Medical Personnel Pool.

The representative from SHPDA proposed changes to the resolution that would further the Committee's intent of receiving a comprehensive study of the issues surrounding Home Health Care in West Hawaii. The changes proposed for the sixth paragraph, second page are as follows:

- 1) Changing the date for the SHPDA's final report to the Legislature to twenty days prior to the convening of the Regular Session of 1993;
- 2) Amending the list of providers of home health services to include all current providers, Medical Personnel Pool, and Kohala Home Health Care Agency, as well as Hilo Hospital;

Your Committee concurred with purpose and phrasing of the SHPDA's amendment and the bill was so amended.

Your Committee feels that this bill furthers the Legislature's intent of providing a greater level of access to medical services in the Hawaii's medically underserved communities.

Your Committee on Health concurs with the intent and purpose of H.R. No. 319, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 319, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1710-92 Planning and Economic Development on S.C.R. No. 55

The purpose of this resolution is to request the Office of State Planning and the Department of Business, Economic Development and Tourism to determine the feasibility of establishing public warehouses and to consider other alternatives to address the need for industrial sites near sea and air cargo terminals.

There exists a need for the State to review this issue because as warehouses and other distribution businesses move further from the terminals where goods arrive, transportation costs increase and consumers pay higher prices for goods.

The Office of State Planning, Department of Business, Economic Development and Tourism, Construction Industry Legislative Organization, Industrial Business Association and Hawaii Transportation Association testified in favor of the resolution.

Your Committee finds from the testimony that public warehouses can be government-owned or privately-owned and that the feasibility study is not limited to warehouses which are government-owned.

Your Committee also finds that the feasibility study should include looking for suitable sites for warehouses near sea and air cargo terminals.

Your Committee on Planning and Economic Development concurs with the intent and purpose of S.C.R. No. 55, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1711-92 Health; Human Services; and Legislative Management on S.C.R. No. 76

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the various support and assistance services offered in Hawaii to children with cancer and their families, identify the gaps in services, and make recommendations as to the solutions that would eliminate the gap.

The State Commission on Persons with Disabilities; the Department of Health (DOH); Kapiolani Medical Center for Women and Children; Hawaii Children's Cancer Foundation; parents; and health professionals submitted testimony in support of the concurrent resolution.

Your Committees has adopted the recommendations submitted by the DOH, with the agreement of supporters of this concurrent resolution, and has made the following amendments:

- (1) Adding a "Whereas" paragraph recognizing that children with cancer and other serious illnesses have similar basic needs in health care financing, medical care coordination, and support services; and

- (2) Adding a "Be It Resolved" paragraph requesting the Legislative Reference Bureau to report on possible applications of its findings and recommendations to improve services for all children with serious illnesses or disorders.

Your Committees on Health, Human Services, and Legislative Management concur with the intent and purpose of S.C.R. No. 76, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 76, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representative Kihano.

SCRep. 1712-92 Health and Human Services on H.R. No. 201

The purpose of this resolution, as received, is to request the Department of Health in collaboration with the Department of Human Services to develop a long-range plan for the comprehensive care of patients with Hansen's Disease.

The Department of Health testified in support of this resolution.

Your Committees recognize that the aging patient population at Kalaupapa and Hale Mohalu will dictate a necessary change in the type of care and delivery of services currently provided at these facilities.

Your Committees have amended this resolution as follows:

- (1) The title has been expanded to include the Kalaupapa Patients Advisory Council as a collaborating body in the development of a long-range plan to care for Hansen's Disease patients.
- (2) Housing for health professionals is to be included in the long term plan for the comprehensive care of patients with Hansen's Disease in Hawaii.

Your Committees on Health and Human Services concur with the intent and purpose of H.R. No. 201, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 201, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1713-92 Health and Intergovernmental Relations and International Affairs on S.C.R. No. 18 (Majority)

The purpose of this concurrent resolution is to:

- (1) Urge the President of the United States and Congress to rescind the ban imposed by the Food and Drug Administration (FDA) on importation for personal use of RU-486, the antiprogestosterone steroid mifepristone; and
- (2) Support the availability of RU-486 and other related agents for all appropriate research and clinical trials in the United States.

Your Committees find that RU-486, a potentially life-saving drug, must be allowed to be researched and tested in the United States in order to fully explore its capabilities. Access to this drug in the United States has been severely hampered, however, because of its use in terminating early pregnancies in a safe, effective way under the supervision of a physician.

Although the FDA's ban is only on personal use, appropriate research on RU-486 has been effectively stifled. Lifting the ban will not only grant American women access to a safe, effective and non-invasive treatment for the termination of early pregnancy, but will also allow continued research of RU-486 as a treatment for medical conditions such as Cushing's Syndrome, some breast and brain cancers, prostate cancer, endometriosis, ovarian cancer, osteoporosis, and AIDS.

Your Committees on Health and Intergovernmental Relations and International Affairs concur with the intent and purpose of S.C.R. No. 18 and recommend its adoption.

Signed by all members of the Committees except Representative Peters.
(Representative Ward did not concur.)

SCRep. 1714-92 Health and Intergovernmental Relations and International Affairs on H.R. No. 180

The purpose of this resolution is to plan and develop options on how aviation resources can be utilized for emergency aeromedical evacuation support services statewide in collaboration with state and county agencies including federal and military branches of service.

Your Committees received testimony in support of the resolution from the State Department of Defense and the Department of Health.

Your Committees have adopted the compromise language submitted by the Department of Defense and amended the resolution as follows:

- (1) Additional language was inserted on page 2, paragraph 3, asking for the retainment and modification of the Hawaii Army National Guard Aviation unit in Hilo, Hawaii, to provide backup aeromedical evacuation support to the Big Island's emergency medical transport system.
- (2) Additional language was inserted on page 2, paragraph 5, requesting the State Department of Defense to continue pursuing the retention and conversion of its Hawaii Army National Guard assets at Hilo.
- (3) Language on page 3, "the Commanding General, U.S. Army, Western Command", has been amended to read "the Commanding General, U.S. Army, Pacific".

Your Committees on Health and Intergovernmental Relations and International Affairs concur with the intent and purpose of H.R. No. 180, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 180, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1715-92 Health and Ocean and Marine Resources on H.R. No. 187

The purpose of this resolution is to request the Department of Health (DOH) to perform a comprehensive evaluation of the sewage treatment needs of Oahu's North Shore region (North Shore) which addresses, inter alia, the following issues:

- (1) The detrimental effects of wastewater from cesspools on public safety and the environment;
- (2) The feasibility of installing a sewage treatment system;
- (3) The feasibility of using alternative methods to solve the area's sewage problems, including the cost of such alternatives; and
- (4) The estimated time frame of government agency response to remedy the area's sewage problems.

The DOH submitted testimony which indicated that there are approximately 5,400 cesspools existing in the North Shore Oahu area. Because of caprock and high water table conditions, the area has a relatively high cesspool failure rate of twenty percent. Seepage from cesspools may contaminate valuable underground potable water sources and cause degradation of shoreline waters. Accordingly, resolution of the wastewater management problems of the North Shore area is a high priority.

The Department of Public Works of the City and County of Honolulu commented that the wastewater management needs for the area from Kaena Point to Waimea Bay were addressed in the Waialua-Haleiwa Facilities Plan dated September 1987, but that implementation of the plan is on hold while the wetland alternative is being evaluated. Additionally, the wastewater management needs for the area from Waimea Bay to Kaoio Point (Kaaawa) were addressed in the North Oahu Facilities Plan, dated March 1985, which recommended no action. Finally, the Department of Public Works recommended that any re-evaluation for the North Shore Oahu area be in accordance with Section 201 of the Federal Water Pollution Control Act relating to facilities' plans so project construction will qualify under the State Revolving Fund program.

Your Committees believe that an evaluation of the current sewage treatment needs and situation on the North Shore is warranted, given the adverse impact which cesspool failure and untreated wastewater may have on the public health and the environment.

Your Committees on Health and Ocean and Marine Resources concur with the intent and purpose of H.R. No. 187 and recommend its adoption.

Signed by all members of the Committees except Representative Peters.

SCRep. 1716-92 Health and Education on H.R. No. 236

The purpose of this resolution, as reported to your Committees, is to encourage the Department of Education to work with the Department of Health and explore the possibilities of establishing a "postpone sexual involvement program," which will encourage abstinence from sex as an option for Hawaii's public school students.

Testimony was received in opposition to this resolution from the Department of Health and the Department of Education. Testimony in support of this measure was received from representatives of Hawaii Right to Life, the Children's Hospital Medical Center of Cincinnati, Ohio, the Teen Intervention Program of the Kapiolani Medical Center for Women and Children, the Governor's Committee on HIV/AIDS, and various members of the public who were representing themselves. Testimony in opposition to the content of the resolution but in support of its intent was also received from a member of the public.

Discussion centered on the general need for these types of programs, the history of their success in other localities, the existing sex education in the DOE, and the varying statistics that exist and are needed for an understanding of Hawaii's situation.

Regarding the general need for this type of program, members of the general public recounted all of the possibly harmful and deadly results of sexual activity for those who are active: unwanted pregnancies, abortions, infection with gonorrhea, syphilis and other sexually transmitted diseases -- especially infection with HIV and the possible development

of AIDS. Some members of the public gave testimony based on their own experiences as teenage mothers and as parents of teenagers. The representative from the Governor's Committee on HIV/AIDS noted that "Because of the lengthy incubation period before HIV manifests itself, many of the AIDS cases now appearing in twenty to thirty year olds were likely acquired during adolescence."

Testimony was given stating that there are certain comprehensive sexual education programs which do not provide information on contraceptives except at the request of parents. The contention of those giving testimony is that these programs are much more successful at achieving high levels of abstinence in the groups who go through the program. Programs around the country that were noted as possible models were the Sex Respect program (no specified location); the Teen Aid program in Spokane, Washington and San Marcos, California; and the Postponing Sexual Involvement Program in Cincinnati, Ohio and Atlanta, Georgia.

Discussion on these programs and their approaches led to an inquiry of what type of programs are currently available in the schools. On questioning, the representative from the Department of Education stated that in the four year high school program, a one half credit health course is required that lasts one semester; this course is usually taken by first year or sophomore students. Roughly two weeks of that time is spent on sexual education. Certain other programs that are associated with the DOE also deal with these issues; a representative of the Teen Intervention Program noted that they bring in teens who have experienced pregnancy themselves to lead talks, and these talks are well received by the students. It was also mentioned by some members of your committees that the Peer Education Program, which is not widespread in the schools as of yet, provides an arena for dealing with these issues.

The general feeling of those who gave testimony was that the current amount and quality of sex education in the schools was most likely inadequate, though the lack of reliable statistics makes any assessment of success difficult. Your Committees concurred with this feeling. It was also noted by your Committees that sex education needs to be integrated throughout all subjects because the decision to be sexually active is one which is based on an individuals' total experience of themselves and the world that they live in. In relation to this it was noted by members of your Committees that there is a need for sex education to be sensitive to those who have experienced or are experiencing sexual abuse or assault.

Debate arose regarding the accuracy of the statistics which were referred to in the resolution. The representative from the DOE did not know whether or not her department collected any statistics on the occurrence of pregnancies in teens enrolled as public school students. Your Committees were also unable to establish the accuracy of any Hawaii's teen pregnancy rate against other states in the nation.

As a result of discussion with those who testified in the hearing, your Committees have made the following substantial amendments to the resolution:

- (1) The title of the resolution was amended to reflect all changes in the resolution;
- (2) Three new paragraphs were inserted at the beginning of the resolution to reflect the Committees' concern with the inadequacy of the integration of sex education in the public schools, the lack of data available on the levels of sexual activity by public school students, and the small amount of time that is devoted to sex education;
- (3) The first four paragraphs of the resolution received by your Committees were then inserted, with changes to wording that reflect the lack of reliable data available;
- (4) The fifth paragraph of the resolution received by your Committees was deleted;
- (5) The sixth paragraph of the resolution received by your Committees was inserted;
- (6) A new paragraph was inserted that notes the possible benefits of programs which emphasize abstinence;
- (7) The seventh paragraph of the resolution received by your Committees was deleted;
- (8) The eighth paragraph of the resolution received by your Committees was inserted;
- (9) A paragraph was inserted that reflects your Committees desire for sex education to be sensitive to those who have experienced sexual abuse and assault;
- (10) The ninth and tenth paragraphs of the resolution received by your Committees were deleted;
- (11) A paragraph was inserted that reflects your Committees desire to have sex education programs be placed in a broader context of helping students make good decisions in all areas of their lives;
- (12) The remainder of the resolution received by your Committees was deleted;
- (13) Paragraphs were added that request the DOE and DOH, and all of the individual schools to assume the responsibility for collecting data and modifying sex education programs, utilize school/community-based management to develop new programs, and investigate other programs from around the country that emphasize abstinence; and
- (14) A paragraph was added that asks for the resolution to be transmitted to the Director of Health, the Superintendent of Education, the chairperson of the Board of Education, and all of the public schools.

Technical, nonsubstantive amendments were also made for the purposes of clarity and style.

Your Committees on Health and Education concur with the intent and purpose of H.R. No. 236, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 236, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1717-92 Health and Judiciary on H.R. No. 460

The purpose of this resolution is to request the Department of Health to set up a mechanism which:

- (1) Allows the use of off-label drugs for life-threatening conditions under certain circumstances; and
- (2) Eliminates reimbursement problems associated with such usage.

Testimony in strong support of the intent of this resolution was submitted by the Department of Health (Department), the Hawaii Federation of Physicians and Dentists, the American Cancer Society, and a concerned citizen.

The Department testified that it has participated in several conferences on off-label drug use with representatives of the Hawaii Medical Services Association (HMSA) and the Hawaii Medical Association, and internists, oncologists, AIDS specialists and other interested parties. These conferences instigated extensive review of current and proposed policies and pertinent literature. As a result, HMSA has agreed to provide coverage in accordance with the contractual terms of its health plans for off-label use of FDA-approved drugs in the treatment of cancer when the following conditions are met:

- (1) The drug is ordered by a licensed physician for the treatment of a specific type of cancer;
- (2) The drug is FDA-approved for use in cancer treatment;
- (3) The drug is used as part of a drug regimen for the treatment of cancer; and
- (4) The drug is recommended in one of the three standard drug reference compendia for that particular form of cancer; or if not in the compendia, recommended for that particular form of cancer by at least two valid, independent, randomized, controlled scientific studies published in major peer review medical journals.

Additionally, the Department indicated that if a particular off-label use does not meet these criteria, HMSA would evaluate coverage on a case by case basis.

The foregoing is an excellent start towards resolving off-label drug use issues and your Committees commend the Department and all participating entities for their efforts. However, your Committees believe there is still a need for a mechanism which not only addresses the use of off-label drugs in all medically appropriate and accepted conditions, but also addresses the reimbursement issues associated thereto.

Your Committees have amended the resolution by:

- (1) Adding the Hawaii Insurer's Council to the list of entities that should receive certified copies of the resolution; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style, including nonsubstantive amendments to the title which, as a consequence thereof, now reads as follows:

"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A SYSTEM REGARDING THE USE OF OFF-LABEL DRUGS FOR LIFE-THREATENING CONDITIONS."

Your Committees on Health and Judiciary concur with the intent and purpose of H.R. No. 460, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 460, H.D. 1.

Signed by all members of the Committees except Representatives Cachola and Peters.

SCRep. 1718-92 Health and Labor and Public Employment on H.R. No. 412

The purpose of this resolution is to call for a joint effort by the Department of Health, Department of Accounting and General Services, and the State Office of Occupational Safety and Health, to study and collect data relating to use of chemicals in State-owned buildings and the possible adverse effects of these chemicals on the health of employees and visitors.

The Hawaii Public Health Association testified in support of this resolution. Representatives from the Department of Health and the Department of Labor and Industrial Relations submitted testimony in support of its intent, but expressed concern over the content.

Specific in the concerns of the State departments was the idea that the departments possessed inadequate resources to address the requests that were made in the resolution. Your Committees attempted to address these concerns through questioning the departments on the particular problems arising from each of the six tasks that are given in the resolution, and through suggesting ways of utilizing existing resources for the purpose of meeting the necessary tasks. As a result of this step by step analysis of the requirements of this bill, your Committee was able to establish a list of tasks which the departments agreed were fair and achievable.

As a result of the testimony given and the subsequent dialogue, your Committees have amended this resolution as follows:

- (1) Paragraph #1, page 2, has been amended to request that the Department of Health, Department of Accounting and General Services, and the State Office of Occupational Safety and Health jointly recommend a standardized complaint mechanism to include the recording and investigation of complaints received from building workers and the general public regarding the use of chemical substances in State-owned or -operated buildings.
- (2) Paragraph #2, page 2, has been deleted.
- (3) An additional request asks for the implementation of an employee training program for building workers, to include safety guidelines for the use of hazardous substances.

Your Committees on Health and Labor and Public Employment concur with the intent and purpose of H.R. No. 412, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 412, H.D. 1.

Signed by all members of the Committees except Representative Peters.

SCRep. 1719-92 Judiciary on H.R. No. 184

The purpose of this resolution is to request the Judiciary to review and evaluate the adequacy of various mandatory penalty or sentencing structures for crimes.

Testimony in support of this measure was submitted by the Department of Public Safety and the Department of the Prosecuting Attorney of the City and County of Honolulu. The Judiciary neither supported nor opposed the passage of the measure.

Your Committee has amended this resolution by:

- (1) Amending the title to read: "HOUSE RESOLUTION REQUESTING THAT AN EVALUATION BE MADE REGARDING THE ADEQUACY OF VARIOUS MANDATORY PENALTY OR SENTENCING STRUCTURES FOR CRIMES";
- (2) Requesting that the Judicial Council of Hawaii (Council) establish a committee to evaluate the adequacy of various mandatory penalty or sentencing structures for crimes;
- (3) Requiring that the Council appoint members to the committee and that membership include representation from various organizations and citizens from the community; and
- (4) Making technical, nonsubstantive changes for purposes of style and clarity.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 184, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 184, H.D. 1.

Signed by all members of the Committee.

SCRep. 1720-92 Judiciary on H.R. No. 305

The purpose of this resolution is to request that the Lieutenant Governor establish a task force to examine and make recommendations regarding:

- (1) Whether the responsibilities of overseeing elections should be transferred from the Office of the Lieutenant Governor to a non-partisan commission; and
- (2) Whether the duties associated with Secretaries of State should be created and attached to the Office of the Lieutenant Governor.

Essentially, the passage of this measure will help determine and eliminate any potential conflicts of interest that may arise from having the Office of the Lieutenant Governor oversee the election process, as well as examine and determine other areas of duties in which the Lieutenant Governor can effectively and meaningfully serve the public.

Testimony in support of this measure was submitted by the Office of the Lieutenant Governor and the State Ethics Commission.

Your Committee on Judiciary is in accord with the intent and purpose of H.R. No. 305 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1721-92 Judiciary on H.R. No. 232

The purpose of this resolution is to request that the Department of Public Safety provide information regarding the purpose, the criteria necessary for inmate placement, and a profile of the current prison population, facilities, and programs of the Kulani Correctional Facility (Facility).

The provision of the requested information would assist the State in assessing whether there are management and operational problems at the Facility, as well as determine if there exists an overload of prisoners from other facilities that may not meet the Facility's inmate placement criteria.

Testimony in opposition to this measure was submitted by the Department of Public Safety.

Your Committee on Judiciary is in accord with the intent and purpose of H.R. No. 232 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1722-92 Judiciary on H.R. No. 67

The purpose of this resolution is to urge the Child Support Enforcement Agency (CSEA) to develop and implement mechanisms to increase efficiency and timeliness in the child support payments collection process.

According to a federal audit in 1988, CSEA failed to meet certain compliance standards and was severely deficient in its operations. As a result, the State was penalized \$621,065 in which the monies were drawn from the Department of Human Services Aid to Families with Dependent Children program.

In 1989, the State Legislative Auditor also conducted an audit and discovered that inadequate staffing and errors in the CSEA's computer files affected the timeliness of child support payments and other operations. Although the CSEA has already begun to work at increasing the timeliness of child support payments and other operations, this measure will further encourage CSEA to develop and implement additional mechanisms to improve the process as well as monitor CSEA's progress.

Testimony in support of this measure was submitted by the Department of the Attorney General and the Parent's Child Support Network.

Your Committee on Judiciary is in accord with the intent and purpose of H.R. No. 67 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1723-92 Judiciary on H.R. No. 326

The purpose of this resolution is to urge the Governor of the State of Hawaii to designate June 5, 1992, as "100 Infantry Battalion Day", on the 50th anniversary of the formation of the 100th Infantry Battalion in commemoration of the contributions made by this honorable unit in war and in peace.

Testimony in support of this resolution was received by the Office of Veteran Services, Japanese American Citizens League, Sons and Daughters of the 100th Infantry Battalion and other private individuals.

At the beginning of World War II accusations of disloyalty and an aura of suspicions were unjustly cast upon all Japanese Americans. Members of the 100th Infantry Battalion were brave and loyal individuals who volunteered into the Armed Services of the United States of America despite the internment of their friends and families at home in the United States. Their gallantry is unmatched as they fought for freedom in the European Theater. They left the battlefields of Europe as victorious heroes. They returned to Hawaii and were instrumental leaders of government, business, labor and the community. The members of the 100th Infantry Battalion hold a special and honored position in the history of the United States and the State of Hawaii.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 326 and recommend its adoption.

Signed by all members of the Committee.

SCRep. 1724-92 Water, Land Use, and Hawaiian Affairs and Judiciary on S.B. No. 1274

The purpose of this measure is to encourage private landowners to allow public use of their land for Na Ala Hele, the Hawaii statewide trail and access system, by authorizing the Department of Land and Natural Resources (DLNR) to defend and indemnify such landowners against any resulting injury claims and losses.

Testimony in support of this bill was submitted by the DLNR, the Statewide Advisory Council and Island Advisory Councils of Na Ala Hele, the Department of Parks and Recreation of the City and County of Honolulu, the Hawaii Chapter of the Sierra Club, the Hawaii Academy of Plaintiffs' Attorneys, Bikeways Maui, a representative of trail and dirt bike enthusiasts, and several private citizens.

Your Committees find that this measure will not entail an excessive cost to the State, due to the facts that:

- (1) According to DLNR testimony, only two or three recreational injuries have been reported in Hawaii appellate court opinions in the twenty years since the enactment of Chapter 520, Hawaii Revised Statutes, which limits the liability of property owners toward those using their property for recreational purposes;

- (2) According to DLNR testimony, agreements with landowners will be made on a case by case basis, allowing the State to ensure the trail's safety before allowing public access;
- (3) The bill stipulates that the existence of agreements between the State and private landowners shall not allow an action to be brought against the State itself; and
- (4) The bill also subjects judgments against a landowner indemnified by the State to legislative review and approval prior to executions of the judgments. This is intended to give the State the opportunity to satisfy a judgment before the judgment creditor takes action against the landowner to execute on the judgment.

Your Committees on Water, Land Use, and Hawaiian Affairs and Judiciary are in accord with the intent and purpose of S.B. No. 1274, S.D. 1. and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representative Peters.

SCRep. 1725-92 Judiciary on S.B. No. 2673

The purpose of this bill is to:

- (1) Extend the deadlines for public agencies to file public reports with the Office of Information Practices; and
- (2) Release public agencies from any obligation to comply with any provision of Chapter 92F, Hawaii Revised Statutes, which would jeopardize the receipt of federal funding, services, or other assistance.

Initially, all public agencies were mandated to file public reports with the Office of Information Practices (OIP) by July 1, 1989. However, this deadline must be extended to December 31, 1993 in order to accommodate factors such as the volume of information to be collected, the limited personnel at OIP, the need for an automated record report system, the need to develop and coordinate a computer system to assure data entry, review, and output by all public agencies, the need to conduct and provide training, and the need for archivists and attorneys to review the record categories for legality, accuracy, and consistency.

In addition to extending the filing deadline for public reports, your Committee notes that Chapter 92F, HRS, must also be amended to protect public agencies from being denied federal funding, services, or other assistance when complying with the Uniform Information Practices Act (UIPA).

For example, educational institutions that receive federal funding may not disclose student education records under the federal Family Educational Rights and Privacy Act (FERPA) unless authorized by other provisions of federal law or by regulations adopted by the U.S. Secretary of Education. Compliance with the UIPA may seriously jeopardize federal funding for the University of Hawaii if this waiver is not provided. Moreover, other State agencies such as the Department of Health and the Department of Education may also be affected.

Testimony in support of this measure was submitted by the Department of the Attorney General and the University of Hawaii.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2673, 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 except Representative Peters.

SCRep. 1726-92 Judiciary on S.B. No. 2706

The purpose of this bill is to repeal Section 297-12, Hawaii Revised Statutes (HRS), which provides procedures for demotion or termination of teachers.

Currently, all certified Department of Education (DOE) personnel who may have been demoted or terminated have recourse to request a review of action through either the collective bargaining agreement grievance procedures or the employee grievance procedure provided by the DOE regulation and procedure #5512. Because of this, Section 297-12, HRS, is not necessary and should be repealed.

Testimony in support of this measure was submitted by the DOE.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2706 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Peters.

SCRep. 1727-92 Judiciary on S.B. No. 148

The purpose of this bill is to decentralize a majority of traffic offenses not of a serious nature and to streamline the handling of these offenses. Specifically, this bill places on the violator the burden of responding to the citation within 15 days from the date of its issuance to either:

- (1) Admit the commitment of the infraction and to remit the payment of the monetary assessment;
- (2) Admit the commitment of the infraction with an explanation of mitigating circumstances and to request a hearing for that purpose; or
- (3) Deny the commitment of the infraction and to request a hearing.

If the violator fails to answer the citation or fails to appear after requesting a hearing, the court is authorized to enter a final order determining that the infraction was committed and to enter a default judgment in favor of the State for the specified monetary assessment. The court is also authorized to suspend the driver's license of a violator if the monetary assessments are not paid when specified. Detailed notice requirements are provided to afford the violator ample opportunity to respond, make payments, or to suffer the consequences of nonpayment.

Additionally, this bill:

- (1) Authorizes the court to deny vehicle registration to enforce its orders;
- (2) Decriminalizes a number of existing traffic penalty provisions by eliminating the possibility of imprisonment; and
- (3) Permits appeals from any adverse decisions for a trial de novo at the District Court level.

Testimony in favor of this measure was received from the Department of the Attorney General, the Judiciary, and the Honolulu Police Department. Testimony in support of the intent of this measure was received from the Office of the Public Defender and the American Civil Liberties Union.

This bill directs the administrator of the courts to prepare and submit a complete feasibility and implementation plan to the Legislature before January 1, 1993. The Judiciary is directed to consult with:

- (1) Judges;
- (2) Prosecuting Attorneys;
- (3) public Defenders;
- (4) Agencies having jurisdiction over motor vehicles licensing for each of the counties; and
- (5) Court:
 - (a) Administrators;
 - (b) Clerks;
 - (c) Cashiers;
 - (d) Budget and fiscal officers;
 - (e) Computer experts; and
 - (f) Consultants.

With the consultation of the aforementioned representatives, the feasibility and implementation plan shall address the:

- (1) Transfer of the existing judges and personnel into the new system;
- (2) Job descriptions and responsibilities of all employees under the new system;
- (3) Timetable and schedule of training and implementation of the new system;
- (4) Specific court rules covering areas such as:
 - (a) Circumstances where the driver's record or nature of the infraction preclude disposition of a case through the normal monetary assessment process;
 - (b) When court appearances are necessary;
 - (c) Uniform traffic citations and notices;
 - (d) Monetary assessments; and
 - (e) Court and appeal procedures;
- (5) Applicability and integration of the Judiciary's computer software systems with the new system created by this Act; and
- (6) Public education with respect to the new system.

Though the task appears to be formidable, your Committee is confident that the administrator of the courts will meet the January 1, 1993, deadline established by this Act. This will afford the Legislature time to consider and act on any suggestions made by the feasibility and implementation plan, and the Judiciary enough time to meet the July 1, 1994, effectuation date for all sections of this Act, with the exception of section 20.

While your Committee believes that the procedure established by this bill is fair and effective, this should not be a deterrent to efforts in trying to improve it. To that end, it is recommended that in addition to the implementation study to be undertaken by the Judiciary, the Judiciary is urged to work during the interim with the Department of the Attorney General, the Prosecutors and Police Chiefs of the various counties, the Office of the Public Defender, the American Civil Liberties Union, and other knowledgeable agencies, groups, and individuals to determine whether additional legislation would improve the process by which traffic infractions could be processed under this bill. Specifically, your Committee suggests that the following be considered:

- (1) Whether additional offenses should be included;
- (2) Whether neighbor island and non-resident motorists should be able to contest a citation or seek mitigation of the fine by mail;
- (3) Whether redundant provisions of the Hawaii Revised Statutes or those made unnecessary by this Act should be repealed; and
- (4) Whether amendments to the procedure proposed by this Act would enhance its fairness and effectiveness.

These additional considerations, if undertaken by the Judiciary, shall follow an identical timetable established by this Act for the feasibility and implementation study:

- (1) That the report on additional considerations shall be submitted to the Legislature for its review before January 1, 1993; and
- (2) That July 1, 1994, remain as the implementation date for all sections of this Act with the exception of section 20.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 148, 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 except Representative Peters.

SCRep. 1728-92 Judiciary on S.B. No. 802

The purpose of this bill is to allow former legislators and State employees to work in their areas of expertise so long as there is no personal contact for one year with State officials and employees with whom they worked.

Currently, former legislators and State employees are prohibited for one year from providing any assistance or representation for compensation on any matter involving official action by the State agency or subdivision with which they served. This measure would ease a potentially harsh restriction on post-employment opportunities for former State employees and allow them to continue in their area of expertise.

Testimony in support of this measure was submitted by the State Ethics Commission.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 802 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1729-92 Judiciary on S.B. No. 2883

The purpose of this bill is to repeal section 350-4, Hawaii Revised Statutes, which exempts children treated by spiritual means rather than by medical means from being considered as medically needy under child abuse or neglect reporting requirements.

Testimony in support of this measure was received from the Department of Human Services, the Honolulu Department of the Prosecuting Attorney, and the American Academy of Pediatrics.

Testimony opposed to this measure was received from the Christian Science Committee on publication for Hawaii.

Although your Committee understands that treatment through spiritual means is motivated by sincere religious beliefs whose exercise is protected by the federal and state constitutions' safeguards on freedom of religion, your Committee supports the repeal of section 350-4. This section exempts the reporting of certain ill children from child abuse reporting requirements. The existence of this section, however, fails to provide for the necessary protection of a child's health and welfare.

The courts have long recognized that children are a dependant and vulnerable segment of our society deserving of special care and protection. Evidence of this is the codification of laws against child abuse and neglect, mandatory school

attendance, and the regulation of child labor. As noted by the United States Supreme Court in Prince v. Massachusetts, 321 U.S. 158, 168 (1944):

[t]he State's authority over children's activities is broader than over like actions of adults. This is particularly true of public activities and in matters of employment. A democratic society rests, for its continuance, upon the healthy, well-rounded growth of young people into full maturity as citizens, with all that implies.

The failure to statutorily require the reporting of all cases of medical neglect poses a real risk to the affected children, even if the exemption does not affect the provisions of Chapter 587 regarding the duties of Child Protective Service (CPS) to investigate and intervene. As testified to at the hearing, if appropriate cases are not reported to CPS, then the children may never receive necessary medical attention causing the child unneeded pain and suffering or increased risks of death and disability.

Your Committee notes that parents claimed infringement on their right to freedom of religion under the federal constitution. However, this right is not absolute; it must yield when "the State does not deny the free exercise of religious belief by its requirement, or where there is a state interest of sufficient magnitude." State of Wisconsin v. Yoder, 406 U.S. 205, 214 (1972). It is clear from case law that a danger to the child's life or serious risk of disability or permanent impairment is of sufficient magnitude to restrict parents' rights to freely practice their religion. In Prince, at pages 166-167, the United States Supreme Court states that "the right to practice religion freely does not include liberty to expose the community or the child to communicable disease or the latter to ill health or death." The parental right to make decisions affecting a child's life or well-being is also not absolute. "Parents may be free to become martyrs themselves. But it does not follow they are free, in identical circumstances to make martyrs of their children before they have reached the age of full and legal discretion when they can make the choice themselves." Id. at 170.

Your Committee, therefore, has passed this bill unamended. It is hoped that the parties will meet before the next legislative session and be able to come back and present to your Committee language which is agreed upon by all concerned. Until that time, however, the protection and safety of the child remains of paramount interest and concern for this legislative body and when medical neglect by parents to their child rises to the level of abuse, that neglect must decidedly be reported. However, your Committee feels that this measure should not be construed in any manner that will impose upon or abridge in any way the beliefs and practices of traditionally established and recognized religious organizations.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2883 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1730-92 Judiciary on S.B. No. 2200

The purpose of this bill is to repeal Chapter 272, Hawaii Revised Statutes (HRS), which proscribes the refusal to pay for transportation fees.

The proscription in Chapter 272, HRS, is already encompassed under Sections 708-831, et seq., of the Hawaii Penal Code under theft of services. This measure will eliminate this redundancy without decriminalizing the theft of transportation services.

Testimony in support of this measure was submitted by the Department of the Attorney General.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2200 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Peters.

SCRep. 1731-92 Judiciary on S.B. No. 2203

The purpose of this bill is to protect the inheritance rights of children who are formally adopted by close relatives or step-parents. The bill seeks to differentiate "ohana" adoptions from traditional adoptions for the purpose of the disposition of any will, trust, or other lifetime instrument.

Current law addresses traditional adoptions of a child by strangers in which all legal and personal contacts between the child and the natural parents are severed. This bill provides that when a minor is adopted by a spouse of a natural parent, or by a close relative, the rights of the adopted individual, and the individual's descendants, with respect to the individual's natural family, shall not be affected by the adoption.

Testimony in support of the bill was received from an attorney in private practice.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2203, 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. 1732-92 Labor and Public Employment on H.R. No. 283

The purpose of this resolution is to request the Department of Personnel Services to review the functions, duties and pay scales of the Child Welfare Services social workers and reclassify them so that they receive pay commensurate with their responsibilities and duties, reflecting their unique positions that expose them to a heavy workload and emotionally draining and potentially hazardous situations.

Your Committee acknowledges the difficulty with retention and recruitment of Child Welfare Services social workers. The Legislative Auditor's study and the bi-annual review of compensation plans by the Conference of Personnel Directors have previously addressed the concerns with classification and repricing. In order to avoid duplication, this measure will include areas not associated with classification and repricing.

The Department of Personnel Services, the Hawaii Government Employees Association, the National Association of Social Workers, Inc., and a Child Protection Services social worker, submitted testimony for this measure.

Upon further consideration, your Committee has amended this measure by:

- (1) Changing the title to read: "REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE AN INTERNAL STUDY TO ADDRESS THE PROBLEMS ASSOCIATED WITH THE RETENTION AND RECRUITMENT OF CHILD WELFARE SERVICES SOCIAL WORKERS";
- (2) Deleting all references to reclassification and repricing;
- (3) Requesting the Department of Human Services to conduct the study and to provide a comprehensive review of all studies concerning this matter;
- (4) Changing the scope of the study to include plans to address caseload management, work organization, and working conditions; and
- (5) Requesting the Department of Human Services to submit its findings and recommendations with proposed implementation plans, if appropriate, to the Legislature, twenty days before the convening of the Regular Session.

Your Committee on Labor and Public Employment concurs 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. 1733-92 Labor and Public Employment on S.C.R. No. 134

The purpose of this concurrent resolution is to request the Department of Labor and Industrial Relations to conduct a study to access comprehensive training resources for bilingual and multilingual community workers who assist immigrants and refugees in obtaining needed health and social services.

With the assistance of the University of Hawaii, the Department of Health, the Department of Human Services, and the Department of Personnel Services, the Department of Labor and Industrial Relations will begin the study by responding to the concerns of H.C.R. No. 30-91, and exploring:

- (1) Broad and specific areas that should be covered in training programs;
- (2) Certified/and or degree programs for bilingual and multilingual workers in a training program;
- (3) Public and private resources for comprehensive training programs;
- (4) Capabilities of public and private agencies in their assessment of estimated target populations for each agency's services; and
- (5) Specific educational or training needs of bilingual and multilingual personnel in identified community agencies.

Your Committee feels that the needs of immigrants may be better served with a comprehensive training program that addresses health and human service areas for immigrants.

Your Committee on Labor and Public Employment concurs with the intent and purpose of S.C.R. No. 134, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1734-92 Tourism on S.C.R. No. 213

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism, in consultation with other culture-related organizations, such as the Bernice P. Bishop Museum and the Historic Hawaii Foundation, to explore additional ways and incentives to encourage visitor industry-related businesses promote Hawaiian culture and cultural preservation.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism.

Your Committee finds that visitor industry groups have initiated Hawaiian culture programs such as the Waiaha program, that the Hawaii Visitors Bureau also encourages such efforts through its "Keep it Hawaii" awards, and that the Department of Business, Economic Development, and Tourism has also developed cultural programs.

Such efforts should receive encouragement and could serve as a foundation for further efforts in this area, which would result in a stronger visitor industry by enabling Hawaii to offer cultural attractions that set it apart from other resorts, and greater knowledge and appreciation of Hawaiian culture by residents and visitors.

Your Committee on Tourism concurs with the intent and purpose of S.C.R. No. 213, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1735-92 Tourism; Planning and Economic Development; and Intergovernmental Relations and International Affairs on S.C.R. No. 103

The purpose of this resolution is to request the Office of International Relations and the Department of Business, Economic Development and Tourism to provide technical assistance and representation in planning and conducting the annual trade mission of the Filipino Chamber of Commerce of Hawaii, and to assist in identifying and listing recommended trade agreements and marketing events between the State of Hawaii and the Philippine government which would be of mutual benefit to Hawaii and the Philippines.

Your Committees received testimony in support of this resolution from the Department of Business, Economic Development and Tourism, the Office of International Relations, and the Filipino Chamber of Commerce of Hawaii.

Your Committees find that this resolution would provide another step toward strengthening the economic ties between Hawaii and the Philippines, thereby bringing greater economic benefit to both Hawaii and the Philippines.

Your Committees on Tourism and Planning and Economic Development and Intergovernmental Relations and International Affairs concur with the intent and purpose of S.C.R. No. 103 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1736-92 Intergovernmental Relations and International Affairs and Legislative Management on S.C.R. No. 105

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study on the permanent establishment of the State Satellite Office program.

The existing pilot program of six State satellite offices has handled more than 40,000 transactions for Hawaii's citizens, and business in the last few months has increased at a rate of about 15 to 20 percent per month.

Your Committees find that feedback from the public with regard to the satellite office program has been highly favorable. At the same time, State agencies are also requesting that the satellite offices take on more departmental functions to increase public accessibility.

Testimony in support of this measure was submitted by the Governor's Office of Information.

Your Committees have amended this measure by:

- (1) Providing that the requested study examine the scope and available services of the pilot program and recommend ways to increase the effectiveness of the program;
- (2) Providing that the requested study determine the feasibility of establishing joint State/City and County satellite offices; and
- (3) Making technical, nonsubstantive amendments for purposes of style and clarity.

Your Committees on Intergovernmental Relations and International Affairs and Legislative Management concur with the intent and purpose of S.C.R. No. 105, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 105, H.D. 1.

Signed by all members of the Committees except Representative Say.

SCRep. 1737-92 Intergovernmental Relations and International Affairs on S.C.R. No. 22

The purpose of this concurrent resolution is to:

- (1) Strongly urge Hawaii's Congressional delegation to support the return of the Northern Territories to Japan; and
- (2) Promote the possibility that the military installations in the Northern Territories could be leased by the Russians as part of the settlement.

Your Committee finds that the conclusion of a satisfactory agreement that returns the Northern Territories to Japan would foster peace and stability in the region.

Testimony in favor of this concurrent resolution was received from the Office of International Relations.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 22 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1738-92 Intergovernmental Relations and International Affairs on S.C.R. No. 49

The purpose of this concurrent resolution is to:

- (1) Request the President of the United States and Hawaii's Congressional delegation to pursue any and all means available by which to exonerate Captain McVay, including, but not limited to, the overturning of his conviction and his passing of a Joint Congressional Resolution to expunge the court-martial from the record and express the sense of the Congress that a grave injustice has been visited upon Captain McVay; and
- (2) Request that a Presidential Unit Citation be granted to the USS Indianapolis, its crew and survivors for courage displayed in the face of tremendous hardship and adversity.

Captain McVay was in command of the ill-fated Indianapolis when it was torpedoed on July 30, 1945, en route from Guam to Leyte in the Philippines. Naval intelligence had placed Japanese submarines in the area but failed to warn Captain McVay. Of the 1,196 crew members, only 316 survived injuries, drowning, and five days of incessant shark attacks. Records and information presented at the court-martial were incomplete but tended to indicate that Captain McVay, a decorated and superior officer, was innocent of any negligence or wrongful orders. Indeed, there is substantial evidence that the charge was trumped up, the trial truncated and expedited, and the issue obfuscated to protect the Navy's ambition to be a major player in post-war global military affairs.

Your Committee believes that factual accounts clearly establish Captain McVay as a fine and courageous commander of unblemished reputation until the sinking of the USS Indianapolis. The horror of the aftermath of that tragedy, coming as it did at the end of the war in the Pacific, blurred perspectives and tainted judgment. Captain McVay was victimized 47 years ago, and for his surviving family and the survivors and families of the Indianapolis, it is incumbent on the President and Congress to make right this egregious miscarriage of justice.

Testimony in favor of this concurrent resolution was received from Kimo Wilder McVay.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 49, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1739-92 Intergovernmental Relations and International Affairs on S.C.R. No. 37

The purpose of this concurrent resolution is to request the the County of Hawaii, in cooperation with the Department of Land and Natural Resources, the State Department of Defense, the federal government, and all other groups, organizations, and individuals concerned with the problem of lava inundation, to determine the alternatives that exist to safeguard the public from lava inundation and address all the issues that may arise as a result of the development of a policy to safeguard the public.

Your Committee finds that the threat of lava inundation, which has revealed itself as an inevitability in high risk areas, demands tough decisions relating to future development and relocation of residences and businesses in order to avoid future catastrophes. To accomplish this, it is necessary to marshal all relevant public and private agencies to work together in developing strategies that will protect the public while minimizing negative social, economic, and cultural impacts.

Testimony in favor of this concurrent resolution was received from the State Department of Defense and the State Department of Land and Natural Resources.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 37, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1740-92 Intergovernmental Relations and International Affairs on S.C.R. No. 64

The purpose of this concurrent resolution is to request Hawaii County to develop strategies and take specific measures to mitigate damage due to volcano hazards and lava flow inundations.

The strategies and measures, based to a large extent on guidelines and recommendations published by the Federal Emergency Management Agency (FEMA) in October, 1990, include:

- (1) Preparatory review of land use policies and laws with consideration for other state and county land use policies and objectives;
- (2) Institution of a clear and comprehensive policy relating protection of life and property to development in lava hazard areas;
- (3) Discouragement of higher density development in lava flow zones 1 and 2 in Kilauea's east rift until risk is appropriately reduced;
- (4) Consideration of the feasibility of reclassifying lands in lava flow zone 1 to conservation;
- (5) Examination of existing land uses in lava flow zones 1 and 2 to determine the potential risk to life and property, the costs of such losses in contrast with the costs of mitigation, and recommendations as appropriate;
- (6) Development of specific information regarding hazard areas 1 and 2, inundation and destruction, moving houses on public highways, and evacuation;
- (7) Consideration of enhancing communications among the Hawaii Volcano Observatory and the Hawaii County and State Civil Defense systems; and
- (8) Ensuring sufficient aerial surveillance and monitoring.

Your Committee finds that Hawaii County lacks a coordinated and comprehensive volcano/lava damage mitigation policy despite being classified an official disaster area since 1990 and incurring losses totaling more than \$60 million since 1983. With guidelines and recommendations from FEMA at its disposal, the County should be able to effectively accomplish the task set forth in this concurrent resolution.

Testimony in favor of this concurrent resolution was received from the State Department of Defense.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 64 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1741-92 Intergovernmental Relations and International Affairs on S.C.R. No. 162

The purpose of this resolution is to:

- (1) Express Hawaii's strong support for Aeroflot, the flag air carrier of the Commonwealth of Independent States, to make Honolulu a gateway airport;
- (2) Request that Hawaii's congressional delegation take positive steps to encourage the United States Department of State and the United States Department of Transportation to begin bilateral negotiations with the Commonwealth of Independent States to discuss the mutual exchange and acquisition of air rights including those for Honolulu as a gateway for Aeroflot and for destinations in the Commonwealth for United States air carriers; and
- (3) Request that the Chamber of Commerce of Hawaii join the State in its wholehearted support of making Honolulu a gateway airport for Aeroflot.

Favorable testimony was received from the State of Hawaii, Department of Transportation and the Office of International Relations.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 162 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1742-92 Intergovernmental Relations and International Affairs on S.C.R. No. 204

The purpose of this resolution is for the Legislature to:

- (1) Endorse the goals and objectives of the Earth Summit particularly with respect to the creation and adoption of global agreements that will result in policies and mechanisms to protect the global environment and enhance the ability of nations to equitably develop their natural and human resources; and

- (2) Call upon the President of the United States to join other leaders from around the world at the Earth Summit and to instruct United States negotiators to work with other national delegations in developing an international protocol on global climate change that would reduce this country's emissions of CO₂ by twenty per cent by the year 2000, thus reestablishing the United States as a leader in managing the planet's resources for present and future generations.

Favorable testimony was received from the Office of International Relations.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 204, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1743-92 Intergovernmental Relations and International Affairs on S.C.R. No. 239

The purpose of this resolution is to:

- (1) Urge the United States of America to commit to and provide strong environmental leadership at the United Nations' Conference on Environment and Development, beginning at the final negotiating meeting in New York City from March 2 to April 3, 1992, to prepare for the full conference in June 1992 in Brazil; and
- (2) Urge President George Bush to commit himself to personally attend the "Earth Summit".

Favorable testimony was received from the Office of International Relations.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 239 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1744-92 Intergovernmental Relations and International Affairs on S.C.R. No. 133

The purpose of this concurrent resolution is to:

- (1) Request the United States of America and France to accept the terms of the Treaty of Rarotonga; and
- (2) Request the government of France to permanently refrain from nuclear testing in the Pacific.

The Office of International Relations and the Conservation Council for Hawaii testified in favor of this measure.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Providing that the Legislature requests the United States of America and France to review, consider, and accede to the protocols of the Treaty of Rarotonga;
- (2) Amending the title of this measure to read; "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES OF AMERICA AND FRANCE TO REVIEW, CONSIDER, AND ACCEDE TO THE PROTOCOLS OF THE TREATY OF RAROTONGA"; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 133, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 133, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1745-92 Transportation on S.C.R. No. 154

The purpose of this concurrent resolution is to request that the Department of Transportation, in consultation with the Department of Education and the governing bodies of each county, conduct a comprehensive study and review of existing guidelines for the installation of roadway lighting systems and traffic control signals, with an emphasis on those devices being used in school zones.

Your Committee finds that present lighting and traffic control signals on the neighbor islands, particularly in school zones, may no longer be adequate due to population increases and the subsequent rise in traffic. Your Committee also finds that special consideration should be given to the different characteristics including weather, terrain, population density, road surface, and traffic volume unique to the neighbor islands when conducting the study.

Your Committee received testimony from the Department of Transportation.

Your Committee on Transportation concurs with the intent and purpose of S.C.R. No. 154, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1746-92 Human Services and Legislative Management on S.C.R. No. 160

The purpose of this concurrent resolution is to request a study on the increase in repetitive child abuse cases and an evaluation of the roles of the medical director, multi-disciplinary team, and case social worker in the diagnosis and treatment of child abuse.

Your Committees have amended the resolution to include the House Concurrent Resolution 326 H.D. 1, into the Senate Concurrent Resolution 160, S.D. 1, H.D. 1.

Your Committees on Human Services and Legislative Management concur with the intent and purpose of S.C.R. No. 160, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 160, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Kihano and Taniguchi.

SCRep. 1747-92 Human Services and Legislative Management on S.C.R. No. 36

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to investigate alternatives to welfare.

Your Committees have amended the resolution to request the Department of Human Services to investigate alternatives to welfare.

It was your Committees feeling that the Department of Human Services shall meet with various community groups concerned with alternatives to welfare before the report is finalized.

Your Committees on Human Services and Legislative Management concur with the intent and purpose of S.C.R. No. 36, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 36, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Kihano and Taniguchi.

SCRep. 1748-92 Ocean and Marine Resources and Transportation on S.C.R. No. 33

The purpose of this concurrent resolution is to extend by one year the deadline by which the State must execute a lease for the private development of the Keehi Lagoon Triangle.

House Concurrent Resolution No. 386, H.D. 1, S.D. 1, C.D. 1, adopted by the Fourteenth Legislature, Regular Session of 1988, authorized the leasing of a triangular section of Ke'ehi Lagoon ("Triangle") to a private developer to develop the area for recreational, educational, research, and commercial/light industrial purposes provided that the lease would be executed before July 1, 1993. The environmental impact statement submitted for the Triangle identified several state and federal permits that must be obtained before construction may begin. It appears that the permits will not be obtained before the July 1, 1993 deadline.

This concurrent resolution extends the Board of Land and Natural Resources' and the Department of Transportation's authorization to lease the Triangle until July 1, 1994.

Testimony was received from the Department of Land and Natural Resources (DLNR) and the Department of Transportation (DOT). The DLNR indicated their concern over appropriate agency management of the area when developed and that the department would resolve this issue with the DOT.

Your Committees find that the project is still desirable and feasible and delays in obtaining clearances have been unavoidable. Since private developers are reluctant to enter into a lease agreement with the State until the permits are secured, your Committees find the extension of the deadline to be reasonable.

Your Committees have amended this concurrent resolution by correcting a technical reference to the River and Harbors Act, specifically, changing the year from 1920 to 1899, and by making other technical, nonsubstantive amendments for purposes of style.

Your Committees on Ocean and Marine Resources and Transportation concur with the intent and purpose of S.C.R. No. 33, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 33, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Hashimoto, Hagino, Hiraki, Horita, Tam, Taniguchi, Young and Thielen.

SCRep. 1749-92 Consumer Protection and Commerce on S.C.R. No. 71 (Majority)

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a study on the feasibility of a state fund, "pay at the pump" type of motor vehicle insurance system.

Your Committee heard testimony from the Hawaii Academy of Plaintiff's Attorneys supporting the concurrent resolution pointing out that a state fund in a Canadian province is working successfully.

Testimony in opposition to the concurrent resolution was submitted by the Hawaii Federation of Physicians and Dentists with reference to the State's experience with the Patients Compensation Fund and the Thrift Guaranty Corporation. The Hawaii Independent Insurance Agents also opposed this concurrent resolution.

Upon reconsideration, your Committee has amended this concurrent resolution by correcting a typographical error.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of S.C.R. No. 71, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as S.C.R. No. 71, H.D. 1.

Signed by all members of the Committee except Representative Hiraki.
(Representatives Peters, Thielen and Ward did not concur.)

SCRep. 1750-92 Consumer Protection and Commerce on S.C.R. No. 61

The purpose of this concurrent resolution is to request the Public Utilities Commission to conduct a comprehensive technical, financial, and management audit of all State-funded telecommunication systems and contracts, including an audit of all regulated and nonregulated telecommunications activities conducted in the State.

Testimony was submitted by the Hawaii State Judiciary, the Department of Budget and Finance, the Public Utilities Commission (PUC), the University of Hawaii, and GTE Hawaiian Tel.

Your Committee agrees that the issues brought forth in this concurrent resolution, as received, merit closer examination by both the PUC and the Hawaii State Legislature. However, due to the exhaustive and comprehensive nature of the investigation outlined in this measure, your Committee believes that the PUC would not be able to adequately meet the provisions of this measure within the limited amounts of fiscal and human resources available for this project. Because of this, your Committee asserts that there is a need to narrow the scope of the technical, financial, and management audit specified in this concurrent resolution.

It has also come to your Committee's attention that the provision of voice communication services by GTE Hawaiian Tel to State governmental agencies will end on December 31, 1993. To ensure the uninterrupted operation of future telephone services for State offices, your Committee believes that it is imperative that the State begin the process of securing a voice communication system or service for the period subsequent to the end of GTE Hawaiian Tel's contract with the State. Your Committee notes that because the process of ascertaining the most efficient and cost effective voice communication system is costly, time consuming, and exhaustive, it is essential that the State fully examine all viable options and systems available in the marketplace.

In addition, while your Committee believes that the primary focus of this concurrent resolution should address this issue of securing a new telephone system, your Committee also concurs that the allegations regarding GTE Hawaiian Tel indeed warrant a closer examination by the State. Your Committee has been informed that the PUC has already initiated numerous investigations of the financial and commercial operations of GTE Hawaiian Tel.

Accordingly, after careful consideration, your Committee has amended this concurrent resolution by:

- (1) Deleting language specifying the scope of the PUC audit;
- (2) Explaining the State's concerns about the award of the contract, the price of the SELEX system, and the need to develop a plan for telephone services after termination of the SELEX contract.
- (3) Requesting the PUC to open and calendar dockets, initiate discovery hearings, and perform investigations on the financial dealings, existing rates for services, rates of return on investment, and future capital investments of GTE Hawaiian Tel, and submit a report of its findings and recommendations to the Eighteenth Legislature of 1995;
- (4) Clarifying that the PUC hire a reliable consultant or consultants knowledgeable in the field of telecommunications but not necessarily a certified public accounting firm.
- (5) Making technical, nonsubstantive revisions for the purposes of clarity and style.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of S.C.R. No. 61, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as S.C.R. No. 61, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Hiraki.

SCRep. 1751-92 Consumer Protection and Commerce on S.C.R. No. 136

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the advantages and disadvantages of allowing the establishment of limited liability companies in the State.

Your Committee received testimony in support of the concurrent resolution from the Department of Commerce and Consumer Affairs.

Your Committee finds that limited liability companies operate for profit and limit their owners' liabilities similar to corporations but are treated for federal tax purposes as partnerships.

During this legislative session, S.B. 3368, A Bill For An Act Relating To Limited Liability Companies, was introduced to establish a State Limited Liability Company Act, but was held due to concerns on whether the United States Internal Revenue Service will recognize the federal tax classification of the limited liability companies as a partnership; how the enterprises established as limited liability companies in their home state will be treated in states without limited liability companies laws; and the impact of allowing limited liability company formations in Hawaii.

Your Committee finds that based on these concerns, a study by the Legislative Reference Bureau is appropriate.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of S.C.R. No. 136 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representative Hiraki.

SCRep. 1752-92 Consumer Protection and Commerce on S.C.R. No. 15

The purpose of this concurrent resolution is to request that manufacturers and retailers adopt and adhere to guidelines for responsible environmental advertising and for the State's Office of Consumer Protection to adopt such guidelines through rules.

Your Committee received testimony supporting the intent of the measure from the Hawaii Food Industry Association. The Association favored guidelines which are being adopted across the country. However, your Committee heard testimony from the Office of Consumer Protection opposing the promulgation of guidelines rather than rules. With budgetary constraints, the Office is unable to develop and adopt these guidelines within the next few years.

Accordingly, your Committee has amended this concurrent resolution by the deleting a provision which would have specified the Office of Consumer Protection to work with Hawaii's retailers in developing guidelines to regulate environmental advertising and has further amended the title of this concurrent resolution as follows:

"REQUESTING MANUFACTURERS AND RETAILERS TO ADOPT AND ADHERE TO GUIDELINES FOR RESPONSIBLE ENVIRONMENTAL ADVERTISING."

Your Committee on Consumer Protection concurs with the intent and purpose of S.C.R. No. 15, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 15, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Peters.

SCRep. 1753-92 Legislative Management on S.C.R. No. 62

The purpose of this concurrent resolution is to request the Public Utilities Commission to conduct a comprehensive technical, financial, and management audit of all State-funded telecommunication systems and contracts, including an audit of all regulated and nonregulated telecommunications activities conducted in the State.

Testimony in support of this concurrent resolution was submitted by the Department of Budget and Finance.

Your Committee on Legislative Management concurs with the intent and purpose of S.C.R. No. 61, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative O'Kieffe.

SCRep. 1754-92 Water, Land Use, and Hawaiian Affairs on S.C.R. No. 227

The purpose of this concurrent resolution is to express the Hawaii State Legislature's support for the nomination of the Protect Kaho'olawe 'Ohana for the 1993 Right Livelihood Award and to also express appreciation to the 'Ohana for its work in protecting and restoring the island of Kaho'olawe.

The Right Livelihood Award has been awarded to individuals and community groups engaged in peace work and non-violent land struggles throughout the world, such as Mahatma Gandhi, the Reverend Martin Luther King, Jr., and the Rongelap people of the Republic of Micronesia. Your Committee finds that the Protect Kaho'olawe 'Ohana has been an advocate of non-violence in its efforts and, therefore, is an outstanding nominee for this award.

Testimony in support of this concurrent resolution was submitted by an Office of Hawaiian Affairs trustee from the island of Hawaii and a concerned individual.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 227 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1755-92 Water, Land Use, and Hawaiian Affairs on S.C.R. No. 130

The purpose of this concurrent resolution is to request the Commission on Water Resource Management (Commission) to finalize, adopt, and put into place the stream protection system, including designation of streams to be protected pursuant to state or federal law. Proposed language for the establishment of this system will be submitted by the Commission to the Legislature prior to the Regular Session of 1994.

Your Committee finds that vigorous efforts to protect Hawaii's streams will be an essential step forward in maintaining and preserving the State's precious natural resources.

Testimony in support of this measure was submitted by the Department of Land and Natural Resources' Commission on Water Resource Management and the Conservation Council for Hawaii.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 130, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1756-92 Education on S.C.R. No. 138

The purpose of this concurrent resolution is to encourage the Department of Education (DOE) to establish staffing ratios and develop standards for quality daily physical education for all public schools.

Testimony in support of the intent of this concurrent resolution was received from the DOE. The DOE however, expressed disagreement with the Senate Committee's amendment encouraging the Department to establish staffing ratios. Your Committee also received oral testimony in support of this concurrent resolution.

In passing this concurrent resolution, your Committee believes that staffing ratios and standards alone will not create a quality program in physical education, which is at the heart of this resolution. There should also be adequate financial support from the Legislature so that the ratios and standards that the DOE is to develop can actually improve the program. Using new ratios and standards to simply maintain the program at its existing level is unacceptable. The program must be improved significantly.

Your Committee on Education is in accord with the intent and purpose of S.C.R. No. 138, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1757-92 Higher Education and the Arts on S.C.R. No. 210

The purpose of this concurrent resolution is to encourage various state departments and agencies to assist the Samoan community in Hawaii in the celebration of its cultural heritage to commemorate the fortieth anniversary of a number of events significant in Samoan history, including the first major migration of Samoans to Hawaii.

Your Committee received testimony in support of this concurrent resolution from the Office of International Relations.

Your Committee finds that the Samoan community in Hawaii has made significant contributions to the multicultural society of our State in sports, entertainment, cultural enrichment and community service.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 210, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1758-92 Higher Education and the Arts on S.C.R. No. 224

The purpose of this concurrent resolution is to urge that the College of Education at UH-Manoa and UH-Hilo satisfy the standards required to obtain accreditation from the National Council for Accreditation of Teacher Education.

Your Committee finds that adopting national standards for assuring the quality of our university teacher education programs is important to ensuring a quality education for our future teachers and their students. Your Committee further finds that pursuing these standards will identify areas of strength and weakness in the present teacher education programs offered at UH-Manoa and UH-Hilo.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 224, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1759-92 Higher Education and the Arts on S.C.R. No. 200

The purpose of this concurrent resolution is to request the Department of Commerce and Consumer Affairs to consider the appropriateness of providing funding to Hawaii Public Radio to enable its listening audience to include the entire State.

Your Committee finds that Hawaii Public Radio is not available on Kauai and in some places on the island of Hawaii. Your Committee finds that many public radio stations receive local government funding and that the State partially funded the development of Hawaii Public Radio and some special projects. Government funding is required to enable all residents of Hawaii to receive Hawaii Public Radio.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 200 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1760-92 Higher Education and the Arts on S.C.R. No. 142

The purpose of this concurrent resolution is to request that the University of Hawaii's College of Education, in consultation with the Department of Education, explore alternatives and develop a plan to make professional development courses available and accessible to neighbor island teachers.

Your Committee finds that teachers who keep up with new trends and innovative teaching methods become better educators. As neighbor island teachers lack the same opportunities to take professional development courses as do their Oahu counterparts, it is necessary to develop a plan for making such courses available and accessible to them.

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

Signed by all members of the Committee.

SCRep. 1761-92 Higher Education and the Arts on S.C.R. No. 220

The purpose of this concurrent resolution is to support congressional reauthorization and funding of the Higher Education Act of 1965, as amended.

Your Committee finds that the federal government should continue its commitment to higher education which can result in lower welfare numbers, lower crime rates, and more stable family life. It is therefore, in the public interest to continue federal funding to assist disadvantaged and nontraditional students who pursue post-secondary educations.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 220 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1762-92 Higher Education and the Arts on S.C.R. No. 113

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to lease the remainder of the twenty-acre parcel at Lalamilo, Hawaii to the University of Hawaii at Hilo for development of the Kalakaua Marine Education Center.

The Department has already executed a 65-year lease with the University of Hawaii for five of the twenty acres; however, the University has not obtained the required approvals or permits to commence with the project.

The land in question is ideally suited for the purpose and will help make the University of Hawaii at Hilo a center for undergraduate marine sciences in the Pacific Basin.

Your Committee would advise that if the University of Hawaii is serious about its commitment in completing this project, that it is imperative that they take the appropriate and necessary actions to implement the project.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 113, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1763-92 Higher Education and the Arts on S.C.R. No. 67

The purpose of this concurrent resolution is to request the establishment of a Pacific Sustainable Resource System Center at the University of Hawaii.

Your Committee finds that due to its unique location in the Pacific, Hawaii has an abundance of sustainable marine and renewable energy resources. Your Committee further finds that various sustainable resource technologies and systems have been developed in Hawaii based upon research conducted at various laboratories and research institutes. These technologies and systems which have been developed place Hawaii in the unique position of fostering the implementation of sustainable resource systems both within the State and in the Pacific region.

Testimony in support of this concurrent resolution was presented by the University of Hawaii's Natural Energy Institute.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 67, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1764-92 Higher Education and the Arts on S.C.R. No. 185

The purpose of this concurrent resolution is to request the Board of Regents to evaluate the organization and management of present systemwide and Manoa campus administrations and develop and implement a plan for reorganization.

Your Committee finds that the present organizational structure provides that the President of the University is responsible for the administration of both the university system as well as the Manoa campus. Your Committee further finds that a 1989 study by the Carnegie Foundation for the Advancement of Teaching reviewed this organizational structure and found that it is unique and exacerbates conflicts over governance within the university system. Testimony in support of this concurrent resolution was presented by the Board of Regents, which indicated that the eminent departure of the current President makes it an opportune time to assess the university system's organizational structure.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 185 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1765-92 Higher Education and the Arts on S.C.R. No. 102

The purpose of this concurrent resolution is to request the University of Hawaii to develop a strategic plan to make the School of Ocean and Earth Science and Technology (SOEST) a premier school of its type in the nation.

Your Committee finds that the development of a world class scientific and technological institution focused on the ocean can play an important role in healthy economic development and maintaining a high quality of life within our State. Your Committee further finds that there exist certain obstacles due to the bureaucracy, and lack of autonomy in the use of funds, which may inhibit SOEST from becoming number one among its kind in the nation.

Testimony presented in support of this concurrent resolution indicates that SOEST is presently considered to be among the top five U.S. institutions within these fields and is attracting excellent applicants for faculty and academic programs. SOEST received \$36 million in grant and contract funds with a State budget of only \$13 million.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 102 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1766-92 Human Services and Intergovernmental Relations and International Affairs on S.C.R. No. 57

The purpose of this concurrent resolution is to request the counties to consider permitting and encouraging residents of county housing projects to establish and operate child care facilities within their private residences.

Family child care is one of the most important and the most invisible resource available for the care of the children of workforce parents. It accounts for almost 50 percent of the child care for infants and toddlers.

Your Committees on Human Services and Intergovernmental Relations and International Affairs concur with the intent and purpose of S.C.R. No. 57 and recommend its adoption.

Signed by all members of the Committees except Representatives Hashimoto, M. Ige, Takamine, Taniguchi and Ward.

SCRep. 1767-92 Human Services and Legislative Management on S.C.R. No. 69

The purpose of this concurrent resolution is to designate the Hawaii Week of the Young Child and the Hawaii Child Care Professional Worthy Wage Day.

Your Committees feel that child care teachers are true professionals in the amount of skill, dedication, education, and responsibility they must have to do very serious and delicate work with very young people whose intelligence is formed at that age.

According to a 1990 survey, the average wage of a child care center teacher is less than \$6 per hour, or less than the typical wage of a parking lot attendant.

Your Committee on Human Services concur with the intent and purpose of S.C.R. No. 69 and recommend its adoption.

Signed by all members of the Committees except Representatives Apo, Kihano and Taniguchi.

SCRep. 1768-92 Human Services and Legislative Management on S.C.R. No. 244

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the most appropriate structure, placement, and funding mechanism for the establishment of a children's trust fund for the prevention of child abuse and neglect in the State of Hawaii.

Your Committees have received favorable testimony from the Department of Human Services; Healthy Mothers, Healthy Babies; National Association of Social Workers; Friends of the Children's Advocacy Centers of Hawaii; and many other organizations.

Your Committees on Human Services and Legislative Management concur with the intent and purpose of S.C.R. No. 244, S.D. 1, and recommend its adoption.

Signed by all members of the Committees except Representatives Apo, Kihano and Taniguchi.

SCRep. 1769-92 Health on S.C.R. No. 199

The purpose of this concurrent resolution is to request the State Planning Council on Developmental Disabilities to conduct a study regarding staff, decreasing population, and the cost-effectiveness of the operation of the Waimano Training School and Hospital.

Your Committee finds that the current population at Waimano is increasingly difficult to manage due to their severe and profound disabilities, and that maintaining current staffing and funding levels is necessary to assure Medicaid certification. In this time of fiscal austerity, Your Committee believes it is important to review ways of providing for people who are medically/behaviorally challenged to assure the most cost-effective approach to providing services.

Your Committee on Health concurs with the intent and purpose of S.C.R. No. 199, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1770-92 Health and Legislative Management on S.C.R. No. 157

The purpose of this concurrent resolution is to request the Legislative Auditor to study the contract policies and administrative processes used by the Department of Health in the provision of services to persons with developmental disabilities.

Your Committees find that there are possible inequities within the present system that need to be identified to ensure that developmentally disabled clients receive appropriate services through purchase of service contracts. Your Committees further find that there is disagreement about (1) how and when the State should provide direct services, (2) the method for appropriate unit cost, and (3) the level of funding necessary to maintain the quality of services for developmentally disabled clients.

Your Committees on Health and Legislative Management concur with the intent and purpose of S.C.R. No. 157, S.D. 1, and recommend its adoption.

Signed by all members of the Committees except Representative Apo.

SCRep. 1771-92 Health and Legislative Management on S.C.R. No. 251

The purpose of this concurrent resolution is to direct the Legislative Auditor to assess various aspects of the coordination of mental health services for emotionally handicapped children and adolescents in Hawaii's public schools by the Department of Health and the Department of Education per their memorandum of agreement.

Your Committees find that effective delivery of mental health services to children and adolescents has been an ongoing problem in our public schools and that the studies for which this concurrent resolution calls are both timely and important.

Your Committees on Health and Legislative Management concur with the intent and purpose of S.C.R. No. 251, S.D. 1, and recommend its adoption.

Signed by all members of the Committees except Representative Apo.

SCRep. 1772-92 Intergovernmental Relations and International Affairs on S.C.R. No. 161

The purpose of this concurrent resolution is to request that the United States Congress support legislation proposed in "The Earthquake Project" to provide federally sponsored earthquake insurance coverage for homeowners.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 161, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1773-92 Intergovernmental Relations and International Affairs on H.R. No. 237

The purpose of this resolution is to request that Hawaii's congressional delegation propose legislation providing humanitarian, emigration, and other assistance to children of United States servicemembers stationed in the Philippines.

Specifically this resolution urges Hawaii's congressional delegation to:

- (1) Conduct research into the history and provisions of legislation regarding Vietnamese, Korean, and Thai Amerasians;
- (2) Identify conditions and provisions that would apply to Amerasians in the Philippines; and
- (3) Propose legislation providing options for and assistance to Filipino Amerasians, including but not limited to humanitarian assistance and emigration to the United States.

Favorable testimony was received from the Hawaii Chapter of the Catholic Charities.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of H.R. No. 237, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1774-92 Intergovernmental Relations and International Affairs on S.C.R. No. 195

The purpose of this concurrent resolution is to request that the United States Senate ratify the Articles of the Convention on Conservation of Nature in the South Pacific ("APIA Convention").

The Conservation Council for Hawaii submitted testimony in support of this concurrent resolution.

Your Committee was informed that the United States had not yet signed the Articles of the Convention. The concurrent resolution has thus been amended by:

- (1) Changing the title to read, "REQUESTING THE PRESIDENT OF THE UNITED STATES TO SIGN AND THE SENATE OF THE UNITED STATES TO RATIFY THE ARTICLES OF THE 1976 CONVENTION ON THE CONSERVATION OF NATURE IN THE SOUTH PACIFIC ("APIA CONVENTION");" and
- (2) Reflecting that the United States has not signed the Articles of Convention in the body of this concurrent resolution; and
- (3) Making technical, nonsubstantive amendments.

Your Committee on Intergovernmental Relations and International Affairs concurs with the intent and purpose of S.C.R. No. 195, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 195, H.D. 1.

Signed by all members of the Committee except Representative Taniguchi.

SCRep. 1775-92 Judiciary on S.B. No. 2898

The purpose of this bill is to clarify what drug or hormonal substance would be considered an anabolic steroid.

Testimony in support of this measure was submitted by the Department of the Attorney General, the Department of Public Safety, and the Police Department of the City and County of Honolulu.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2898 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1776-92 Ocean and Marine Resources and Transportation on S.C.R. No. 32

The purpose of this concurrent resolution is to authorize the Board of Land and Natural Resources (BLNR) or the Department of Transportation (DOT), or both, pursuant to sections 171-53 and 171-60, Hawaii Revised Statutes, to lease for the purposes of reclamation and development by a private developer the following described submerged and fast lands for marina purposes:

Approximately 20 acres of submerged land, to include only the area required for development of the harbor configuration authorized for construction by the U.S. Army Corps of Engineers and the area along the shoreline revetment for maintenance purposes, being a portion of Tax Map 6-1-03 under the jurisdiction of the Department of Land and Natural Resources, and 13 acres of fast land, being a portion of Tax Map Key No. 6-1-03:26 of Governor's Executive Order Nos. 1904 and 2142, situated at Kawaihae Bay, Kawaihae Second, South Kohala, Hawaii.

Your Committees note that this concurrent resolution:

- (1) Is neither an implied approval of the decisions that must be independently made by the BLNR or the DOT in acting on any conservation district use application nor implied intent to include other fast and submerged land leases; and
- (2) Requires the BLNR or the DOT, prior to executing the lease, to independently conclude that this project will be economically feasible, environmentally sound, and in compliance with the law relating to environmental impact statements (chapter 343, Hawaii Revised Statutes), and requires that environmental concerns relating to all phases of the project's construction be addressed and resolved;
- (3) Requires the areas located from the southwest point of the coral flats and extending across the bay to the border of the Pu'ukohola Heiau National Historic Site and Samuel Spencer Beach County Park to be designated as a historical preservation area to perpetuate the unique culture of the Hawaiian people and to preserve the only remnant of the original Kawaihae Bay;
- (4) Requires the offshore area and those non-federal lands within the proposed boundaries of Pu'ukohola Heiau National Historic Site to be free of any development except for the reclamation, restoration, and continued preservation of Hale O Ka Puni, an existing shark heiau, and from further silt coverage, and requires this boundary area to also be free of moorings and motorized vessels and be limited to the use of Polynesian voyaging canoes and outrigger canoes; and
- (5) Requests the BLNR and the DOT to convene an advisory committee for the development of the new Kawaihae Boat Harbor, whose membership is to include, but is not limited to, representatives of the Waimea Civic Club, Na Koa O Pu'ukohola Heiau, the Kawaihae Boating Association, and the Kona Mauka Trollers; and
- (6) Requires the BLNR or the DOT to ensure that the developer, during construction and development, does not further exacerbate siltation of the Hale O Ka Puni Heiau, and is required to mitigate any further siltation there.

Testimony was received from the DLNR, the DOT, and M&M Ventures Inc. in support of this concurrent resolution. Testimony was also received from the Kawaihae Marina Management Corporation which indicated support of this measure, but recommended the area under consideration be increased to forty (40) acres.

Your Committees note the importance of a broad spectrum of community involvement in a project of this nature. Therefore, the DLNR and the DOT are urged to make every possible effort to conduct some of the necessary public hearings in Waimea, Hawaii and to transmit a copy of this measure to the Waimea-Kawaihae Community Association, Puako Community Association, and other community groups to apprise them of this planned marina.

Your Committees on Ocean and Marine Resources and Transportation concur with the intent and purpose of S.C.R. No. 32, S.D. 1, and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1777-92 Finance on H.R. No. 437

The purpose of this resolution is to request the Department of Education (DOE) and the Department of Accounting and General Services (DAGS) to develop guidelines and standards to allow community volunteers to perform minor school repair, maintenance, and construction at public schools. The DOE and DAGS will also be required to consult with the Department of the Attorney General in regards to the legal ramifications of allowing volunteers perform such tasks.

The testimony submitted by the DOE and DAGS stated their willingness to participate in the establishment of these guidelines and standards.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 437, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1778-92 Labor and Public Employment and Education on S.C.R. No. 143

The purpose of this concurrent resolution is to request the Department of Education to develop a new classification and compensation plan for ten-month educational officers.

The existing classification and compensation plan does not distinguish the complexity and scope of responsibilities between elementary, intermediate, and high school educational officers.

Your Committees find that the Department of Education will submit a status report to the Hawaii Government Employees Association no later September 30, 1992, as a check-point on the development of a new plan, and submit a report on the final plan and the anticipated date of implementation to the Legislature prior to the convening of the Regular Session of 1993.

Testimony on this concurrent resolution was submitted by the Department of Education and the Hawaii Government Employees Association.

Your Committees on Labor and Public Employment and Education concur with the intent and purpose of S.C.R. No. 143, S.D. 1, and recommend its adoption.

Signed by all members of the Committees except Representative Bunda.

SCRep. 1779-92 Ocean and Marine Resources on S.C.R. No. 189

The purpose of this concurrent resolution, as received, is to convey support of the Kaneohe Bay Task Force's recommendations regarding the preservation and revitalization of the Nu'upia fishponds. Additionally, this measure establishes an ad hoc panel comprised of legislators, state agencies, representatives from Kaneohe Marine Corps Air Station and the offices of Hawaii's Congressional delegation, and members of the Windward community, who are charged with the duties of developing and implementing a plan which would restore and restock the Nu'upia fishponds.

Testimony in support of this measure was received from the Office of State Planning. The United States Marine Corps, Kaneohe Marine Corps Air Station (KMCAS) testified in opposition. The Department of Land and Natural Resources (DLNR), the Office of Hawaiian Affairs (OHA), OHA native Hawaiian Historic Preservation Council, and American Freedom Coalition Task Force on the Environment supported the intent of the measure, but expressed concern that there is a need for a well-balanced, ecological management plan for the entire area surrounding the ponds. Testimony was also received from Tom Rosser of the Kaneohe Bay Task Force and a long-time fisher in Kaneohe Bay, also in support of the intent of restocking of the ponds.

Most of the testifiers concurred that the creation of an ad hoc committee, as called for in this measure, would not be efficient nor productive. For this reason, your Committee has chosen to do away with the ad hoc planning panel.

Instead, your Committee has chosen to add language which encourages the establishment of a marine fish stock enhancement program at Nu'upia ponds, pursuant to an appropriation of \$750,000 from the federal government. Hence, the purpose of this concurrent resolution has been modified to specifically request the DLNR to assist with the implementation of this federally-sponsored program which entails the close cooperation of the KMCAS and the Oceanic Institute (OI). OI has been specifically charged by Congress to develop the program.

Your Committee intends that this amended measure requesting DLNR to facilitate implementation of the stock enhancement project will contribute to the initiation of this program under the Department of Defense's Legacy Resource Management Program.

In addition, your Committees have amended the title of this concurrent resolution to read:

"SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE PRESERVATION AND REVITALIZATION OF THE NU'UPIA FISHPONDS AT KANEOHE BAY AND CALLING FOR THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSIST IN IMPLEMENTING A FEDERALLY FUNDED FISH STOCK ENHANCEMENT PROGRAM AT THAT SITE. (AMENDED TITLE)"

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of S.C.R. No. 189, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 189, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1780-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on S.C.R. No. 238

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR), in conjunction with the City and County of Honolulu, and the counties of Hawaii, Kauai, and Maui, and the Hawaiian Lifeguard Association to conduct a study which could determine the feasibility of establishing a center for water safety and lifeguard training.

Testimony was received from the DLNR and the Hawaiian Life Guard Association. The DLNR indicated their support of this measure, but expressed reservations since such a study requires funds, which are not available at this time. The Hawaiian Lifeguard Association reported that it had already initiated a study for potential sites for a center.

The DLNR indicated that if the Hawaiian Life Guard Association could provide a report that was sufficiently comprehensive to satisfy the requirements of the concurrent resolution, it would no longer have the reservations which were expressed in its testimony. The two parties agreed to work together to draft a report which was mutually acceptable.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of S.C.R. No. 238 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1781-92 Ocean and Marine Resources and Intergovernmental Relations and International Affairs on S.C.R. No. 215

The purpose of this concurrent resolution is to request the U. S. Army Corps of Engineers to conduct a study of the coastal waters fronting the Samuel Spencer County Beach Park and the Pu'ukohala Heiau National Historic Park, County of Hawaii. Such a study would also include recommendations for alternative actions that could be initiated to diminish the ongoing sedimentation problem at this location.

The construction of the Kawaihae Commercial Deep Draft Harbor has caused the water quality off the Samuel Spencer County Beach Park to decline and other contributing factors have increased the amount of siltation in the nearshore area.

Testimony was received from the Department of Transportation in support of this concurrent resolution.

Your Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs concur with the intent and purpose of S.C.R. No. 215 and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1782-92 Judiciary on S.C.R. No. 119

The purpose of this concurrent resolution is to request that the Center for Alternative Dispute convene a series of discussions for the purpose of evaluating current adoption practices and to consider ways to improve the adoption process.

Testimony in support of this concurrent resolution was submitted by the Department of Health, Hawaii State Commission On The Status of Women, Office of Hawaiian Affairs, Hawaii Psychological Association, Adoption Circle of Hawaii and The Committee for Adoption Reform Education.

Your Committee finds that an open mediated discussion of Hawaii's current adoption laws will allow all interested parties an avenue to provide input that will clarify the various issues and problems in Hawaii's current adoption laws.

Your Committee on Judiciary concurs with the intent and purpose of S.C.R. No. 119, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1783-92 Education on S.C.R. No. 180 (Majority)

The purpose of this concurrent resolution is to request the Department of Accounting and General Services to study the feasibility of purchasing the Aiea Sugar Mill site.

Your Committee finds that the expanding Aiea community needs a larger, more comprehensive library and the sugar mill grounds would provide a convenient location.

Your Committee on Education concurs with the intent and purpose of S.C.R. No. 180, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.
(Representatives O'Kieffe and Tatibouet did not concur.)

SCRep. 1784-92 Higher Education and the Arts on S.C.R. No. 116

The purpose of this concurrent resolution is to request that the University of Hawaii and the Employment Training Center, in collaboration with the Departments of Education and Labor and Industrial Relations, conduct a study of the Middle College High School program for implementation in Hawaii.

Your Committee finds that an estimated 8,000 secondary students in Hawaii's public schools have been identified as at-risk of dropping out of school. A program that might help these students complete their education and become productive members of our community is the Middle College High School, designed to not only encourage at-risk students to complete their high school education, but also continue on for postsecondary degrees.

Your Committee on Higher Education and the Arts concurs with the intent and purpose of S.C.R. No. 116, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1785-92 Judiciary and Legislative Management on S.C.R. No. 166

The purpose of this concurrent resolution is to request that the Legislative Auditor, with the assistance of the Legislative Reference Bureau, the Hawaii Civil Rights Commission, other affected State departments and agencies, programs and activities receiving State financial assistance and interested public groups, is requested to conduct a study to review existing federal and state laws, policies and procedures that deal with grievances from persons who are denied access to services because of their membership in a protected class, including handicapped status, race, sex, national origin and religion and to make recommendations to address grievances based on the discriminatory denial of federal and state-funded services.

Testimony in support of this concurrent resolution was received from the Hawai'i Civil Rights Commission and a private individual.

Your Committees find that a study to review existing federal and state laws, policies and procedures that deal with grievances from persons who are denied access to services because of their membership in a particular class and to make recommendations on how to best address grievances based on the discriminatory denial of state and state-funded programs that receive federal or state funding should be conducted.

Your Committees on Judiciary and Legislative Management concur with the intent and purpose of S.C.R. No. 166, S.D. 1, and recommend its adoption.

Signed by all members of the Committees.

SCRep. 1786-92 Water, Land Use, and Hawaiian Affairs; Judiciary; and Intergovernmental Relations and International Affairs on S.C.R. No. 228

The purpose of this concurrent resolution is to request the Governor to:

- (1) Institute legal proceedings to compel the federal government to fulfill its past, present and future obligations as co-trustee of the Public Land Trust;
- (2) Solicit a Congressional investigation to assess the need for continued occupation of hundreds of thousands of acres of public lands of Hawaii by the national military; and
- (3) Utilize the joint special legislative committee established to address issues concerning the federal responsibility for the public lands of Hawaii, for oversight purposes in pursuing the above actions.

In response to testimony presented by the Office of Hawaiian Affairs (OHA), your Committees have amended this measure to:

- (1) Express support for efforts to secure passage of federal legislation waiving any claim of sovereign immunity with respect to legal proceedings relevant to federal trust responsibilities;
- (2) Acknowledge previous Congressional investigations into issues of federal trust responsibilities; and
- (3) Provide that the initiating of legal proceedings against the federal government be done in consultation with OHA.

Your Committees on Water, Land Use, and Hawaiian Affairs and Judiciary and Intergovernmental Relations and International Affairs concur with the intent and purpose of S.C.R. No. 228, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 228, S.D. 1, H.D. 1.

Signed by all members of the Committees.

SCRep. 1787-92 Housing and Water, Land Use, and Hawaiian Affairs on H.R. No. 348

The purpose of this resolution is to request the Housing Committee of the House of Representatives to evaluate chapter 516, Hawaii Revised Statutes during the interim, to determine whether the law relating to residential leaseholds can be amended to curb speculative resales.

Testimony was submitted by the State Department of Hawaiian Homes Land, Kamehameha Schools/Bishop Estate, and the native Hawaiian Legal Corporation.

Upon careful consideration, your Committees have amended this resolution by:

- (1) Requesting the Committee on Water, Land Use, and Hawaiian Affairs to assist the Committee on Housing in conducting a study to determine the following:
 - (a) The desirability of developing affordable housing on ceded lands which are perpetually leased, rather than sold in fee simple, to purchasers of such housing;

- (b) Trust obligations imposed by applicable constitutional and statutory law; and
 - (c) The means for establishing reasonable rent levels for lands used for affordable housing, to assure a fair return to the native Hawaiian trusts including, but not limited to, devoting all rentals from the use of ceded lands currently and formerly in sugar cultivation to the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs; and
- (2) Requesting the Committees on Housing and Water, Land Use, and Hawaiian Affairs to consult with the native Hawaiian groups and organizations around the State to assure a balanced viewpoint on the issues identified.

Your Committees on Housing and Water, Land Use, and Hawaiian Affairs concur with the intent and purpose of H.R. No. 348, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 348, H.D. 1.

Signed by all members of the Committees except Representatives Alcon, Bunda, D. Ige, M. Ige, Santiago and Thielen.

SCRep. 1788-92 Water, Land Use, and Hawaiian Affairs on S.C.R. No. 219

The purpose of this measure is to support the preservation of the historic, cultural, economic and natural resources of Waipio Valley by requesting that the Department of Land and Natural Resources (DLNR) purchase the Valley for land banking purposes.

Testimony on this concurrent resolution was submitted by the DLNR, the Bishop Museum, and the Waipio Taro Farmers Association.

Your Committee finds that the Bishop Museum has actively promoted, and the DLNR has consistently supported, the idea of public acquisition of Waipio Valley, but that the DLNR maintains that more investigation of the lands and of questions relevant to their acquisition is necessary. Your Committee has therefore amended this concurrent resolution and its title to:

- (1) Note the above findings;
- (2) Request that the DLNR utilize land banking funds to complete whatever surveying, inventory, investigation and appraisal of Waipio Valley it deems necessary to proceed with the acquisition; and
- (3) Make nonsubstantive changes for the purposes of style and clarity.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 219, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 219, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives D. Ige and Thompson.

SCRep. 1789-92 Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs on S.C.R. No. 151

The purpose of this measure is to encourage a fair and just resolution of a dispute between the federal government and private owners of land in Waikane Valley.

The land in question was leased to the federal government for use by the military from 1946 to 1976. Notwithstanding terms which required the removal of all unexploded ordnance upon expiration of the lease, the federal government has concluded that the cost of such removal is prohibitive, and is now embroiled in litigation over condemnation of the property.

Specifically, this concurrent resolution would:

- (1) Request the federal government to withdraw its suit of condemnation of the Waikane Valley property and to negotiate with the landowners on how to fulfill the conditions of the lease;
- (2) Request the members of Hawaii's Congressional delegation to assist in helping the landowners resolve their dispute with the federal government;
- (3) Request the Governor to resist any federal condemnation of lands previously leased to the federal government under terms which would require restoration of the lands to a safe condition if condemnation were not pursued; and
- (4) Request the Attorney General to intervene in any action or act as amicus curiae in any appeal of a judgment to condemn, and to assist in the defense of any unjust suit of condemnation.

Testimony on this measure was presented by the Department of the Attorney General.

Your Committees on Water, Land Use, and Hawaiian Affairs and Intergovernmental Relations and International Affairs concur with the intent and purpose of S.C.R. No. 151, S.D. 1, and recommend its adoption.

Signed by all members of the Committees except Representatives Horita, D. Ige and Thompson.

SCRep. 1790-92 Water, Land Use, and Hawaiian Affairs on S.C.R. No. 86

The purposes of this concurrent resolution are:

- (1) To extend the existence of the Task Force to Preserve Waipio Valley;
- (2) To call for a Task Force report to the Legislature prior to the convening of the Regular Session of 1993; and
- (3) To provide for the expansion of the Task Force's membership to include a non-voting member from the student body of Honokaa High School.

Your Committee received testimony in support of an identical House concurrent resolution, H.C.R. No. 206, from the Department of Land and Natural Resources, the Task Force to Preserve Waipio Valley, the Bishop Museum, and the Waipio Taro Farmers Association.

Your Committee finds that Waipio Valley is an area of unique agricultural, historical, and cultural significance to the State of Hawaii, and that although the Task Force to Preserve Waipio Valley has proven to be a worthwhile forum wherein the various concerned parties can work to determine the future of the Valley, its work is far from completed. Your Committee further finds that the selection of a non-voting member from the student body of Honokaa High School will bring a valuable perspective of the youth of the area to the task of preserving Waipio Valley.

Your Committee on Water, Land Use, and Hawaiian Affairs concurs with the intent and purpose of S.C.R. No. 86 and recommends its adoption.

Signed by all members of the Committee except Representative Bunda.