

- (2) Review a different state agency annually with respect to the agency's adherence to the principles of administrative fairness; and
- (3) Submit reports to the reviewed agency and the Legislature that contain recommendations regarding ways to improve the agency's adherence to the principles of administrative fairness.

The Department of Personnel Services submitted testimony in support of this measure's intent. The Ombudsman submitted comments on this measure.

The Department of Personnel Services suggested that the focus of the measure be redirected to the goal of improving the quality of services delivered to the public by all state agencies, which, by definition would include improvements in administrative fairness.

Accordingly, after free and open discussion, your Committee has amended this measure by replacing its entire contents. Specifically, this measure was amended by inserting language that redirects its focus to improving the quality of services delivered to the public by all state agencies.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 412, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 412, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Young and Thielen.

**SCRep. 1367-94                      Legislative Management on H.C.R. No. 454**

The purpose of this concurrent resolution as received by your Committee is to request the President of the Senate and the Speaker of the House of Representatives to convene a task force to develop a strategic vision for the future of Hawaii.

The adoption of a shared vision for the social and economic health of Hawaii with measurable standards of progress in achieving that vision can best guide state policy makers into the next century.

Testimony in support of the intent of this measure was submitted by the Office of the Governor, the Hawaii Community Services Council, and the Office of Children and Youth. The Chamber of Commerce of Hawaii submitted comments on this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Amending the title to emphasize the importance of developing "benchmarks" to assess the progress of achieving the vision;
- (2) Requesting the convening of a Steering Committee charged with the development of these "benchmarks";
- (3) Clarifying that the development of these "benchmarks" should be part of a community planning process that encourages broad-based, public-private, and nonpartisan participation; and
- (4) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 454, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 454, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Young and Thielen.

**SCRep. 1368-94                      Human Services on H.R. No. 348**

The purpose of this resolution is to request that the Department of Health, assisted by the Department of Human Services and the Judiciary, develop a premarital counseling program.

Testimony from the Judiciary and the Department of Health was received in support of the intent of this resolution. However, the Department of Health suggested that your Committee hold the resolution because the department does not feel it is equipped financially or with existing personnel to develop such an ambitious curriculum and they also feel that such an extensive effort would require new staffing to implement this project.

Your Committee strongly believes that a parenting class should be implemented within the Department of Education as a required course in the curriculum.

Your Committee is in full support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 348 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Peters.

**SCRep. 1369-94 Human Services on H.C.R. No. 405**

The purpose of this concurrent resolution is to request that the Department of Health, assisted by the Department of Human Services and the Judiciary, develop a premarital counseling program.

Testimony from the Judiciary and the Department of Health was received in support of the intent of this concurrent resolution. However, the Department of Health suggested that your Committee hold the concurrent resolution because the department does not feel it is equipped financially or with existing personnel to develop such an ambitious curriculum and they also feel that such an extensive effort would require new staffing to implement this project.

Your Committee strongly believes that a parenting class should be implemented within the Department of Education as a required course in the curriculum.

Your Committee is in full support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 405 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Peters.

**SCRep. 1370-94 Human Services on H.R. No. 387**

The purpose of this resolution is to urge Hawaii's congressional delegation to support the enactment of public assistance reform legislation.

Testimony from the Department of Human Service, Committee on Welfare Concerns, and the Legal Aid Society was received in support of this resolution.

It is noted by your Committee that under President Clinton's Welfare Reform effort, there are discussions currently ongoing that would simplify and make more consistent the eligibility requirements between Aid to Families with Dependent Children, Food Stamps, and Medicaid.

Your Committee is in full support of this resolution.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 387 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Duldulao, Peters and Tanimoto.

**SCRep. 1371-94 Human Services on H.C.R. No. 463**

The purpose of this concurrent resolution is to urge Hawaii's congressional delegation to support the enactment of public assistance reform legislation.

Testimony from the Department of Human Service, Committee on Welfare Concerns, and the Legal Aid Society was received in support of this concurrent resolution.

It is noted by your Committee that under President Clinton's Welfare Reform effort, there are discussions currently ongoing that would simplify and make more consistent the eligibility requirements between Aid to Families with Dependent Children, Food Stamps, and Medicaid.

Your Committee is in full support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 463 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Duldulao, Peters and Tanimoto.

**SCRep. 1372-94 Human Services on H.R. No. 368**

The purpose of this resolution is to request the Department of Human Services to conduct a study of the JOBS Program and to make recommendations on its continuance. The resolution asks that the Department of Human Services review the progress that the Department has made to date and report such findings to the Legislature.

Testimony from the Department of Human Services, Committee on Welfare Concerns and Kokua Council for Senior Citizens was received in support of this resolution.

The Department of Human Services has suggested that the report requested through the resolution be included as part of the DHS annual report required through Act 321, Session Laws of Hawaii, Regular Session of 1990, which is submitted to the Legislature no later than twenty days prior to convening.

Upon further consideration, your Committee has amended this resolution with the suggestions given by the Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 368, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 368, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and Tanimoto.

**SCRep. 1373-94          Human Services on H.C.R. No. 439**

The purpose of this concurrent resolution is to request the Department of Human Services to conduct a study of the JOBS Program and to make recommendations on its continuance. The concurrent resolution asks that the Department of Human Services review the progress that the Department has made to date and report such findings to the Legislature.

Testimony from the Department of Human Services, Committee on Welfare Concerns and Kokua Council for Senior Citizens was received in support of this concurrent resolution.

The Department of Human Services has suggested that the report requested through the concurrent resolution be included as part of the DHS annual report required through Act 321, Session Laws of Hawaii, Regular Session of 1990, which is submitted to the Legislature no later than twenty days prior to convening.

Upon further consideration, your Committee has amended this concurrent resolution with the suggestions given by the Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 439, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 439, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and Tanimoto.

**SCRep. 1374-94          Human Services and Health on H.R. No. 397**

The purpose of this resolution is to request that the Interdepartmental Cluster submit a report on its activities, efforts in successfully meeting its mandate (Act 342), data and demographics on Cluster youngsters, documentation of gaps in services, the education of staff on appropriate referral and process and an overall evaluation on Cluster.

Testimony from the Department of Health, State Planning Council on Developmental Disabilities, Governor's Office of Children and Youth, Mental Health Association in Hawaii, and a private citizen was received in support of this measure. Of those testifying, most were in favor of hiring an independent agency to conduct the audit.

It is noted by your Committees that the Cluster System has had a critical role in providing workable models for collaboration between agencies for effective service delivery to children with severe emotional and developmental problems.

It is also noted, that the Governor's Office of Children and Youth (GOCY) hired Susan Ignelzi, a National Consultant, four years ago to conduct an audit on the Cluster System.

The GOCY intends to consult Susan Ignelzi with the current evaluation or a third part who is knowledgeable with the Cluster System program.

Upon further consideration, your Committees have amended this resolution by:

- (1) Stating that the Governor's Office of Children and Youth is to submit a report regarding the activities over the past two years of the Interdepartmental Cluster For Services To Children to the Legislature; and
- (2) Including all agencies who are actively involved with the Cluster System to receive draft copies of the report, so the agencies may comment in writing on the substance of the report.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 397, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 397, H.D. 1.

Signed by all members of the Committees except Representative Peters.

**SCRep. 1375-94          Human Services and Health on H.C.R. No. 476**

The purpose of this concurrent resolution is to request that the Interdepartmental Cluster submit a report on its activities, efforts in successfully meeting its mandate (Act 342), data and demographics on Cluster youngsters,

documentation of gaps in services, the education of staff on appropriate referral and process and an overall evaluation on Cluster.

Testimony from the Department of Health, State Planning Council on Developmental Disabilities, Governor's Office of Children and Youth, Mental Health Association in Hawaii, and a private citizen was received in support of this measure. Of those testifying, most were in favor of hiring an independent agency to conduct the audit.

It is noted by your Committees that the Cluster System has had a critical role in providing workable models for collaboration between agencies for effective service delivery to children with severe emotional and developmental problems.

It is also noted, that the Governor's Office of Children and Youth (GOCY) hired Susan Ignelzi, a National Consultant, four years ago to conduct an audit on the Cluster System.

The GOCY intends to consult Susan Ignelzi with the current evaluation or a third part who is knowledgeable with the Cluster System program.

Upon further consideration, your Committees have amended this concurrent resolution by:

- (1) Stating that the Governor's Office of Children and Youth is to submit a report regarding the activities over the past two years of the Interdepartmental Cluster For Services To Children to the Legislature; and
- (2) Including all agencies who are actively involved with the Cluster System to receive draft copies of the report, so the agencies may comment in writing on the substance of the report.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 476, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 476, H.D. 1.

Signed by all members of the Committees except Representative Peters.

**SCRep. 1376-94      Health on H.R. No. 276**

The intent of this measure is to request the Legislative Reference Bureau to perform a study on the quality of care provided to former Waimano Home residents and to request the Department of Health to suspend plans to further reduce Waimano's population or to terminate operations at the institution.

Proponents of this measure included the United Public Workers, the Voice of the Retarded, and the Parents and Advocates of Waimano. Their main concern was the health and well-being of residents currently at Waimano and residents of Waimano who were put in residential care homes.

Opponents of this measure included the Department of Health, the Commission on Persons with Disabilities, the Special Education Center of Hawaii, and the Association for Retarded Citizens. These organizations felt that it would be a step backwards to reinstitutionalization and destroy the developmentally disabled's community life which may be the best setting for them.

Your Committee was very concerned at the reports of inadequate care, high turnover rates among employees of private care providers and agencies, and former residents of Waimano Home being left on their own or transported back to Waimano for day programs. Although your Committee realizes that community life may be the best therapy for the developmentally disabled, it is felt that closer monitoring of the care and well-being of the patients released from Waimano Home into the community. Your Committee feels that the current lack of adequate monitoring and problems reported by employees and former residents of Waimano Home has caused deterioration in the quality of care received by former residents of Waimano Home.

Therefore, after careful consideration, your Committee has amended this measure by:

- (1) Removing language that called for the Department of Health to cease and desist from further reducing the resident population at Waimano Home and halt plans to terminate operations at the institution. It was felt that the Department of Health's plan had assured that the patients who really needed Waimano would still be able to access Waimano Home; and
- (2) Amending the title to reflect that the wages, benefits, and conditions of the employees of private care providers and agencies caring for former Waimano residents should also be studied; and
- (3) Making technical, nonsubstantive amendments for the purposes of conformity, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 276, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 276, H.D. 1.

Signed by all members of the Committee except Representative Kawakami.

**SCRep. 1377-94      Health on H.C.R. No. 298**

The intent of this measure is to request the Legislative Reference Bureau to perform a study on the quality of care provided to former Waimano Home residents and to request the Department of Health to suspend plans to further reduce Waimano's population or to terminate operations at the institution.

Proponents of this measure included the United Public Workers, the Voice of the Retarded, and the Parents and Advocates of Waimano. Their main concern was the health and well-being of residents currently at Waimano and residents of Waimano who were put in residential care homes.

Opponents of this measure included the Department of Health, the Commission on Persons with Disabilities, the Special Education Center of Hawaii, and the Association for Retarded Citizens. These organizations felt that it would be a step backwards to reinstitutionalization and destroy the developmentally disabled's community life which may be the best setting for them.

Your Committee was very concerned at the reports of inadequate care, high turnover rates among employees of private care providers and agencies, and former residents of Waimano Home being left on their own or transported back to Waimano for day programs. Although your Committee realizes that community life may be the best therapy for the developmentally disabled, it is felt that closer monitoring of the care and well-being of the patients released from Waimano Home into the community. Your Committee feels that the current lack of adequate monitoring and problems reported by employees and former residents of Waimano Home has caused deterioration in the quality of care received by former residents of Waimano Home.

Therefore, after careful consideration, your Committee has amended this measure by:

- (1) Removing language that called for the Department of Health to cease and desist from further reducing the resident population at Waimano Home and halt plans to terminate operations at the institution. It was felt that the Department of Health's plan had assured that the patients who really needed Waimano would still be able to access Waimano Home; and
- (2) Amending the title to reflect that the wages, benefits, and conditions of the employees of private care providers and agencies caring for former Waimano residents should also be studied; and
- (3) Making technical, nonsubstantive amendments for the purposes of conformity, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 298, 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. 298, H.D. 1.

Signed by all members of the Committee except Representative Kawakami.

**SCRep. 1378-94            Health on H.C.R. No. 66**

The purpose of this concurrent resolution is to request the Auditor to conduct an impact assessment report of the social and financial effects of requiring health insurance providers to provide coverage for acupuncture services as a mandate or rider. This request is made pursuant to Sections 23-51 and 23-52, Hawaii Revised Statutes, which require this kind of report prior to the consideration of any legislative measure that mandates health insurance coverage for new health services or new providers of health care services.

Testimony in support of the concurrent resolution was submitted by the Hawaii Acupuncture Association and an individual. The Hawaii Medical Service Association testified that it had no objection to the proposed report.

The Hawaiian Society of Naturopathic Physicians submitted testimony in support of the concurrent resolution. However, the testimony contained a recommendation for an amendment to the concurrent resolution to include a study assessing the social and financial impact of mandatory health insurance coverage for naturopaths as primary care providers.

Relatedly, at a public hearing held on January 24, 1994, this Committee considered H.B. No. 2237, which would mandate coverage of naturopathic services by any health insurance plan. However, the measure was held because of a lack of the kind of study called for in this concurrent resolution.

With respect to the acupuncture report, your Committee has learned that the Auditor has decided not to prepare the kind of report required by Sections 23-51 and 23-52, Hawaii Revised Statutes, if no bill exists to mandate such coverage. However, it should be noted that the Auditor's decision is separate from any statutory requirement. Since the Legislature is discussing the matter of acupuncture coverage, even without any formal proposal, the report requested by this concurrent resolution is relevant and needed prior to any decision on the matter.

In consideration of the testimony presented, your Committee has amended the concurrent resolution as follows:

- (1) Revised the title to read:  

**"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR NATUROPATHIC MEDICINE AND ACUPUNCTURE SERVICES";**
- (2) Added the statement that the Legislature has extensively considered naturopathic medicine, which has been the subject of a number of bills;

- (3) Added the statement that the Legislature believes that mandatory health insurance coverage for naturopathic medicine will substantially reduce illness and assist in the maintenance of good health for the people of the State;
- (4) Added a request for the Auditor to conduct an impact assessment report of the social and financial effects of requiring all health insurance providers to provide coverage for naturopathic medicine as a mandate or rider; and
- (5) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 66, as amended herein, and recommends that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as H.C.R. No. 66, H.D. 1.

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

**SCRep. 1379-94 Health and Human Services on H.R. No. 198**

This resolution proposes to request the Department of Health to review whether families who reside within the healthy start catchment area are served by the healthy start home visiting program or are missed by the identification team.

Testimonies in opposition to this measure were received from the Department of Health and the Kapiolani Medical Center for Women and Children. Although both organizations felt that the measure had good intentions, they also felt that the measure was not necessary because various studies on the Healthy Start Program had already been conducted. It was felt that these studies provided adequate information for the problems addressed in this resolution.

Your Committees realize that the Healthy Start Program is a valuable program to the community and that this program has greatly improved the health and well-being of Hawaii's families. Further, it was pointed out that the program has not overlooked families but has not been able to serve the people in need due to lack of funding. The program is very costly and has prompted a supplemental budget request of \$3-million. However, this budget request has been reduced to \$900,000. Moreover, it was noted that with this \$3-million dollar appropriation, the Healthy Start Program could provide service to anyone who wanted it throughout the State.

Therefore, because your Committees feel that this program is much too important to overlook and that the absence of this program could have a dramatic effect on the future lives of many abused children and their families, your Committees have passed this measure.

After further consideration, your Committees have amended this measure by:

- (1) Adding language that calls for the reevaluation of the screening criteria used for the admission of families to the Healthy Start Program; and
- (2) Inserting wording that notes the lack of aggressiveness by the Department of Health to pursue funding and wording requiring the Department of Health to pursue such funding; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, conformity, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 198, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 198, H.D. 1.

Signed by all members of the Committees except Representatives Kawakami, Peters, Santiago and White.

**SCRep. 1380-94 Health and Human Services on H.C.R. No. 209**

This concurrent resolution proposes to request the Department of Health to review whether families who reside within the healthy start catchment area are served by the healthy start home visiting program or are missed by the identification team.

Testimonies in opposition to this measure were received from the Department of Health and the Kapiolani Medical Center for Women and Children. Although both organizations felt that the measure had good intentions, they also felt that the measure was not necessary because various studies on the Healthy Start Program had already been conducted. It was felt that these studies provided adequate information for the problems addressed in this resolution.

Your Committees realize that the Healthy Start Program is a valuable program to the community and that this program has greatly improved the health and well-being of Hawaii's families. Further, it was pointed out that the program has not overlooked families but has not been able to serve the people in need due to lack of funding. The program is very costly and has prompted a supplemental budget request of \$3-million. However, this budget request has been reduced to \$900,000. Moreover, it was noted that with this \$3-million dollar appropriation, the Healthy Start Program could provide service to anyone who wanted it throughout the State.

Therefore, because your Committees feel that this program is much too important to overlook and that the absence of this program could have a dramatic effect on the future lives of many abused children and their families, your Committees have passed this measure.

After further consideration, your Committees have amended this measure by:

- (1) Adding language that calls for the reevaluation of the screening criteria used for the admission of families to the Healthy Start Program; and
- (2) Inserting wording that notes the lack of aggressiveness by the Department of Health to pursue funding and wording requiring the Department of Health to pursue such funding; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, conformity, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 209, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 209, H.D. 1.

Signed by all members of the Committees except Representatives Kawakami, Peters, Santiago and White.

**SCRep. 1381-94            Health and Human Services on H.R. No. 396**

The purpose of this resolution is to request the Auditor to study the reimbursement methodology for Waimano Training School and Hospital.

Testimonies supporting the intent of this resolution were received from the Department of Health and the Department of Human Services. However, both departments felt that they were doing an adequate job considering the monumental task which they have to perform.

Testimonies in strong support of this measure were received from the State Planning Council on Developmental Disabilities and the Commission of Persons with Disabilities. They felt that the State could further maximize its federal reimbursements from this costly institution and cited information obtained in a 1991 study done by the Public Consulting Group, Inc..

It is recognized by your Committees that Waimano Training School and Hospital is a very costly institution. Furthermore, it was brought to your Committees' attention that the State missed an opportunity to include in its recent Medicaid plan, a methodology to recoup millions of dollars in additional federal monies by rebasing its "ICF/MR rate" and claiming retroactive reimbursement. This is extremely distressing to your Committees since the population at Waimano continues to decrease while the costs continue to increase.

Moreover, your Committees believe that it is in the best interest of the State to maximize federal matching Medicaid funds, and to ensure that the reimbursement rates from the federal Medicaid program are reasonable and adequate to meet the needs of the current population at Waimano Training School and Hospital.

Upon careful consideration, your Committees have amended this measure by:

- (1) Inserting language to maximize the use of federal reimbursements; and
- (2) Adding language requesting the Auditor to include any proposed legislation in its report to the Legislature; and
- (3) Making other technical, nonsubstantive amendments for the purposes of clarity, conformity, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 396, as amended herein, and recommend that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 396, H.D. 1.

Signed by all members of the Committees except Representatives Kawakami, Peters, Santiago and White.

**SCRep. 1382-94            Health and Human Services on H.C.R. No. 477**

The purpose of this concurrent resolution is to request the Auditor to study the reimbursement methodology for Waimano Training School and Hospital.

Testimonies supporting the intent of this concurrent resolution were received from the Department of Health and the Department of Human Services. However, both departments felt that they were doing an adequate job considering the monumental task which they have to perform.

Testimonies in strong support of this measure were received from the State Planning Council on Developmental Disabilities and the Commission of Persons with Disabilities. They felt that the State could further maximize its federal reimbursements from this costly institution and cited information obtained in a 1991 study done by the Public Consulting Group, Inc..

It is recognized by your Committees that Waimano Training School and Hospital is a very costly institution. Furthermore, it was brought to your Committees' attention that the State missed an opportunity to include in its recent Medicaid plan, a methodology to recoup millions of dollars in additional federal monies by rebasing its "ICF/MR rate" and claiming retroactive reimbursement. This is extremely distressing to your Committees since the population at Waimano continues to decrease while the costs continue to increase.

Moreover, your Committees believe that it is in the best interest of the State to maximize federal matching Medicaid funds, and to ensure that the reimbursement rates from the federal Medicaid program are reasonable and adequate to meet the needs of the current population at Waimano Training School and Hospital.

Upon careful consideration, your Committees have amended this measure by:

- (1) Inserting language to maximize the use of federal reimbursements; and
- (2) Adding language requesting the Auditor to include any proposed legislation in its report to the Legislature; and
- (3) Making other technical, nonsubstantive amendments for the purposes of clarity, conformity, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 477, 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. 477, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Peters, Santiago and White.

**SCRep. 1383-94 Human Services on H.C.R. No. 375**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to work with a contractor with national expertise to review and evaluate the State's child welfare services system and to develop a blueprint for the reform and re-design of this system.

The Department of Human Services and Kapiolani Medical Center submitted testimony in support of the proposed review and evaluation. The Judiciary supported the concept of the concurrent resolution, and an individual supported it.

Parents Anonymous of Hawaii testified that an effective child-centered child welfare system can only be achieved when all interested parties are invited to participate in the process. The Hawaii State Foster Parents Association testified that enough expertise exists in this State to create a blueprint for child welfare in Hawaii, and that it would be pleased to participate in this process.

The Legislative Reference Bureau (LRB) testified that since the concurrent resolution requests a management and financial audit, it would be more appropriate to designate an auditing agency such as the Department of Accounting and General Services or the Office of the Auditor to perform the audit. LRB also testified that it does not have in its budget funds to retain a contractor as directed by the concurrent resolution.

Parents and Children Together (PACT) testified in support of the concurrent resolution, but with amendments. PACT recommended emphasizing the development of a blueprint in the concurrent resolution, while eliminating the management and financial audit components of the study. In addition, PACT testified that commitments for the funding of a contractor have been secured from private sector agencies.

Your Committee acknowledges the financial commitment of the private sector and the kind of mutually-beneficial partnership between the public and private sectors that can result. However, since this kind of partnership is relatively new, few mechanisms exist to facilitate the processes required to make these partnerships successful.

For example, since the concurrent resolution directs the Legislative Reference Bureau (LRB) to issue the report, it is not clear how the private funds will be expended. One alternative is for funds to be transferred to LRB, which would expend the funds. Another alternative is for a private agency to expend the funds directly for a consultant's study, then to transfer the report to LRB. The financial arrangement should be clarified by the agencies involved in advance. The successful resolution of this and other challenges has implications beyond this effort since it may facilitate other kinds of partnerships in the future.

After full and free discussion, your Committee has amended the concurrent resolution as follows:

- (1) Revised the title of the concurrent resolution to read:  

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A CHILD WELFARE SERVICES REFORM BLUEPRINT WHICH WILL PROVIDE A MODEL FOR HAWAII'S CHILD PROTECTIVE SERVICES FOR FAMILIES WHERE CHILD ABUSE AND NEGLECT IS SUSPECTED OR HAS OCCURRED";
- (2) Removed the management and financial audit aspects of the proposed study;
- (3) Deleted the statement that an overall review and evaluation of the child welfare system is needed;

- (4) Added that the child protective services system is authorized at a level of seventy percent of the necessary staffing to carry out State and federal mandates;
- (5) Added the statement that without adequate intervention, the cycle of violence is perpetuated since children who are abused and neglected have a much greater chance of becoming abusive parents;
- (6) Added the statement that the cost to society of inadequately treated cases of child abuse and neglect is exorbitant in both monetary and human terms;
- (7) Specified that the Child Welfare State Advisory Council and the State Children's Justice Grant Task Force should be involved in the development of the blueprint;
- (8) Added the participation of the Neighbor Island police departments and the prosecutor's office of each county in the blueprint development process;
- (9) Deleted the directive that the national expert would be named by the private funding organizations and the role of the Legislative Reference Bureau in working with this expert;
- (10) Revised the issues given as examples of items to be addressed by the study;
- (11) Added a statement that expertise and advice be sought from a wide variety of those involved and knowledgeable in the child welfare and services system; and
- (12) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 375, 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. 375, H.D. 1.

Signed by all members of the Committee except Representative Peters.

**SCRep. 1384-94      Energy and Environmental Protection on H.R. No. 212**

The purpose of this resolution is to revise Section 6-74-15(c), Hawaii Administrative Rules, to require electric utilities and qualifying facilities who fail to reach a power purchase agreement within seventy-five days from the qualifying facility's offer, to individually or jointly submit a petition to the Public Utilities Commission (PUC) to request a hearing.

Testimony in support of H.R. 212 was presented to the Committee by:

- (1) The Department of Business, Economic Development, and Tourism;
- (2) The Consumer Advocate of the Department of Commerce and Consumer Affairs;
- (3) The Hawaiian Sugar Planters' Association;
- (4) Inter-Island Solar Supply;
- (5) A representative of various power generation groups on Hawaii; and
- (6) Several concerned citizens.

Both the Public Utilities Commission (PUC) and the Hawaiian Electric Company, Inc. supported the right to petition the PUC for a hearing if an agreement cannot be reached. However, they opposed the language in the resolution mandating that a petition be submitted. During questioning, the Consumer Advocate, the PUC, and other interested parties agreed to proposed revisions offered by the Committee.

Your Committee strongly supports efforts to encourage the use of renewable energy and efficient use of fossil fuels.

The Committee believes that policies and regulations which place utilities and non-utility generators on a more equal footing can constructively contribute to increased competition and, therefore, greater efficiencies in the regulated energy sector.

After free and open discussion, your Committee has amended this resolution by:

- (1) Inserting the language "shall, and/" between "electric utility" and "or the qualifying facility" on Page 2, line 6;
- (2) Deleting the coma after "qualifying facility" and replacing it with the word "may";
- (3) Deleting the words "individually or jointly, shall" on the following line of the proposed section c; and
- (4) Inserting "seventy-five" before "days" on the last line of the proposed sub-section (c).

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 212, as amended herein, and

recommends that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as H.R. No. 212, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1385-94 Energy and Environmental Protection on H.C.R. No. 32**

The purpose of this concurrent resolution is to revise Section 6-74-15(c), Hawaii Administrative Rules, to require electric utilities and qualifying facilities who fail to reach a power purchase agreement within seventy-five days from the qualifying facility's offer, to individually or jointly submit a petition to the Public Utilities Commission (PUC) to request a hearing.

Testimony in support of H.C.R. 32 was presented to the Committee by:

- (1) The Department of Business, Economic Development, and Tourism;
- (2) The Consumer Advocate of the Department of Commerce and Consumer Affairs;
- (3) The Hawaiian Sugar Planters' Association;
- (4) Inter-Island Solar Supply;
- (5) A representative of various power generation groups on Hawaii; and
- (6) Several concerned citizens.

Both the Public Utilities Commission (PUC) and the Hawaiian Electric Company, Inc. supported the right to petition the PUC for a hearing if an agreement cannot be reached. However, they opposed the language in the resolution mandating that a petition be submitted. During questioning, the Consumer Advocate, the PUC, and other interested parties agreed to proposed revisions offered by the Committee.

Your Committee strongly supports efforts to encourage the use of renewable energy and efficient use of fossil fuels.

The Committee believes that policies and regulations which place utilities and non-utility generators on a more equal footing can constructively contribute to increased competition and, therefore, greater efficiencies in the regulated energy sector.

After free and open discussion, your Committee has amended this concurrent resolution by:

- (1) Inserting the language "shall, and/" between "electric utility" and "or the qualifying facility" on Page 2, line 6;
- (2) Deleting the coma after "qualifying facility" and replacing it with the word "may";
- (3) Deleting the words "individually or jointly, shall" on the following line of the proposed section c; and
- (4) Inserting "seventy-five" before "days" on the last line of the proposed sub-section (c).

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 32 as amended herein, and recommends that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as H.C.R. No. 32, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1386-94 Energy and Environmental Protection on H.R. No. 134**

The purpose of this resolution is to have the Commander-in-Chief of the United States Pacific Command identify locations where environmental hazardous materials may be stored by the military, so that developers, contractors and purchasers of residential property on or near such sites can be aware of potential problems.

Testimony in support of the resolution was received from various concerned citizens from the area of Village Park in Waipahu.

Your Committee shares the concerns of the testifiers that unknown hazardous conditions may be adversely affecting the health of their children and other children in the area. The Committee recognizes that concerns about unknown, but potentially hazardous conditions are, no doubt, shared by many citizens. It believes that the proposed measure will help to allay such concerns when unwarranted and to identify those circumstances where there should be cause for concern.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 134 and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1387-94 Energy and Environmental Protection on H.C.R. No. 362**

The purpose of this concurrent resolution is to support the Sierra Club Legal Defense Fund's formal petition with the Federal Aviation Administration to control tour aircraft in the State of Hawaii. The concurrent resolution also requests the state Department of Transportation and the members of the congressional delegation to petition the Federal Aviation Administration to support the Citizens' Petition as presented by the Sierra Club Legal Defense Fund.

Testimony supporting the concurrent resolution was received from:

- (1) The Sierra Club, Hawaii Chapter;
- (2) The Sierra Club Legal Defense Fund; and
- (3) The Citizens Against Noise.

Testifiers supporting the concurrent resolution stated that the frequency of low flying air-tour flights has resulted in dramatic increases in air-tour noise in Hawaii's National Parks, as well as increases in helicopter accident rates.

The Sierra Club Legal Defense Fund, while strongly supporting the concurrent resolution, asked for amendments which would incorporate the recommendations of the "Hawaii Helicopter System Plan" as found in Act 397, 1988.

Testimony opposing the concurrent resolution was received from the Department of Transportation. The Department expressed the view that the requirements proposed by the concurrent resolution were impractical and overly conservative when there were no compelling safety, environmental, health or public interests to enact some of the recommended measures.

The Committee recognizes the necessity for control of aircraft touring in the State and unanimously agreed to pass the concurrent resolution with amendments.

Your Committee has amended the concurrent resolution by adding clauses to express the intent of the Legislature that:

- (1) The Director of the Department of Transportation issue the Hawaii State Helicopter System Plan in accordance with Act 397;
- (2) The Director implement the recommendations of the plan; and
- (3) The Department petition the FAA for rule making and report the petition to the 1995 Legislature.

Your Committee also amended the concurrent resolution title to reflect the new content so it reads as: "REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PETITION THE FEDERAL AVIATION ADMINISTRATION TO CONTROL TOUR AIRCRAFT IN THE STATE OF HAWAII."

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 362, as amended herein, and recommends that it be referred to the Committee on Transportation in the form attached hereto as H.C.R. No. 362, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1388-94 Energy and Environmental Protection on H.C.R. No. 305**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) to recommend amendments for Chapter 195D, Hawaii Revised Statutes (HRS), to allow the taking of threatened and endangered species if the taking is incidental to, and not the purpose of, carrying out an otherwise lawful activity, and only if the taking will not appreciably reduce the survival and recovery of species in the wild.

Your Committee recognizes that the significant number of threatened and endangered species in the State necessitates action to manage, protect, and recover these species. There are situations when the limited taking of threatened and endangered species under approved guidelines can further the habitat conservation planning process and conservation efforts.

Your Committee received testimony in support of the concurrent resolution from DLNR. Testimony was also submitted by the Hawaii Audubon Society and the Sierra Club, Hawai'i Chapter.

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

- (1) Specifying that DLNR's recommended amendments to Chapter 195D, HRS, and findings to the Legislature would:
  - (a) Improve enforcement of the law;
  - (b) Require DLNR to implement recovery plans;

- (c) Mandate designation and protection of critical habitat;
- (d) Require the State equivalent of the federal Endangered Species Act, Section 7, consultation process; and
- (e) Allow, after public review and subject to the right of a contested case hearing, the taking of threatened and endangered species if such taking is incidental to, and not the purpose of, carrying an otherwise lawful activity, and only if the taking will not appreciably reduce the survival and recovery of species in the wild;

and

- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 305, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 305, H.D. 1.

Signed by all members of the Committee except Representatives Herkes, Hiraki and Hirono.

**SCRep. 1389-94 Higher Education and the Arts on H.C.R. No. 484**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study, based on the University of Massachusetts at Boston (UMB) methodology, on the economic contribution of the University of Hawaii and community colleges to the local economy.

The innovative methodology utilized by the UMB captures the significant economic value of a university or community college by looking at the increased potential earning power of a college graduate and the resultant rise in income and sales-tax revenues for local and state governments.

Testimony in support of this concurrent resolution was received from the Director of Planning and Policy, University of Hawaii and the Associate Executive Director, University of Hawaii Professional Assembly.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 484 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1390-94 Higher Education and the Arts on H.R. No. 119**

The purpose of this resolution is to request the University of Hawaii's College of Tropical Agriculture and Human Resources (CTAHR) to examine the nature of multiple-income farm family enterprises and the role these enterprises play in Hawaii's agricultural sector.

Conservative figures indicate that more than \$50,000,000 or twenty percent of Hawaii's diversified agriculture income during 1989 came from small farms and a 1977 baseline study of Hawaii's small farm families revealed that seventy-five percent of these families had off-farm income. Multiple-income farm families display different production strategies and any failure to acknowledge the prevalence of multiple-income farm families in Hawaii and understand multiple-income farm family resource management strategies may threaten the future of agriculture in Hawaii. More information is needed about the nature of multiple-income farm family enterprises and the role that these enterprises play in Hawaii's agricultural sector.

Testimony in support of this resolution was received by the College of Tropical Agriculture and Human Resources, University of Hawaii.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 119, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1391-94 Higher Education and the Arts on H.C.R. No. 131**

The purpose of this concurrent resolution is to request the University of Hawaii's College of Tropical Agriculture and Human Resources (CTAHR) to examine the nature of multiple-income farm family enterprises and the role these enterprises play in Hawaii's agricultural sector.

Conservative figures indicate that more than \$50,000,000 or twenty percent of Hawaii's diversified agriculture income during 1989 came from small farms and a 1977 baseline study of Hawaii's small farm families revealed that seventy-five percent of these families had off-farm income. Multiple-income farm families display different production strategies and

any failure to acknowledge the prevalence of multiple-income farm families in Hawaii and understand multiple-income farm family resource management strategies may threaten the future of agriculture in Hawaii. More information is needed about the nature of multiple-income farm family enterprises and the role that these enterprises play in Hawaii's agricultural sector.

Testimony in support of this concurrent resolution was received by the College of Tropical Agriculture and Human Resources, University of Hawaii.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 131, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1392-94 Higher Education and the Arts on H.R. No. 203**

The purpose of this resolution is to request the University of Hawaii Water Resources Research Center to develop guidelines which may be adopted by county planning and building departments to control the construction of private water catchment facilities.

Testimony in support of this resolution was received by the University of Hawaii Water Resources Research Center and the Hawaii State Department of Health.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 203 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1393-94 Higher Education and the Arts on H.C.R. No. 214**

The purpose of this concurrent resolution is to request the University of Hawaii Water Resources Research Center to develop guidelines which may be adopted by county planning and building departments to control the construction of private water catchment facilities.

Testimony in support of this concurrent resolution was received by the University of Hawaii Water Resources Research Center and the Hawaii State Department of Health.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 214 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1394-94 Higher Education and the Arts on H.R. No. 275**

The purpose of this resolution is to request the University of Hawaii to conduct a comprehensive review of the funding and operations of the Center for Labor Education and Research at the University of Hawaii.

Testimony in support of this resolution was received by the University of Hawaii College of Continuing Education and Community Service, the International Brotherhood of Electrical Workers, and the Labor Education Advisory Council.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 275 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1395-94 Higher Education and the Arts on H.C.R. No. 297**

The purpose of this concurrent resolution is to request the University of Hawaii to conduct a comprehensive review of the funding and operations of the Center for Labor Education and Research at the University of Hawaii.

Testimony in support of this concurrent resolution was received by the University of Hawaii College of Continuing Education and Community Service, the International Brotherhood of Electrical Workers, and the Labor Education Advisory Council.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 297 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1396-94 Ocean Recreation and Marine Resources on H.R. No. 323**

The purpose of this House resolution, as received by your Committee, was to request the Department of Land and Natural Resources (DLNR) to plan and design a port authority at each public small boat harbor in the State.

Your Committee on Ocean Recreation and Marine Resources finds that the Auditor's report, "Study of the Financing of the Small Boat Harbors and Boat Ramps Program of the Department of Land and Natural Resources", noted several weaknesses in the program, and made recommendations for correcting these deficiencies. Your Committee also finds that a statewide marine authority is used in other states and may be applied in Hawaii as an alternative to the current small boat harbors and boat ramps program, and that users of small boat harbors desire to be active in the management of the harbors, and desire the creation of a marine authority which includes elective harbor boards at public small boat harbors in the State.

This measure requests the DLNR to plan and design a marine authority to embrace the elective harbor boards at each boat harbor in the State in consultation with the elective harbor boards, the Hawaii Boaters Council, and other small boat harbor associations, and to report findings and recommendations, including necessary proposed legislation, to the Legislature.

The DLNR testified in opposition to this House resolution. The Department of Transportation deferred to the DLNR regarding the necessity of forming its own port authority. A member of the boating community opposed the idea of elective harbor boards being involved in a port authority.

Your Committee has amended this House resolution by substituting "marine authority" for "port authority" wherever these words appear in this measure, since a statewide port authority is needed only when several political authorities are involved. Your Committee has further amended this measure by deleting reference to the Department of Transportation, since jurisdiction for small boat harbors and boat ramps reside solely in the DLNR.

As affirmed by the record of votes of the members of your Committee on Ocean Recreation and Marine Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 323, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 323, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Hirono and Tajiri.

**SCRep. 1397-94 Ocean Recreation and Marine Resources on H.C.R. No. 371**

The purpose of this House concurrent resolution, as received by our Committee, was to request the Department of Land and Natural Resources (DLNR) to plan and design a port authority at each public small boat harbor in the State.

Your Committee on Ocean Recreation and Marine Resources finds that the Auditor's report, "Study of the Financing of the Small Boat Harbors and Boat Ramps Program of the Department of Land and Natural Resources", found several weaknesses in the program, and made recommendations for correcting these deficiencies. Your Committee also finds that a statewide marine authority is used in other states and may be applied in Hawaii as an alternative to the current small boat harbors and boat ramps program, and that users of small boat harbors desire to be active in the management of the harbors and desire the creation of a marine authority which includes elective harbor boards at public small boat harbors in the State.

This measure requests the DLNR to plan and design a marine authority to embrace the elective harbor boards at each public boat harbor in the State in consultation with the elective harbor boards, the Hawaii Boaters Council, and other small boat harbor associations, and to report findings and recommendations, including necessary proposed legislation to the Legislature.

The DLNR testified in opposition to this House concurrent resolution. The Department of Transportation deferred to the DLNR regarding the necessity of forming its own port authority. A member of the boating community opposed the idea of elective harbor boards being involved in a port authority.

Your Committee has amended this House concurrent resolution by substituting "marine authority" for "port authority" wherever these words appear in this measure, since a statewide port authority is needed only when several political authorities are involved. Your Committee has further amended this measure to delete reference to the Department of Transportation, since jurisdiction for small boat harbors and boat ramps reside solely in the DLNR.

As affirmed by the record of votes of the members of your Committee on Ocean Recreation and Marine Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 371, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 371, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Hirono and Tajiri.

**SCRep. 1398-94          Tourism on H.C.R. No. 261**

The purpose of this concurrent resolution is to request the Convention Center Authority to report twice a year on the status of the convention center project, including updates on:

- (1) A development schedule for the completion of the convention center;
- (2) The current status of the development and construction of the convention center; and
- (3) Any problems or concerns encountered in adhering to the development and construction criteria stated in Act 7, Special Session of 1993;

Your Committee received testimony in support of this concurrent resolution from the Convention Center Authority.

In order to ensure sufficient returns from the considerable time and effort already invested in a convention center, your Committee finds that reporting by the authority on a semi-annual basis will allow the Legislature to carefully monitor the progress on the construction and development of the project. The current slack period in the Hawaii economy makes a successful revenue-generating convention center all the more necessary.

Section 206X-15, Hawaii Revised Statutes, already provides for an annual report by the authority. This detailed report will fulfill the request for a report on December 31 of each year, and a brief status report should suffice for June 30 of each year.

In addition, your Committee finds that additional discussion during the year between the Legislature and the authority will help to ensure a world-class convention center for Hawaii.

Your Committee revised this concurrent resolution by:

- (1) Amending the title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING BIENNIAL REPORTS ON THE PROGRESS OF THE CONSTRUCTION OF THE CONVENTION CENTER";
- (2) Adding "progress" to the references to the reports;
- (3) Providing that the annual report prepared pursuant to Section 206X-15, Hawaii Revised Statutes, shall constitute the December 31 report;
- (4) Adding "brief" to the updates for inclusion in the biannual progress report; and
- (5) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 261, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 261, H.D. 1.

Signed by all members of the Committee.

**SCRep. 1399-94          Tourism on H.R. No. 243**

The purpose of this resolution is to request the Convention Center Authority to report twice a year on the status of the convention center project, including updates on:

- (1) A development schedule for the completion of the convention center;
- (2) The current status of the development and construction of the convention center; and
- (3) Any problems or concerns encountered in adhering to the development and construction criteria stated in Act 7, Special Session of 1993;

Your Committee received testimony in support of this resolution from the Convention Center Authority.

In order to ensure sufficient returns from the considerable time and effort already invested in a convention center, your Committee finds that reporting by the authority on a semi-annual basis will allow the Legislature to carefully monitor the progress on the construction and development of the project. The current slack period in the Hawaii economy makes a successful revenue-generating convention center all the more necessary.

Section 206X-15, Hawaii Revised Statutes, already provides for an annual report by the authority. This detailed report will fulfill the request for a report on December 31 of each year, and a brief status report should suffice for June 30 of each year.

In addition, your Committee finds that additional discussion during the year between the Legislature and the authority will help to ensure a world-class convention center for Hawaii.

Your Committee revised this resolution by:

- (1) Amending the title to read: "HOUSE RESOLUTION REQUESTING BIENNIAL REPORTS ON THE PROGRESS OF THE CONSTRUCTION OF THE CONVENTION CENTER";
- (2) Adding "progress" to the references to the reports;
- (3) Providing that the annual report prepared pursuant to Section 206X-15, Hawaii Revised Statutes, shall constitute the December 31 report;
- (4) Adding "brief" to the updates for inclusion in the biannual progress report; and
- (5) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 243, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 243, H.D. 1.

Signed by all members of the Committee.

**SCRep. 1400-94 Education on H.R. No. 274**

The purpose of this resolution is to request the Department of Education to develop a policy which allows for the erection and maintenance of drug-free zone signs in and around the public schools.

Testimony was received from the Department of Education in support of the intent of the measure.

Your Committee has amended this resolution by specifying in the title and the body that the decision to erect and maintain drug-free zone signs shall be a voluntary decision made by each school.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 274, as amended herein, and recommends that it be referred to the Committee on Transportation in the form attached hereto as H.R. No. 274, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1401-94 Education on H.C.R. No. 296**

The purpose of this concurrent resolution is to request the Department of Education to develop a policy which allows for the erection and maintenance of drug-free zone signs in and around the public schools.

Testimony was received from the Department of Education in support of the intent of the measure.

Your Committee has amended this concurrent resolution by specifying in the title and the body that the decision to erect and maintain drug-free zone signs shall be a voluntary decision made by each school.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 296, as amended herein, and recommends that it be referred to the Committee on Transportation in the form attached hereto as H.C.R. No. 296, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1402-94 Energy and Environmental Protection on H.R. No. 317**

The purpose of this resolution is to support the Sierra Club Legal Defense Fund's formal petition with the Federal Aviation Administration to control tour aircraft in the State of Hawaii. The resolution also requests the state Department of Transportation and the members of the congressional delegation to petition the Federal Aviation Administration to support the Citizens' Petition as presented by the Sierra Club Legal Defense Fund.

Testimony supporting the resolution was received from:

- (1) The Sierra Club, Hawaii Chapter;
- (2) The Sierra Club Legal Defense Fund; and
- (3) The Citizens Against Noise.

Testifiers supporting the resolution stated that the frequency of low flying air-tour flights has resulted in dramatic increases in air-tour noise in Hawaii's National Parks, as well as increases in helicopter accident rates.

The Sierra Club Legal Defense Fund, while strongly supporting the resolution, asked for amendments which would incorporate the recommendations of the "Hawaii Helicopter System Plan" as found in Act 397, 1988.

Testimony opposing the resolution was received from the Department of Transportation. The Department expressed the view that the requirements proposed by the resolution were impractical and overly conservative when there were no compelling safety, environmental, health or public interests to enact some of the recommended measures.

The Committee recognizes the necessity for control of aircraft touring in the State and unanimously agreed to pass the resolution with amendments.

Your Committee has amended the resolution by adding clauses to express the intent of the Legislature that:

- (1) The Director of the Department of Transportation issue the Hawaii State Helicopter System Plan in accordance with Act 397;
- (2) The Director implement the recommendations of the plan; and
- (3) The Department petition the FAA for rule making and report the petition to the 1995 Legislature.

Your Committee also amended the resolution title to reflect the new content so it reads as: "REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PETITION THE FEDERAL AVIATION ADMINISTRATION TO CONTROL TOUR AIRCRAFT IN THE STATE OF HAWAII."

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 317, as amended herein, and recommends that it be referred to the Committee on Transportation in the form attached hereto as H.R. No. 317, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1403-94 Energy and Environmental Protection on H.C.R. No. 369**

The purpose of this concurrent resolution is to request the State Auditor to conduct an analysis of the Department of Health's policy regarding the approval of individual wastewater systems in the Laie, Hauula-Punaluu, Kaaawa, Kahaluu, and Kaneohe sewerage subdistricts on the island of Oahu.

Most communities on the North Shore of Oahu are served by on-site, individual wastewater systems such as cesspools, septic tanks, and aerobic treatment systems. While administrative rules no longer allow the construction of cesspools, there are approximately 5,500 such systems already in existence on the North Shore. These systems frequently fail, which, in many instances, creates public health hazards. The continued use of cesspools in the North Shore area threatens the State's fresh groundwater sources and the water quality of our coastal waters.

At present, the practice of remedying complaints about cesspools through the enforcement of administrative rules is extremely time-consuming and, in many cases, provides no solution except requiring the cessation of wastewater generation from the property. The City and County of Honolulu faces excessive demand for cesspool pumping, which has driven the costs charged by private pumpers up to around \$100.

The analysis proposed by this measure will help identify possible solutions to this problem.

Testimony in support of this measure was submitted by Representative D. Ululani Beirne's office and a registered sanitarian. The Department of Health submitted testimony in support of the intent of this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Clarifying that the focus of the analysis is the area between Kahaluu and Mokuleia; and
- (2) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 369, 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. 369, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1404-94 Water and Land Use Planning on H.R. No. 163**

The purpose of this resolution is to improve the quality of life for Pahoa residents on the Big Island by providing community space for recreation, community gatherings, and general social interaction. This measure requests the Department of Land and Natural Resources (DLNR) to acquire land owned by Amfac/JMB Hawaii, Inc., through a land exchange to achieve this objective.

The following organizations testified on this measure: the DLNR; the Office of Hawaiian Affairs (OHA); Amfac/JMB Hawaii, Inc.; the Puna Community Council, Inc.; the Mainstreet-Pahoa Association Inc.; two Pahoa business owners; and a Hawaii County Council member. Also submitted was a petition signed by over two dozen Pahoa businesses in support of this measure.

Your Committee agrees with OHA that a land exchange would probably include ceded lands and could diminish the ceded land corpus. OHA receives twenty percent of all revenues derived from the use of these lands. Accordingly, your Committee has amended this measure by:

- (1) Inserting a **BE IT FURTHER RESOLVED** clause stating that should negotiations for a land exchange involve ceded lands, DLNR is urged to work closely with OHA to ensure that revenues from the public land trust are not significantly diminished; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 163, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 163, H.D. 1.

Signed by all members of the Committee except Representatives Bainum and Tajiri.

**SCRep. 1405-94 Water and Land Use Planning on H.C.R. No. 174**

The purpose of this concurrent resolution is to improve the quality of life for Pahoia residents on the Big Island by providing community space for recreation, community gatherings, and general social interaction. This measure requests the Department of Land and Natural Resources (DLNR) to acquire land owned by Amfac/JMB Hawaii, Inc., through a land exchange to achieve this objective.

The following organizations testified on this measure: the DLNR; the Office of Hawaiian Affairs (OHA); Amfac/JMB Hawaii, Inc.; the Puna Community Council, Inc.; the Mainstreet-Pahoia Association Inc.; two Pahoia business owners; and a Hawaii County Council member. Also submitted was a petition signed by over two dozen Pahoia businesses in support of this measure.

Your Committee agrees with OHA that a land exchange would probably include ceded lands and could diminish the ceded land corpus. OHA receives twenty percent of all revenues derived from the use of these lands. Accordingly, your Committee has amended this measure by:

- (1) Inserting a **BE IT FURTHER RESOLVED** clause stating that should negotiations for a land exchange involve ceded lands, DLNR is urged to work closely with OHA to ensure that revenues from the public land trust are not significantly diminished; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 174, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 174, H.D. 1.

Signed by all members of the Committee except Representatives Bainum and Tajiri.

**SCRep. 1406-94 Consumer Protection and Commerce on H.R. No. 170**

The purpose of this resolution is to request each county to evaluate its capacity to enforce the 1991 edition of the Uniform Building Code. In addition, this resolution also urges each county to develop the means, including increases in permit fees, if the county determines that its capacity to enforce the 1991 Uniform Building Code is insufficient.

Supportive testimony was submitted by the Office of State Planning, the Department of Commerce and Consumer Affairs, and State Farm Insurance Companies.

Your Committee acknowledges that the adoption and proper enforcement of the Uniform Building Code will lessen the losses and suffering caused in the event of another hurricane similar to Iniki striking the islands.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 170 and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committee except Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1407-94 Consumer Protection and Commerce on H.C.R. No. 181**

The purpose of this concurrent resolution is to request each county to evaluate its capacity to enforce the 1991 edition of the Uniform Building Code. In addition, this concurrent resolution also urges each county to develop the means, including increases in permit fees, if the county determines that its capacity to enforce the 1991 Uniform Building Code is insufficient.

Supportive testimony was submitted by the Office of State Planning, the Department of Commerce and Consumer Affairs, and State Farm Insurance Companies.

Your Committee acknowledges that the adoption and proper enforcement of the Uniform Building Code will lessen the losses and suffering caused in the event of another hurricane similar to Iniki striking the islands.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 181 and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committee except Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1408-94 Consumer Protection and Commerce H.R. No. 165**

The purpose of this resolution is to urge the Office of State Planning (OSP) to develop training programs for county building inspectors and private sector building industry personnel to inform them of the pertinent provisions of the 1991 edition of the Uniform Building Code. In addition, OSP is requested to include in its budget for fiscal year 1995-1996, funds to support the training programs.

Supportive testimony was submitted by OSP, the Department of Commerce and Consumer Affairs, and State Farm Insurance Companies.

The OSP representative testified that OSP is exploring funding alternatives to implement the requested training programs if and when the 1991 Uniform Building Code is adopted statewide.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 165 and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committee except Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1409-94 Consumer Protection and Commerce on H.C.R. No. 176**

The purpose of this concurrent resolution is to urge the Office of State Planning (OSP) to develop training programs for county building inspectors and private sector building industry personnel to inform them of the pertinent provisions of the 1991 edition of the Uniform Building Code. In addition, OSP is requested to include in its budget for fiscal year 1995-1996, funds to support the training programs.

Supportive testimony was submitted by OSP, the Department of Commerce and Consumer Affairs, and State Farm Insurance Companies.

The OSP representative testified that OSP is exploring funding alternatives to implement the requested training programs if and when the 1991 Uniform Building Code is adopted statewide.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 176 and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committee except Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1410-94 Consumer Protection and Commerce on H.R. No. 164**

The purpose of this resolution is to urge each county to adopt the 1991 edition of the Uniform Building Code in its entirety, including Appendix chapters 2425 and 2518, that contain prescriptive requirements for light wood frame and masonry construction in high wind areas.

Supportive testimony was submitted by the Office of State Planning, the Department of Commerce and Consumer Affairs, and State Farm Insurance Companies.

Your Committee finds that the adoption of the 1991 Uniform Building Code will significantly reduce the risks of loss of lives and property due to hurricanes and high winds, as well as mitigate the the costs of insuring properties in the future.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 164 and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committee except Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1411-94 Consumer Protection and Commerce on H.C.R. No. 175**

The purpose of this concurrent resolution is to urge each county to adopt the 1991 edition of the Uniform Building Code in its entirety, including Appendix chapters 2425 and 2518, that contain prescriptive requirements for light wood frame and masonry construction in high wind areas.

Supportive testimony was submitted by the Office of State Planning, the Department of Commerce and Consumer Affairs, and State Farm Insurance Companies.

Your Committee finds that the adoption of the 1991 Uniform Building Code will significantly reduce the risks of loss of lives and property due to hurricanes and high winds, as well as mitigate the the costs of insuring properties in the future.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 175 and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committee except Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1412-94 Consumer Protection and Commerce on H.C.R. No. 88**

The purpose of this concurrent resolution is to request a sunrise analysis of a proposed measure to regulate art dealers.

Your Committee has amended the concurrent resolution to request that the analysis be submitted before the regular session of 1995.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 88, 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. 88, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono, Menor, Peters, Takamine and Tom.

**SCRep. 1413-94 Transportation and Intergovernmental Relations and International Affairs on S.B. No. 2402**

The purpose of this bill is to clarify the authority of the counties to allow the parking of motor vehicles at T-intersections on roads and streets under their respective jurisdictions.

Your Committees find that there is a parking shortage in various areas of the State. Your Committees find that one alternative to increase available parking is to clarify the authority of the Director of Transportation and the counties to allow parking at T-intersections under their respective jurisdictions.

Your Committees received testimony from the Chamber of Commerce of Hawaii, the Leeward Oahu Transportation Management Association, and the Waikiki Neighborhood Board.

Your Committees have amended this bill by:

- (1) Deleting the proposed amendment to Chapter 291C, Hawaii Revised Statutes (HRS);
- (2) Adding new language to Section 291C-111, HRS, to clarify the authority of the Director of Transportation and the counties to allow the stopping, standing, or parking of motor vehicles at T-intersections on highways under their respective jurisdictions; and
- (3) Incorporating technical and non-substantive changes for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Transportation and Intergovernmental Relations and International Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2402, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2402, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Alcon, Hagino and Shon.

**SCRep. 1414-94 Consumer Protection and Commerce on S.B. No. 2406**

The purpose of this bill is to allow incorporated underwriters, in their collective capacity as a domestic ceding insurer, to use credit for reinsurance as either an asset or a deduction from liability on the domestic ceding insurer's financial statements on account of reinsurance ceded, provided that, inter alia, the incorporated underwriters:

- (1) Maintain a trust fund with a surplus of \$100,000,000 in a qualified United States financial institution for the payment of the valid claims of its United States policyholders and ceding insurers;
- (2) Ensure that the trust fund consists of a trusted account representing the group's liabilities attributable to business written in the United States;

- (3) Not engage in any business other than underwriting as a member of the group; and
- (4) Be subject to the same level of solvency regulation and control by the group's domiciliary regulator as are the unincorporated members.

Supportive testimony was submitted by Lloyd's of London (Lloyd's).

Comments by the Insurance Commissioner were also submitted.

The Insurance Commissioner testified that recent major disasters, such as the San Francisco earthquake, the Oakland fire, and Hurricanes Andrew and Iniki, have placed a severe strain on the reinsurance market. Reinsurers such as Lloyd's have been required to make fundamental changes to their structure to continue in the business.

Traditionally, Lloyd's, a marketplace for insurance, permitted only natural persons (called "Names") to trade for their own account. However, with the need to increase market capacity, Lloyd's has begun to admit corporate names into its Society since January 1994.

In light of this, your Committee believes that this bill reflects the changing state of the reinsurance market and will preserve Lloyd's accredited reinsurance status. This in turn will maintain the status quo in Hawaii's insurance market and will allow domestic insurers to take credit for reinsurance ceded.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2406, 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 Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1415-94 Consumer Protection and Commerce on S.B. No. 2605**

The purpose of this bill is to clarify laws prohibiting landlords from terminating the tenancy of a residential dwelling unit in an area that is the subject of a disaster declaration or a severe weather warning.

Comments were submitted by the Department of Commerce and Consumer Affairs.

After careful consideration, your Committee has amended this bill by deleting its substance, and inserting the provisions of H.B. No. 2873, H.D. 1, which was reported out this session.

More specifically, the bill, as amended:

- (1) Defines "unfit for occupancy" to mean that a residential dwelling unit has been damaged to the extent that the unit creates a dangerous or unsanitary situation or is dangerous to the occupants or to the neighborhood;
- (2) Provides that Chapter 209, Hawaii Revised Statutes, entitled, Disaster Relief and Rehabilitation, not be construed to extend beyond the termination date of a fixed-term lease;
- (3) Clarifies that a periodic tenancy may be terminated by the landlord upon forty-five days written notice when:
  - (A) The residential dwelling unit is sold to a bona fide purchaser for value; or
  - (B) The landlord or an immediate family member of the landlord will occupy the residential dwelling unit;
- (4) Clarifies that upon forty-five days written notice, the landlord may require a tenant or tenants to relocate during the actual and continuous period of any repair to render the residential dwelling unit fit for occupancy;
- (5) Requires reoccupancy of the foregoing residential unit to first be offered to the same tenant or tenants upon completion of repair;
- (6) Clarifies that the term of the fixed-term lease or periodic tenancy be extended by a time period equal to the duration of the repair;
- (7) Provides that it be the responsibility of the tenant or tenants to find other accommodations during the period of repair; and
- (8) Makes technical, nonsubstantive revisions for the purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2605, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2605, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1416-94 Consumer Protection and Commerce on S.B. No. 3302**

The purpose of this bill is to require continual proficiency for electricians as a condition for license renewal for electricians. More specifically, the bill provides that:

- (1) Prior to any renewal of a license, every journeyworker electrician, journeyworker industrial electrician, journeyworker specialty electrician, supervising electrician, supervising industrial electrician, and supervising specialty electrician shall pass an examination prescribed by the Board of Electricians and Plumbers on updates to the National Electrical Code;
- (2) The renewal cycle ties in with the code revisions; and
- (3) Electricians are required to pay a triennial renewal fee commencing with the July 1, 1996, renewal period.

Your Committee received testimony in support of this measure from the Board of Electricians and Plumbers and the International Brotherhood of Electrical Workers.

There was no testimony in opposition.

According to testimony presented, there are continuing changes being made to the National Electrical Code. For example, there were over 800 changes made in 1990. Your Committee notes that there is a definite need for compulsory continuing education for journeyman and supervising electricians to avoid potential safety problems for the public as well as the worker.

The Board of Electricians and Plumbers was concerned that deleting the phrase "amend, or repeal" on page 2, line 15 would raise questions about the Board's authority to repeal or amend rules under Chapter 448E, Hawaii Revised Statutes. Therefore, your Committee has amended this bill by:

- (1) Retaining the language "amend, or repeal" on page 2, line 15; and
- (2) Making other technical, non-substantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3302, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3302, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Amaral, Menor, Oshiro, Peters and Takamine.

**SCRep. 1417-94 Consumer Protection and Commerce on S.B. No. 2607**

The purpose of this bill is to permit interstate banking and to permit banks to engage in a business of insurance and securities.

Bank of Hawaii and Rainbow Financial Corporation testified in support of the bill, but suggested changes.

The Department of Commerce and Consumer Affairs submitted comments on this bill, and expressed concerns regarding the sufficiency of regulatory controls and effective implementation of these provisions.

Testimony in opposition, together with recommended changes, was received from State Farm Insurance Companies, the Hawaii State Association of Life Underwriters, the Hawaii Independent Insurance Agents Association, and the American Council of Life Insurance.

Your committee has amended this bill by:

- (1) Removing the interstate banking provisions;
- (2) Removing the limitation that banks may only sell insurance and annuities as general agent, subagent, broker, or solicitor;
- (3) Requiring that insurance underwriting be through a separately capitalized subsidiary or affiliate;
- (4) Prohibiting a subsidiary or affiliate underwriting insurance from using a logo identical to that of the bank;
- (5) Prohibiting recovery of liabilities or losses associated with the bank through the insurance guaranty fund;
- (6) Prohibiting "tying" loans to the purchase of insurance;
- (7) Prohibiting the sale of insurance products at teller stations;
- (8) Exempting banks engaging in a trust business from the restriction against trust companies engaging in any business:

- (A) For which an insurance agent or agency is required; or
  - (B) Of a securities broker or dealer;
- and
- (9) Making technical, non-substantive changes for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2607, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2607, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Cachola, Herkes, Menor, Peters and Takamine.

**SCRep. 1418-94 Consumer Protection and Commerce and Judiciary on S.B. No. 3096**

The purpose of this bill, as received, is to clarify that no insurer may refuse to continue a no-fault policy on the basis to any extent upon a person's race, creed, ethnic extraction, age, sex, length of driving experience, marital status, residence, physical handicap, or because the insured has elected to obtain any required or optional coverage or deductible required by law.

Supportive testimony was submitted by the Insurance Commissioner. Comments by State Farm Insurance were also submitted.

After careful consideration, your Committees have amended this bill by deleting its substance and inserting the provisions of H.B. No. 3267, H.D. 1, which was reported out earlier this session.

More specifically, the bill as amended, clarifies the procedures by which an insurer may cancel or refuse to renew a no-fault policy under Section 431:10C-111, Hawaii Revised Statutes (HRS) by:

- (1) Prohibiting an insurer from cancelling or refusing to renew a no-fault policy, unless, inter alia, the license of the vehicle's principal operator has been revoked because the insured had incurred more than two traffic violations (Chapter 291 or 291C, HRS) within a twelve-month period preceding the date of application;
- (2) Repealing statutory language that prohibited insurers from refusing to continue a no-fault policy based solely on, inter alia, a person's race, creed, length of residence, or the insured having incurred less than three traffic violations (Chapter 291 or 291C, HRS) within a twelve-month period preceding the date of the application;
- (3) Requiring insurers to provide to the insured, in writing, reasons for the refusal to continue the policy upon the request of the insured; and
- (4) Making technical, nonsubstantive changes for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary that is attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3096, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3096, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Cachola, Herkes, Menor, Peters, Takamine and White.

**SCRep. 1419-94 Judiciary on S.B. No. 556**

The purpose of the bill, as received by your Committee, was to establish two types of offenses for prostitution.

Testimony in support of the intent of the measure was received from representatives of the Department of Business, Economic Development, and Tourism and the Police Department of the City and County of Honolulu.

Your Committee finds that the level of street solicitation for the purposes of prostitution in Waikiki has become intolerable. Visitors and residents alike are repeatedly being accosted for purposes of solicitation.

Your Committee notes that these street solicitors are frequently non-residents who confine their activity to the streets of Waikiki because the large number of tourists on the sidewalks offers a money-making opportunity with few disincentives to the prostitutes in terms of personal consequences.

Your Committee finds that these prostitutes would not practice their trade on the streets if they were convinced that the costs to themselves, in terms of confinement, were too high. Therefore, many of the prostitutes will forgo their sojourns to Hawaii, dramatically reducing the number of active street-walkers. This, in turn, will permit the police to more effectively direct their enforcement efforts towards the prostitutes who remain in Hawaii.

Your Committee is convinced that the only way to have an immediate effect upon the level of street solicitation for purposes of prostitution is to make the "business climate" for this activity as unfriendly as possible.

Therefore, your Committee has amended the measure by eliminating the current language in the bill and substituting a new misdemeanor offense of street solicitation in Waikiki for the purposes of prostitution which imposes a mandatory six-month imprisonment.

In addition, your Committee has added a provision which will prohibit bail pending appeal after conviction for the offense.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 556, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 556, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1420-94          Judiciary on S.B. No. 2182**

The purpose of the bill, as received by your Committee, is to propose a constitutional amendment providing for the consent of the Senate in the appointment of district court judges.

Testimony in support of the concept that judges should be subject to the consent of either, or both, of the houses of the Legislature was received by your Committee from representatives of the Citizens Conference on Judicial Selection.

Like the Senate, the members of the House of Representatives reflect the popular will of the people. However, because members of the House of Representatives must face election every two years, your Committee believes that members of the House of Representatives are uniquely positioned to reflect an understanding of the changing concerns of the electorate.

Moreover, it should be noted that the House shares with the Senate equal responsibility for lawmaking within the State of Hawaii.

Therefore, your Committee believes that as a matter of good public policy, as well as equity, the House should assume the responsibility of consenting to the appointment of district court judges.

Accordingly, your Committee has amended this bill by requiring:

- (1) The consent of the Senate in the appointment of district court judges only if the House takes no action;
- (2) That the House must either confirm or reject the nomination within 30 days and if it rejects, must be presented with another name within 10 days; and
- (3) That if the Senate rejects any appointment, the same appointment and consent procedure for the Senate shall be followed until an appointment is made.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2182, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2182, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1421-94          Consumer Protection and Commerce on S.B. No. 2180**

The purpose of this bill, as received, is to require the Department of Health to develop procedures relating to the issuance of underground storage tank closure reports on a regular and timely basis, and to submit a report of its findings and recommendations to the 1995 Legislature.

Supportive testimony was submitted by the Western States Petroleum Association, the Hawaii Transportation Association, and the Hawaii Petroleum Marketers Association (HPMA).

Comments by the Department of Health (DOH) and the Sierra Club, Hawai'i Chapter, were also submitted.

The HPMA representative testified that this bill is necessary to insure that businesses that have in good faith complied with clean-up of underground storage tanks and other requirements of the law, may proceed to sell or develop their property or return it to the lessor.

In addition, the DOH representative testified that:

- (1) The DOH does not issue closure reports (as referred to in the bill, as received), but reviews release response action reports submitted by consultants, contractors, owners, or operators;

- (2) Although not a regulatory requirement, the DOH, at the request of an owner or operator, may issue "no further action" letters for leaking underground storage tank sites to which the owner or operator has clearly documented the completion of site remediation that is protective of human health and the environment; and
- (3) Although an owner or operator remediates a site and receives a "no further action" letter from DOH, there are no legal guarantees that, if additional contamination is found, the United States Environmental Protection Agency or the DOH would not require further clean-up activities.

The HPMA representative further testified that discussions between representatives from the HPMA and the DOH regarding the aforementioned concerns have resulted in the submittal of proposed compromise language on this bill to your Committee.

However, your Committee has not ascertained whether the issuance of "no further action" letters, as referred to in the proposed language, would adequately address the concerns of local lending institutions or streamline the processing of mortgage loans and other financial transactions pertaining to property on which underground storage tanks are situated.

Also, upon closer review of the bill, as received, your Committee notes that the title has inadvertently and mistakenly been revised.

Accordingly, your Committee has amended this bill as follows:

- (1) Amended the title of the bill to conform the title to that of S.B. No. 2180, S.D. 1, to read as follows:  

"A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS";
- (2) Deleted its substance and inserted the proposed compromise language submitted by the DOH and HPMA, that would require the DOH to:
  - (A) Develop processes and procedures regarding the regular and timely issuance of underground storage tank "no further action" letters after a reasonable period of time from the date of filing of an acceptable environmental release response report with the department; and
  - (B) Submit a report to the 1995 Legislature pertaining to findings and recommendations on the processes and procedures for the issuance of "no further action" letters;

and

- (3) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

It is the intent of your Committee that this bill serve as a vehicle to facilitate further discussion until such time as additional information regarding the concerns of lending institutions can be obtained.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2180, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2180, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Herkes, Menor, Peters and Takamine.

**SCRep. 1422-94 Consumer Protection and Commerce and Judiciary on S.B. No. 2041**

The purpose of this bill is to expand the role of psychologists in emergency examination and hospitalization procedures governed by Section 334-59, Hawaii Revised Statutes.

Specifically, the bill provides the following:

- (1) Permits psychologists to make applications to the court for a determination that a person should be taken into custody for emergency examination and treatment;
- (2) Permits psychologists to administer psychologically necessary treatment to a person in an emergency situation;
- (3) Permits a psychologist to examine the patient to diagnose whether the patient needs to be hospitalized in an emergency situation;
- (4) Permits consultation of the physician who performs the emergency examination with a psychologist, if applicable, to conclude that the patient need not be hospitalized;
- (5) Permits the psychologist who performs an emergency examination to direct that the patient be hospitalized on an emergency basis or cause the patient to be transferred to another psychiatric facility for emergency hospitalization, or both; and
- (6) Requires that at least one physician or psychologist must have personally examined an individual and testifies at a hearing in order to treat the person involuntarily at a psychiatric facility.

Your Committees received testimony in support of this measure from the Hawaii Psychological Association, the American Psychological Association, and numerous other individuals. The Department of Health (Department) submitted testimony stating that although inclusion of additional language would be preferable, the Department does not oppose the bill.

Your Committees believe that this bill recognizes the legitimate scope of practice, expertise, and professional experience of psychologists. The result of this measure will be to expand the availability of such expertise in emergency examination or hospitalization situations which involve timely and effective intervention for persons whose mental illness, substance abuse, or dangerousness necessitates such action.

The bill has been amended with technical, nonsubstantive corrections for the purposes of clarity, consistency and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2041, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2041, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Herkes, Menor, Peters, Takamine and White.

**SCRep. 1423-94 Consumer Protection and Commerce and Judiciary on S.B. No. 2288**

The purpose of this bill is to exempt transitional housing for abused family or household members from the residential landlord-tenant code. The intent of this measure is to assure that individuals who pose a threat to the safety of the facility are expeditiously removed without the waiting periods under the landlord-tenant code.

Testimony in support of this measure was received from the Commission on the Status of Women, the Child and Family Services, the Transitional Apartment Program of the Child and Family Services, the Hawaii Green Party-Oahu District, and numerous individuals.

The Legal Aid Society of Hawaii testified in opposition to this measure on the basis that eviction procedures may be ignored by government officials if transitional housing is exempted from the landlord-tenant code.

It is noted by your Committees that the Transitional Apartment Program is a residency program designed for formerly abused women who are committed to leaving their abusive relationships and motivated toward independent living by returning to work or to school in order to improve their lifestyles. Your Committees find that exclusion of these transitional facilities is warranted because program participants sign a program agreement with respect to the rules of the shelter. As these rules are designed for safety reasons, the participant who violates such rules not only puts herself in physical jeopardy, but puts all other program participants in jeopardy as well.

Therefore, your Committees have amended this bill by:

- (1) Adding language on page 2, lines 22-24 to require that transitional facility program agreements ensure that adequate due process safeguards are met; and
- (2) Changing the effective date to July 1, 1994.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2288, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2288, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Herkes, Menor, Peters, Takamine and White.

**SCRep. 1424-94 Water and Land Use Planning on S.B. No. 2837**

The purpose of this bill is to provide an exemption for public educational facilities from the historic preservation law when a structure is destroyed by a natural disaster. This bill also prohibits the Hawaii Historic Places Review Board from placing a public educational facility on the Hawaii Register of Historic Places except through coordination with the agency having jurisdiction over the facility.

In supporting this bill, the Department of Education (DOE) emphasized its responsibility to educate students and provide the required facilities in a cost effective manner. On the other hand, both the Department of Land and Natural Resources (DLNR) and the Historic Hawaii Foundation opposed this measure.

Because of the special circumstances raised by Hurricane Iniki, your Committee finds that the DOE should be given some flexibility in determining whether to replace or preserve school buildings. At the same time, there are strong arguments against providing the DOE with a permanent exemption. Accordingly, your Committee has inserted language in Section 3 of this bill that automatically repeals the provisions of this bill on July 1, 1996. This amendment would provide the DOE with a two-year period in which to address matters.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2837, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2837, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Bainum and Tajiri.  
(Representative Thielen voted no.)

**SCRep. 1425-94 Consumer Protection and Commerce on S.B. No. 2374**

The purpose of this bill is to establish in the healthcare insurance law that the dermatologist is a primary care provider for dermatologic diseases. The bill provides that health plans must allow subscribers and dependents to seek direct services from dermatologists for all dermatologic diseases.

Your Committee heard testimony from the Hawaii Federation of Physicians & Dentists, the Hawaii Dermatologic Society, the Hawaii Medical Association, and numerous doctors and private citizens in support of this measure.

Testimony in opposition to this measure was received from the Department of Family Practice and Community Health of the John A. Burns School of Medicine, the Hawaii Nurses' Association, the Department of Health, The Chamber of Commerce of Hawaii, the Hawaii Academy of Family Physicians, Kaiser Permanente, the Hawaii Medical Service Association, and a doctor of internal medicine.

Your Committee believes that this measure raises a concern of access to specialists for citizens of this state. Although the testimony presented dealt with the medical specialty of dermatology, your Committee finds that direct access is an issue for all specialties of physicians. To continue the dialogue on this important health care issue, your Committee has amended this bill by:

- (1) Adding all medical specialties as primary care providers to ensure direct access for consumers;
- (2) Adding a section to specifically exclude group practice health maintenance organizations; and
- (3) Making technical, nonsubstantive amendments to the bill for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2374, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2374, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Herkes and Peters.  
(Representatives Amaral and Hirono voted no.)

**SCRep. 1426-94 Consumer Protection and Commerce on S.B. No. 3180**

The purpose of this bill is to provide emergency rate increase relief to nonfossil fuel producers of energy when the primary source of nonfossil fuel is not available and the producer is still obligated to continue producing energy under an existing agreement with a public utility.

More specifically, the bill, as received:

- (1) Extends from June 30, 1994 to June 30, 1995, certain provisions of Act 130, Session Laws of Hawaii 1992, as amended by Act 29, Session Laws of Hawaii 1993 (Act 130), that:
  - (A) Authorized the Public Utilities Commission (PUC) to approve higher rates, on a temporary and conditional basis, to a public utility that purchases energy from a nonfossil fuel producer (Section 3 of Act 130);
  - (B) Stated the legislative findings and intent of Section 3 of Act 130, that:
    - (i) There exists an approaching threat that interisland shipments of heavy fuel oil to nonfossil fuel electric providers may be discontinued;
    - (ii) Nonfossil fuel producers may be able to continue to supply to the public utilities the portion of energy currently generated from heavy fuel oil by substituting an alternative fuel; and
    - (iii) The cost of substituting an alternative fuel may be prohibitive to the nonfossil fuel producer unless the nonfossil fuel producer is allowed to increase rates to cover the additional fuel costs incurred (Section 2 of Act 130);
- (2) Clarified a condition to which a nonfossil fuel producer must demonstrate prior to the PUC's authorization (under Act 130) of the higher rate. Specifically, a provision that requires the nonfossil fuel producer to demonstrate its use of existing nonfossil fuel sources, such as bagasse, for the generation of energy shall not apply to nonfossil producers if:
  - (A) The existing nonfossil fuel source is not available; and

- (B) The nonfossil fuel producer continues to use other sources of nonfossil fuel and generates electricity for sale to the utility;

and

- (3) Stating that the Consumer Advocate (CA) will confer with utility companies, the PUC, nonfossil fuel energy producers, and other interested parties to determine the effects of amending Act 130, inter alia, on:
- (A) Electricity prices;
- (B) The reliability of electric systems;
- (C) Contractual rights;
- (D) The cost of energy production; and
- (E) Policy issues related to the support.

Supportive testimony was submitted by the Hilo Coast Processing Company. Testimony in opposition was submitted by Hawaiian Electric Co., Inc. Comments by the PUC and the CA were also submitted.

After careful consideration, your Committee has amended this bill as follows:

- (1) Deleted the provision that the CA and others will determine the ramifications of amending Act 130;
- (2) Provided that Section 1 of Act 130, that sets a \$700,000,000 limit on liability resulting from an oil spill caused during an interisland tank barge shipment of heavy fuel oil, be repealed effective June 30, 1994; and
- (3) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3180, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3180, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Herkes, Menor, Peters and Takamine.

**SCRRep. 1427-94 Consumer Protection and Commerce on S.B. No. 3322**

The purpose of this bill is to amend Section 261C-20, Hawaii Revised Statutes, concerning the regulation of Hawaii air carriers. Specifically, the bill provides that:

- (1) As of the effective date of enactment of federal legislation, any person who is providing air transportation between two points within the State shall be deemed qualified and issued a certificate to operate; or
- (2) Any person who has previously applied to the U.S. Department of Transportation and has been issued a certificate, provided that person has not been found to have violated the Federal Aviation Act during the time that person's application for a certificate was pending, shall be deemed qualified and issued a certificate to operate.

Your Committee heard testimony from the Department of Transportation in support of this measure. Mahalo Air, Inc. testified that it should automatically be granted a Hawaii carrier's certificate once it has met all federal requirements.

Upon consideration of this measure, your Committee has amended this bill by making technical, nonsubstantive corrections for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3322, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3322, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Herkes, Hirono, Peters and Takamine.

**SCRRep. 1428-94 Consumer Protection and Commerce and Judiciary on S.B. No. 2787**

The purpose of this bill is to eliminate the point assessment for all decriminalized traffic offenses.

Comments by the Hawaii State Judiciary and State Farm Insurance Companies were submitted.

Most decriminalized traffic offenses are parking violations, which carry no points, or minor moving or equipment violations, which carry the minimum range of points.

Eliminating the range of points for decriminalized traffic offenses will enable the courts to better identify the problem driver by monitoring the type and number of offenses an individual receives within a specified time period.

However, the representative of the Hawaii State Judiciary informed your Committees that the effective date of the bill, as presently drafted, would hinder the implementation of the decriminalization program by not being in concert with other measures currently in the legislative process.

Accordingly, your Committees have amended this bill as follows:

- (1) Changed the effective date of the bill from July 1, 1994 to January 1, 1995; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2787, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2787, H.D. 2.

Signed by all members of the Committees except Representatives Cachola, Herkes, Menor, Peters, Takamine and White.

**SCRep. 1429-94 Consumer Protection and Commerce and Judiciary on S.B. No. 2923**

The purpose of this bill is to ensure the provision of emergency and essential intrastate air transport services by clarifying laws pertaining to the procurement, control, and distribution of necessary commodities.

More specifically, this bill clarifies that in setting aside a maximum five percent of petroleum products to ensure availability to the public, the Governor may set aside up to ten percent of aviation gasoline used for emergency and essential intrastate air transport services but excluding all other aviation fuels.

Supportive testimony was submitted by the Department of Business, Economic Development, and Tourism, Chevron U.S.A. Inc., Shell Oil Company, Texaco Inc., and Unocal Corporation.

It is the intent of your Committees that the Governor consult various representatives of the petroleum industry during the implementation of an intrastate aviation gasoline set aside program.

Technical, nonsubstantive revisions were made for purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2923, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2923, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Herkes, Menor, Peters, Takamine and White.

**SCRep. 1430-94 Judiciary on S.B. No. 1424**

The purpose of this bill, as received by your Committee, is to amend Section 386-91, Hawaii Revised Statutes (HRS), to clarify that the circuit court can render a judgment to enforce a decision by the Director of Labor and Industrial Relations awarding compensation, assessing a penalty, or both.

Testimony in general support of an amendment to this bill to establish an advisory commission on worker's compensation was received from the State Department of Labor and Industrial Relations, the National Federation of Independent Business, the Coalition to Reform Obsolete Workers' Compensation Design, the Hawaii Insurers Council, the Hawaii Business League, the Kona Coast Resort Joint Venture, Shell Management Hawaii, Inc., the Hawaii Island Chamber of Commerce, the Maui Pineapple Company, Ltd., the Kona Coast Resort Limited Partnership, Kauai Builders, Ltd., the Hawaii Transportation Association, the Maui Chamber of Commerce, the Hawaii Island Contractors' Association, the Building Industry Association of Hawaii, the Maui Hotel Association, the Hawaii Independent Insurance Agents Association, and concerned citizens.

Testimony was also received in general support of a provision relating to fee splitting by attorneys or health care providers under the workers' compensation law.

Your Committee finds that a number of groups representing employers, employees, the insurance industry, and others involved in the workers' compensation process have been meeting informally to examine the system and to reach a consensus on needed changes. Your Committee believes that the work of these groups is critical to reform of the workers' compensation system and therefore encourages these groups to continue their discussions.

Your Committee has amended this bill by:

- (1) Deleting Section 1 which amends Section 386-91, HRS;

- (2) Establishing a nine-member advisory commission on workers' compensation, administratively attached to the Department of Budget and Finance, which shall:
- (a) Determine the causes of premium cost increases in workers' compensation, including health care and legal costs;
  - (b) Review the entire workers' compensation process and monitor and assess how the system is being implemented;
  - (c) Examine the roles of the various organizations and individuals involved with workers' compensation, including employer organizations, the insurance industry, insurance carriers, unions, physicians and other health care providers, attorneys, and self-insured companies;
  - (d) Study long-range issues and solutions, including health care plan policies, medical fee schedules, and the impact of proposed federal legislation; and
  - (e) Devise an action plan, including proposed legislation, to ensure that workers are compensated in a just and timely manner.

and

- (3) Adding a new section to Chapter 386 prohibiting attorneys and providers of health care services from fee splitting except under certain circumstances.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1424, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1424, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1431-94      Judiciary on S.B. No. 2183**

The purpose of the bill, as received by your Committee, was to statutorily provide for confirmation by the Senate of district court judges.

Testimony in support of the concept that judges should be subject to the consent of either, or both, of the houses of the Legislature was received from representatives of the Citizens Conference on Judicial Selection.

Like the Senate, the members of the House of Representatives reflect the popular will of the people, however, because members of the House of Representatives must face election every two years, your Committee believes that members of the House of Representatives are uniquely positioned to reflect an understanding of the changing concerns of the electorate.

Moreover, it should be noted that the House shares with the Senate equal responsibility for lawmaking within the State of Hawaii.

Therefore, your Committee believes that as a matter of good public policy, as well as equity, the House should assume the responsibility of consenting to the appointment of district court judges.

Accordingly, your Committee has amended this bill by:

- (1) Proposing a constitutional amendment to require that the consent of the House is required for the appointment of district court judges;
- (2) Specifying the procedure of appointment and consent;
- (3) Amending Section 604-2, Hawaii Revised Statutes, to reflect the proposed constitutional amendment of this measure; and
- (4) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2183, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1432-94      Judiciary on S.B. No. 2198**

The purpose of this bill is to exempt all property of a judgment debtor from attachment and execution, where judgment is in favor of any state for failure to pay that state's income tax on pension or other retirement plan benefits.

Testimony in support of this bill was received from the National Association of Retired Federal Employees and a number of concerned citizens.

Your Committee finds that a number of Hawaii retirees are being financially impacted by the imposition of income taxes by California and other states on the pension income they receive that is related to the performance of services during their residency in those other states.

While the Department of Taxation and the Department of the Attorney General opposed the bill, they agreed that the bill could be narrowed in scope.

Accordingly, your Committee has amended this bill to provide that all property in this State of a resident judgment debtor shall be exempt from attachment and execution from only that portion of any judgment in favor of any other state which relates to failure to pay income tax on benefits received from a pension or other retirement plan.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2198, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2198, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1433-94            Judiciary on S.B. No. 2563**

The purpose of this bill is to impose twelve percent annual interest on an award of unpaid wages, costs, and penalties assessed under Chapter 388, Hawaii Revised Statutes.

Your Committee received testimony in support of this bill from the Department of Labor and Industrial Relations and the Hawaii Nurses' Association.

The Chamber of Commerce of Hawaii testified in opposition of this bill.

Your Committee agrees with testimony stating that accruing interest would induce employers to expedite the payment of back wages, especially where the employer would have otherwise chosen to intentionally delay payment. But, because double damages compensation is available to employees if the employer wilfully withholds wages without valid reason, a twelve percent annual interest rate may be excessive. Twelve percent annual interest does not reflect current interest rates.

Therefore, your Committee has amended this bill by changing the annual interest rate provisions on past wages from twelve percent to three percent in Sections 1 and 2.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2563, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2563, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1434-94            Judiciary on S.B. No. 2630**

The purpose of this bill is to make state law consistent with the Americans with Disabilities Act by protecting qualified non-disabled persons from discrimination in employment and public accommodations because of their association with or relationship to a person with a disability.

The Hawaii Civil Rights Commission, the Commission on Persons with Disabilities, and a private citizen submitted testimony in support of the bill. The Chamber of Commerce of Hawaii submitted testimony generally in support of the bill, but with a suggested clarifying amendment.

Your Committee recognizes the need to ensure that all citizens are treated fairly in terms of employment and access to public facilities, and to make Hawaii's statutes consistent with federal law. At the same time, your Committee wants to make sure that businesses, particularly small businesses, are not overly burdened by excessive regulation. Accordingly, your Committee has amended the bill by:

- (1) Adding a provision clarifying that an employer is not required to accommodate the needs of a person associated with or related to a disabled person, except as may be required in Title I of the Americans with Disabilities Act; and
- (2) Making technical, nonsubstantive amendments to improve clarity and to conform to legislative drafting standards.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2630, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2630, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1435-94                      Judiciary on S.B. No. 2663**

The purpose of the bill, as received by your Committee, was to clarify the liability of hotels with regard to certain beach and ocean injuries.

Testimony in support of the intent of the measure, and in support of the intent of a proposed amendment to clarify the liability of government for beach and ocean injuries, was received by your Committee from representatives of the Department of the Corporation Counsel of the City and County of Honolulu, the Department of Finance of the City and County of Honolulu, the Department of Parks and Recreation of the City and County of Honolulu, the Department of Land Utilization of the City and County of Honolulu, the Office of the Corporation Counsel of the County of Hawaii, the Office of the County Attorney of the County of Kauai, other government agencies, the Hawaiian Lifeguard Association, the Hawaii Hotel Association and several hotels.

Your Committee finds that clarity needs to be brought to the issue of beach liability. Regarding the issue of liability of hotels, the testimony and discussion touched upon the concern that hotels should be responsible to guests and not to the casual passerby on the beach who has no nexus with the hotel.

With respect to government, the problem seems to lie with uncertainty as to the type of warning which is sufficient, under law, to warn the public of hazardous conditions. Your Committee finds that unnecessary litigation is taking place solely over the issue of what actions will fulfill the duty to warn.

Your Committee believes that the solution lies in focusing on public safety. A clear statutory standard for warning signs will give both guidance to the government and education to the public as to the hazardous conditions at a particular beach. Further, a more general warning regarding water safety is appropriate, for many of our visitors have no concept of the power of the ocean. In addition, your Committee believes that providing a conclusive presumption that a warning is adequate when both an approved sign and a lifeguard are present will encourage the counties to provide more lifeguards, because an expenditure in this direction to prevent a tragedy is better spent than money used to defend against a claim of injury which could have been avoided.

Therefore, your Committee has amended this bill by:

- (1)        Rewording the hotel liability section for clarity and to conform to appropriate legal standards; and
- (2)        Adding a new chapter on government beach liability which provides for the standards an adequate warning sign, for purposes of obtaining a presumption under this section, must meet. If such a sign is erected and maintained, it will entitle the government to a rebuttable presumption that an adequate warning has been given. If the warning sign is accompanied by the presence of an on-duty lifeguard the presumption will be conclusive.

Your Committee wishes to make clear that this new chapter will not relieve the government from liability for negligent performance of rescue services as otherwise provided by law, nor does it prohibit the government from providing additional signs.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2663, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2663, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.  
(Representative Menor voted no.)

**SCRep. 1436-94                      Judiciary on S.B. No. 2946**

The purpose of this bill is to authorize the Director of Health to create ad hoc committees to advise health care workers who are infected with the Human Immunodeficiency Virus (HIV), the Hepatitis B Virus (HBV), or other blood-borne pathogens on the risk of transmitting their infection to patients.

The Governor's Committee on HIV/AIDS and the Department of Health submitted testimony in support of the bill, but suggested an amendment to clarify committee procedures on confidentiality. The Hawaii Nurses Association and the Hawaii Medical Association also submitted testimony in support of the bill.

Your Committee agrees with those who testified that placing the authority for creating the ad hoc committees in statute will encourage health care professionals to serve on the committees. In addition, your Committee believes that the public has a right to be informed of the work of the advisory committees, as long as no person's privacy is violated. Accordingly, your Committee has amended the bill by:

- (1)        Clarifying that the work of the committees shall be confidential, but that a summary of non-identifying information shall be made available to the public;
- (2)        Reinforcing the idea that persons who serve on the advisory committees are protected from civil liability by referencing Section 26-35.5, Hawaii Revised Statutes; and

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2946, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2946, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1437-94            Judiciary on S.B. No. 2954**

The purposes of this bill are to:

- (1) Establish the positions of administrator of forestry and wildlife and forestry and wildlife manager in the Department of Land and Natural Resources;
- (2) Clarify the procedures for handling wildfires;
- (3) Narrow the range of fines imposed for fires set during a fire danger period to between \$100 and \$2,000, inclusive; and
- (4) Increase the fine for obstructing the administrator or the manager in the performance of any duty authorized by Chapter 185, Hawaii Revised Statutes (Land Fire Protection Law) to not less than \$100.

Testimony in support of this bill was received from the Department of Land and Natural Resources.

Your Committee finds that wildland fires cause extensive environmental and physical damage to property and threaten human life as well. Wildland fires are often due to negligence or malice, and your Committee believes that those responsible for setting fires should be held accountable for their actions.

Accordingly, your Committee has amended this bill by:

- (1) Increasing the fine imposed for fires set during a fire danger period to not less than \$250 nor more than \$4,000 (Section 7);
- (2) Holding a violator liable for restitution for suppression costs and damage to public and private property; and
- (3) Increasing the fine imposed for obstructing the administrator or the manager in the performance of any duty authorized under the Land Fire Protection Law to not less than \$500 nor more than \$2,000 (Section 9).

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2954, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2954, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1438-94            Judiciary on S.B. No. 2956**

The purpose of this bill is to clarify the tree farm law by providing that an owner of land has the right to harvest new trees planted and managed according to a management plan approved by the Department of Land and Natural Resources on certain lands.

Testimony in general support of this bill was received from the Department of Land and Natural Resources, the Hawaii Audubon Society, Kamehameha Schools/Bishop Estate, and the Hawaii Society of American Foresters.

Your Committee believes that tree farms which are developed responsibly will protect watersheds, enhance wildlife habitat, provide forest recreation, provide open space, and generally improve the quality of life enjoyed by residents and visitors to this State. Your Committee believes that a balanced approach to the various concerns of landowners, conservationists, and government is vital to the successful development of tree farming in Hawaii.

Your Committee has amended this bill by providing that applications for classification as tree farm property shall comply with rules adopted by the Department of Land and Natural Resources to implement Section 186-3, Hawaii Revised Statutes (HRS), on tree farm applications and management plans. Your Committee finds that the Department of Land and Natural Resources has already adopted rules on this subject.

Your Committee also has clarified that "significant effect" under Section 186-4, HRS, refers to a significant negative effect.

Your Committee has also adopted certain provisions related to the right to harvest which are found in the measure as submitted by the House Committee on Agriculture.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2956, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2956, S.D. 1, H.D. 3.

Signed by all members of the Committee except Representatives Herkes, Oshiro, Peters and Takamine.

**SCRep. 1439-94            Judiciary on S.B. No. 3068**

The purpose of this bill is to:

- (1) Allow the Department of Land and Natural Resources to designate native Hawaiian, community-based, subsistence fishing areas; and
- (2) Establish a subsistence fishing area pilot demonstration project off the coast of the island of Moloka'i.

The Department of Land and Natural Resources and the Office of Hawaiian Affairs submitted testimony generally in support of this bill, with suggested amendments. The Hawaiian Homes Commission, a commercial fisherman from Moloka'i, and a subsistence fisherman from Moloka'i submitted testimony in support of the bill. The Hawaii Fishermen's Foundation submitted comments on the bill.

Because of the apparent drop in the fishing stock in Hawaii's coastal waters, and the subsequent difficulty faced by some subsistence fishermen in catching enough fish to feed themselves and their families, your Committee believes that the pilot projects permitted by this bill are worthwhile. In addition, your Committee believes it is important to preserve native Hawaiian traditions for the benefit of future generations. Your Committee has amended the bill by:

- (1) Clarifying that the Hui Malama O Mo'omomi shall not have enforcement powers in its stewardship of the subsistence fishing area;
- (2) Permitting the Department of Land and Natural Resources to continue established fishing practices for the taking of migratory, non-resident fishes in the subsistence fishing area when it adopts its administrative rules; and
- (3) Making technical, nonsubstantive amendments to conform to legislative drafting standards and to correct a spelling error.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3068, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3068, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Amaral, Bunda, Oshiro, Peters and Takamine.

**SCRep. 1440-94            Tourism on H.R. No. 262**

The purpose of this resolution is to request the Convention Center Authority and the Hawaii Visitors Bureau to develop a convention center marketing plan, with the assistance of the Department of Business, Economic Development and Tourism and the visitor industry.

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

Your Committee finds that most convention organizers book their functions many years in advance and that the period during which the center is under construction will serve as an ideal time to build up awareness of the center among potential customers. This affirms the poll results of the 1993 Tourism Congress, which showed this the most important issue for the visitor industry, according to the tourism officials gathered.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 262 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

**SCRep. 1441-94            Tourism on H.C.R. No. 276**

The purpose of this concurrent resolution is to request the Convention Center Authority and the Hawaii Visitors Bureau to develop a convention center marketing plan, with the assistance of the Department of Business, Economic Development and Tourism and the visitor industry.

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

Your Committee finds that most convention organizers book their functions many years in advance and that the period during which the center is under construction will serve as an ideal time to build up awareness of the center among

potential customers. This affirms the poll results of the 1993 Tourism Congress, which showed this the most important issue for the visitor industry, according to the tourism officials gathered.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 276 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

**SCRep. 1442-94          Tourism on H.C.R. No. 381**

The purpose of this concurrent resolution is to request the Office of the Auditor to conduct a financial audit of the Hawaii Visitors Bureau's neighbor island affiliate organizations and any other visitor bureau organizations that receive state funding.

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

Your Committee finds that a great need remains for clarification of the Hawaii Visitors Bureau's relationship with its island chapters and the other destination marketing organizations.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 381 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee.

**SCRep. 1443-94          Energy and Environmental Protection on H.R. No. 376**

The purpose of this resolution is to request the Legislative Reference Bureau (LRB) to conduct a comprehensive study of cost-effective, biodegradable, alternative food packaging and decorative items for food items processed and packaged in Hawaii. Also, the study is to examine the cost to businesses for using alternative, biodegradable packaging.

Biodegradable products do not reduce litter. In fact, they may increase litter by encouraging some people to think it is okay to toss their trash because it will degrade. Biodegradable products do not rapidly breakdown. Even newspaper will last for months in the open and for decades in a landfill.

Solutions to litter and waste disposal must focus on the source. Education and community involvement must be used to reduce litter. The Legislature should not mandate the use of biodegradable products that indirectly suggests that it is okay to litter.

Accordingly, after free and open discussion, your Committee has amended this measure by:

- (1) Redirecting its focus to reducing the amount of food packaging; and
- (2) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 376, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 376, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1444-94          Energy and Environmental Protection on H.C.R. No. 469**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to conduct a comprehensive study of cost-effective, biodegradable, alternative food packaging and decorative items for food items processed and packaged in Hawaii. Also, the study is to examine the cost to businesses for using alternative, biodegradable packaging.

Biodegradable products do not reduce litter. In fact, they may increase litter by encouraging some people to think it is okay to toss their trash because it will degrade. Biodegradable products do not rapidly breakdown. Even newspaper will last for months in the open and for decades in a landfill.

Solutions to litter and waste disposal must focus on the source. Education and community involvement must be used to reduce litter. The Legislature should not mandate the use of biodegradable products that indirectly suggests that it is okay to litter.

Accordingly, after free and open discussion, your Committee has amended this measure by:

- (1) Redirecting its focus to reducing the amount of food packaging; and

- (2) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 469, 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. 469, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1445-94 Energy and Environmental Protection on H.R. No. 238**

The purposes of this resolution are to request the City and County of Honolulu to:

- (1) Expedite the construction of the Mokuleia wastewater treatment works, the installation of sewers and sewage collection systems at Mokuleia, Waialua, Haleiwa, Pupukea-Sunset Beach, Kahuku, Laie, Hauula-Punaluu, and Kaaawa; and
- (2) Assess the feasibility of using the Kuilima wastewater treatment works to alleviate the wastewater treatment needs of the North Shore area of the island of Oahu.

Most communities on the North Shore are served by on-site individual wastewater systems such as cesspools, septic tanks, and aerobic treatment systems. While current administrative rules do not allow the construction of cesspools, there are approximately 5,500 already cesspools existing on the North Shore. These cesspools have a high failure rate which, in many instances, create public health hazards. The continued use of cesspools in the North Shore area threatens our fresh groundwater sources and the water quality of our coastal waters.

At present, the practice of remedying complaints through the enforcement of administrative rules is extremely time-consuming and, in many cases, there is no solution to many of the failing cesspools short of requiring the owner to stop generating wastewater from their property. The City and County is already overtaxed with the pumping of cesspools and private pumpers charge about \$100 to have a cesspool pumped.

Testimony in support of this measure was submitted by the Department of Health and a concerned citizen. The Department of Wastewater Management of the City and County of Honolulu submitted comments on this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Clarifying that the area of concern is between Kahaluu and Mokuleia;
- (2) Deleting the erroneous language that stated that the wastewater treatment facility owned by the Kuilima Development Company is operated and maintained by the City and County of Honolulu;
- (3) Including the members of the City Council of the City and County of Honolulu as those that certified copies of this concurrent resolution is to be transmitted to; and
- (4) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 238, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 238, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1446-94 Energy and Environmental Protection on H.C.R. No. 256**

The purposes of this concurrent resolution are to request the City and County of Honolulu to:

- (1) Expedite the construction of the Mokuleia wastewater treatment works, the installation of sewers and sewage collection systems at Mokuleia, Waialua, Haleiwa, Pupukea-Sunset Beach, Kahuku, Laie, Hauula-Punaluu, and Kaaawa; and
- (2) Assess the feasibility of using the Kuilima wastewater treatment works to alleviate the wastewater treatment needs of the North Shore area of the island of Oahu.

Most communities on the North Shore are served by on-site, individual wastewater systems such as cesspools, septic tanks, and aerobic treatment systems. While current administrative rules do not allow the construction of cesspools, there are approximately 5,500 cesspools already existing on the North Shore. These systems frequently fail, which, in many instances, creates public health hazards. The continued use of cesspools in the North Shore area threatens our fresh groundwater sources and the water quality of our coastal waters.

At present, the practice of remedying complaints about cesspools through the enforcement of administrative rules is extremely time-consuming and, in many cases, provides no solution except requiring the cessation of wastewater generation from the property. The City and County of Honolulu faces excessive demand for cesspool pumping, which has driven the costs charged by private pumpers up to around \$100.

Testimony in support of this measure was submitted by the Department of Health and a concerned citizen. The Department of Wastewater Management of the City and County of Honolulu submitted comments on this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Clarifying that the area of concern is that area between Kahaluu and Mokuleia;
- (2) Deleting the erroneous language that stated that the wastewater treatment facility owned by the Kuilima Development Company is operated and maintained by the City and County of Honolulu;
- (3) Including the members of the City Council of the City and County of Honolulu among those to receive certified copies of this concurrent resolution; and
- (4) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee 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 Finance in the form attached hereto as H.C.R. No. 256, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1447-94 Higher Education and the Arts on H.R. No. 250**

The purpose of this resolution is to request the University of Hawaii and the Research Corporation of the University of Hawaii (RCUH) to follow the recommendations of the Auditor.

The Hawaii Government Employees Association submitted testimony in support of this resolution. The University of Hawaii submitted testimony in support of the intent and purpose of this resolution. The RCUH submitted comments.

After free and open discussion, your Committee has amended this resolution by:

- (1) Clarifying that RCUH is to provide a report to the 1995 Legislature on the implementation of the reorganization between RCUH and the University of Hawaii;
- (2) Requiring that the University of Hawaii consult with the collective bargaining representatives;
- (3) Deleting the term "inappropriately"; and
- (4) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 250, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 250, H.D. 1.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1448-94 Higher Education and the Arts on H.C.R. No. 233**

The purpose of this concurrent resolution is to request the University of Hawaii and the Research Corporation of the University of Hawaii (RCUH) to follow the recommendations of the Auditor.

The Hawaii Government Employees Association submitted testimony in support of this concurrent resolution. The University of Hawaii submitted testimony in support of the intent and purpose of this concurrent resolution. The RCUH submitted comments.

After free and open discussion, your Committee has amended this concurrent resolution by:

- (1) Clarifying that RCUH is to provide a report to the 1995 Legislature on the implementation of the reorganization between RCUH and the University of Hawaii;
- (2) Requiring that the University of Hawaii consult with the collective bargaining representatives;
- (3) Deleting the term "inappropriately"; and
- (4) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 233, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 233, H.D. 1.

Signed by all members of the Committee except Representatives Chumbley, D. Ige, M. Ige, Shon, Taniguchi and Yonamine.

**SCRep. 1449-94 Water and Land Use Planning on H.R. No. 236**

The purpose of this resolution is to request the Department of Land and Natural Resources to engage in public dialogue when determining the best use of the Nike Missile Site located within the Mokuleia Forest Reserve.

Your Committee received testimony from the Department of Land and Natural Resources, Ka Lahui Hawai'i, and a private citizen representing the North Shore Environmental Coalition and the Mokuleia Community Association.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 236 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1450-94 Water and Land Use Planning on H.C.R. No. 255**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to engage in public dialogue when determining the best use of the Nike Missile Site located within the Mokuleia Forest Reserve.

Your Committee received testimony from the Department of Land and Natural Resources, Ka Lahui Hawai'i, and a private citizen representing the North Shore Environmental Coalition and the Mokuleia Community Association.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 255 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1451-94 Water and Land Use Planning and Energy and Environmental Protection on H.R. No. 361**

The purpose of this resolution is have the Department of Land and Natural Resources and the U.S. Fish and Wildlife Service work with various organizations to develop an overall strategy for protecting feral pigs as well as endangered plants and animals in the Hamakua region.

Your Committees find the importance of pig hunting for subsistence purposes has been heightened by the closures of sugar plantations in the Hamakua-Hilo Coast region.

In testimony supporting of this resolution, the Department of Land and Natural Resources recognized the need to gain community understanding, support, and assistance in the long term management of State lands in the Hamakua region of the Big Island. The department is also committed to facilitating a balanced program which provides opportunities for subsistence feral pig hunting while protecting the unique plant and animal resources.

Your Committees received testimony from the Department of Land and Natural Resources, the University of Hawaii Environment Center, ILWU, Local 142, Executive Officers of the Wildlife Conservation Association of Hawaii on the Big Island and a concerned resident of the Island of Hawaii.

In light of the concerns raised, your Committees have amended this concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 361, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 361, H.D. 1.

Signed by all members of the Committees except Representatives Herkes, Hiraki, Hirono and Tajiri.

**SCRep. 1452-94 Water and Land Use Planning and Energy and Environmental Protection on H.C.R. No. 424**

The purpose of this concurrent resolution is have the Department of Land and Natural Resources and the U.S. Fish and Wildlife Service work with various organizations to develop an overall strategy for protecting feral pigs as well as endangered plants and animals in the Hamakua region.

Your Committees find the importance of pig hunting for subsistence purposes has been heightened by the closures of sugar plantations along the Hamakua-Hilo Coast.

In testimony supporting of this concurrent resolution, the Department of Land and Natural Resources recognized the need to gain community understanding, support, and assistance in the long term management of State lands in the Hamakua region of the Big Island. The department is also committed to facilitating a balanced program which provides opportunities for subsistence feral pig hunting while protecting the unique plant and animal resources.

Your Committees received testimony from the Department of Land and Natural Resources, the University of Hawaii Environment Center, ILWU, Local 142, the President, Vice-President, Secretary, Treasurer, and Board of Director of the Wildlife Conservation Association of Hawaii on the Big Island.

In light of the concerns raised, your Committees have amended this concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 424, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 424, H.D. 1.

Signed by all members of the Committees except Representatives Herkes, Hiraki, Hirono and Tajiri.

**SCRep. 1453-94      Water and Land Use Planning and Energy and Environmental Protection on H.R. No. 297**

The purpose of this resolution is to request the Department of Land and Natural Resources to develop a collaborative process (that includes community input) for planning and managing public lands and natural resources in Hamakua on the Island of Hawaii.

Your Committees recognize that Hawaii's forests are an important resource for all of Hawaii's people, especially those who use the forest for subsistence, cultural, religious, scientific, and recreational purposes, including hunting, hiking, gathering, and other activities.

Your Committees are aware that the Department of Land and Natural Resources with the assistance of the Center for Alternative Dispute Resolution, has begun a consensus building process involving various parties to resolve issues related to natural resource management in the Hilo/Hamakua region.

Your Committees received favorable testimony from the Department of Land and Natural Resources, the Nature Conservancy of Hawaii, ILWU, Local 142, Executive Officers from the Wildlife Conservation Association of Hawaii on the Big Island and several concerned residents of the Island of Hawaii.

Your Committees have amended this resolution by correcting the number and total acreage of designated game management areas.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 297, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 297, H.D. 1.

Signed by all members of the Committees except Representatives Herkes, Hiraki, Hirono and Tajiri.

**SCRep. 1454-94      Water and Land Use Planning and Energy and Environmental Protection on H.C.R. No. 330**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to develop a collaborative process (that includes community input) for planning and managing public lands and natural resources in Hamakua on the Island of Hawaii.

Your Committees recognize that Hawaii's forests are an important resource for all of Hawaii's people, especially those who use the forest for subsistence, cultural, religious, scientific, and recreational purposes, including hunting, hiking, gathering, and other activities.

Your Committees are aware that the Department of Land and Natural Resources with the assistance of the Center for Alternative Dispute Resolution, has begun a consensus building process involving various parties to resolve issues related to natural resource management in the Hilo/Hamakua region.

Your Committees received favorable testimony from the Department of Land and Natural Resources, the Nature Conservancy of Hawaii, ILWU, Local 142, Executive Officers from the Wildlife Conservation Association of Hawaii on the Big Island and several concerned residents of the Island of Hawaii.

Your Committees have amended this concurrent resolution by correcting the number and total acreage of designated game management areas.

As affirmed by the records of votes of the members of your Committees on Water and Land Use Planning and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 330, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 330, H.D. 1.

Signed by all members of the Committees except Representatives Herkes, Hiraki, Hirono and Tajiri.

**SCRep. 1455-94      Energy and Environmental Protection and Water and Land Use Planning on H.C.R. No. 351**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources, the Department of Transportation, and the Office of State Planning to jointly conduct a study on developing a statewide Greenways Master Plan and further requests that the public and private stakeholders be involved in the preparation of the master plan and that a report be submitted to the 1995 Legislature.

Testimony in support of this concurrent resolution was received from:

- (1) The Hawaii Green Party;
- (2) Landscape Designs Inc.; and
- (3) The American Society of Landscape Architects.

Those testifying in support of the concurrent resolution stressed that it emerged from the Energy and Environmental Summit consensus process and they pointed out the success of Greenways master plans in other states. The testimony from the American Society of Landscape Architects noted that the establishment of a Greenways Master Plan could enhance Hawaii's efforts to maintain a position in the travel industry as eco-tourism becomes an increasingly important factor for tourists choosing their travel destinations.

Testimony opposing the concurrent resolution was received from the following state agencies:

- (1) The Department of Land and Natural Resources;
- (2) The Department of Transportation; and
- (3) The Office of State Planning.

All of those testifying against the concurrent resolution claimed that the requested study was too difficult to perform considering the agencies' current time, funding and personnel restraints. While opposing this specific concurrent resolution, the Department of Land and Natural Resources testified that it supported the greenways concept.

After free and open discussion, your Committees agreed to pass H.C.R. 351 unamended in order to emphasize the importance of investigating Greenways development in the State of Hawaii.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection and Water and Land Use Planning that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 351 and recommend that it be referred to the Committee on Transportation.

Signed by all members of the Committees except Representatives Herkes, Hiraki, Hirono and Tajiri.

**SCRep. 1456-94 Health and Human Services on H.R. No. 266**

The purpose of this resolution is to request the Department of Health and the Department of Human Services to clarify specified issues related to dental services to be provided under the Health QUEST program.

The Department of Human Services (DHS) submitted testimony that it would not be able to support the resolution. According to DHS, it is on the verge of awarding contracts to health plans that have bid on dental services under Health QUEST. While DHS has provided guidelines to all prospective bidders, the issues and questions contained in the resolution relate to operations, policies, and procedures that have yet to be formalized in contracts.

The Department of Health supported the intent of the resolution but deferred to DHS.

The Commission on Persons with Disabilities testified in support of the resolution. According to its testimony, questions relating to the current level of dental services should be addressed prior to any proposed changes expected under Health QUEST.

A representative of Kona Dental Service and East Hawaii Dental Services, Inc. submitted comments on the resolution. According to the testimony, these two agencies provide more than ninety percent of DHS dental care on the Big Island. The testifier explained that DHS has recently implemented new rules for Medicaid reimbursement, which includes a reduced maximum benefit allowance that excludes emergencies and certain other items. These new rules result in a reduction in the quality of care and financial hardships for providers, specifically as follows:

- (1) Higher cost per patient visit as compared with revenues per patient visit;
- (2) Dramatically compromised treatment plans;
- (3) Exposure to liability for practicing below the "standard of care" and exposure to charges of "abandonment of care";
- (4) Risk of nonpayment of claims due to duplicate claims for the same benefit allowance; and
- (5) Higher patient discontent and increased administrative effort to manage the patient complaints and redirect the responsibility.

As a result of the financial burdens of the new rules, a possibility now exists that the providers will not continue to deliver care to Medicaid patients. A request was made to waive the new rules until the Health QUEST dental health plan becomes effective.

Your Committees have amended the resolution as follows:

- (1) Revised the title to read:  

"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO WAIVE THE NEW RULES REGARDING MEDICAID REIMBURSEMENTS FOR DENTAL SERVICES AND TO CLARIFY THE PROVISION OF DENTAL SERVICES AS HEALTH QUEST NEGOTIATIONS PROCEED WITH PROSPECTIVE HEALTH CARE PLANS";
- (2) Added statements that new rules for Medicaid reimbursements for dental services have reduced the quality of care and posed financial hardships for providers;
- (3) Requested clarification of the terms and issues specified in the resolution as Health QUEST negotiations with health care plans proceed, rather than requesting clarification prior to the awarding of the contracts;
- (4) Added a request that DHS waive the new rules until the proposed Health QUEST program is implemented; and
- (5) Added a request that DHS waive the new rules for Supplemental Security Income recipients, who are not scheduled to be incorporated within Health QUEST and to whom the new rules will continue to apply.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 266, as amended herein, and recommend that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as H.R. No. 266, H.D. 1.

Signed by all members of the Committees except Representatives Kawakami, Peters, Santiago and White.

**SCRep. 1457-94 Health and Human Services on H.C.R. No. 286**

The purpose of this concurrent resolution is to request the Department of Health and the Department of Human Services to clarify specified issues related to dental services to be provided under the Health QUEST program.

The Department of Human Services (DHS) submitted testimony that it would not be able to support the concurrent resolution. According to DHS, it is on the verge of awarding contracts to health plans that have bid on dental services under Health QUEST. While DHS has provided guidelines to all prospective bidders, the issues and questions contained in the concurrent resolution relate to operations, policies, and procedures that have yet to be formalized in contracts.

The Department of Health supported the intent of the concurrent resolution but deferred to DHS.

The Commission on Persons with Disabilities testified in support of the concurrent resolution. According to its testimony, questions relating to the current level of dental services should be addressed prior to any proposed changes expected under Health QUEST.

A representative of Kona Dental Service and East Hawaii Dental Services, Inc. submitted comments on the concurrent resolution. According to the testimony, these two agencies provide more than ninety percent of DHS dental care on the Big Island. The testifier explained that DHS has recently implemented new rules for Medicaid reimbursement, which includes a reduced maximum benefit allowance that excludes emergencies and certain other items. These new rules result in a reduction in the quality of care and financial hardships for providers, specifically as follows:

- (1) Higher cost per patient visit as compared with revenues per patient visit;
- (2) Dramatically compromised treatment plans;
- (3) Exposure to liability for practicing below the "standard of care" and exposure to charges of "abandonment of care";
- (4) Risk of nonpayment of claims due to duplicate claims for the same benefit allowance; and
- (5) Higher patient discontent and increased administrative effort to manage the patient complaints and redirect the responsibility.

As a result of the financial burdens of the new rules, a possibility now exists that the providers will not continue to deliver care to Medicaid patients. A request was made to waive the new rules until the Health QUEST dental health plan becomes effective.

Your Committees have amended the concurrent resolution as follows:

- (1) Revised the title to read:  

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO WAIVE THE NEW RULES REGARDING MEDICAID REIMBURSEMENTS FOR DENTAL SERVICES AND TO CLARIFY THE PROVISION OF DENTAL SERVICES AS HEALTH QUEST NEGOTIATIONS PROCEED WITH PROSPECTIVE HEALTH CARE PLANS";

- (2) Added statements that new rules for Medicaid reimbursements for dental services have reduced the quality of care and posed financial hardships for providers;
- (3) Requested clarification of the terms and issues specified in the concurrent resolution as Health QUEST negotiations with health care plans proceed, rather than requesting clarification prior to the awarding of the contracts;
- (4) Added a request that DHS waive the new rules until the proposed Health QUEST program is implemented; and
- (5) Added a request that DHS waive the new rules for Supplemental Security Income recipients, who are not scheduled to be incorporated within Health QUEST and to whom the new rules will continue to apply.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 286, as amended herein, and recommend that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as H.C.R. No. 286, H.D. 1.

Signed by all members of the Committees except Representatives Kawakami, Peters, Santiago and White.

**SCRep. 1458-94 Finance on S.B. No. 1628**

The purpose of this bill is to appropriate funds to the Department of Land and Natural Resources for the dredging of Maunalua Bay at the main entrance channel to the Hawaii Kai marina.

The Department of Land and Natural Resources submitted comments on this measure.

Your Committee has amended this bill by:

- (1) Appropriating \$1 for fiscal year 1994-1995 for the purpose of continued discussion; and
- (2) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1628, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1628, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

**SCRep. 1459-94 Finance on S.B. No. 3307**

The purpose of this bill is to appropriate funds for specified activities to assist the Hamakua community. The bill also appropriates unexpended funds that were previously appropriated.

The Department of Business, Economic Development, and Tourism submitted testimony in support of the intent of the bill. The County Council of the County of Hawaii, the Health Task Force of Hamakua, the Hamakua Health Center, ILWU Local 142, the Hamakua/North Hilo Agricultural Cooperative, the Hawaii Island Social Ministry Office, the Rural South Hilo Community Association, the Family and Community Support Task Force of Hamakua, the Kanoehelua Industrial Area Association, Inc., and five individuals testified in support of the bill.

Your Committee has amended the bill as follows:

- (1) Revised the activities for which funds are appropriated; and
- (2) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3307, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3307, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1460-94 Finance on S.B. No. 2249**

The purpose of this bill is to modify the budget allotment system by incorporating a system of aggregate fiscal and personnel controls that defines the roles of the Governor and the various state departments and agencies with regard to budget estimates and allotment changes.

This bill would enable each state agency to determine its program priorities in meeting any reduction in program allocation within the legislative direction. Not only would this measure give departments greater flexibility in accomplishing their budgeted objectives, but it would ensure greater accountability in the use of state funds.

Your Committee received testimony on this bill from the Department of Budget and Finance and the Tax Foundation of Hawaii.

Upon further consideration, your Committee has amended the bill by:

- (1) Requiring that, upon receiving the changes to their estimates as determined by the Director of Finance (Director), each department or agency shall revise its estimates with supporting data, as may be required by the Director;
- (2) Providing that the Director shall approve the estimates upon determining that the aggregate estimates are consistent with the legislative intent of the program, as well as consistent with the aggregate amount of the increase or decrease required by the Director; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2249, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2249, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Nekoba.

**SCRep. 1461-94 Finance on S.B. No. 576**

The purpose of this bill, as received, is to clarify that all monthly and annual returns be transmitted to the office of the taxation district in which the privilege upon the tax accrued is exercised; provided that where the privilege is exercised in more than one taxation district, the returns shall be transmitted to the office of the first district.

For purposes of the public hearing, your Committee circulated a proposed H.D. 1 version that:

- (1) Repeals the provisions of the bill; and
- (2) Inserts new language repealing the hospital tax imposed by Act 315, Session Laws of Hawaii 1993, contingent upon the implementation of the Hawaii Health QUEST program.

Supportive testimony on the proposed H.D. 1 version of the bill was submitted by the Department of Human Services and the Healthcare Association of Hawaii. The Tax Foundation of Hawaii submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 576, as amended herein, and recommends that it pass Second Reading in the form attached here to as S.B. No. 576, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

**SCRep. 1462-94 Finance on S.B. No. 475**

The purpose of this bill, as received by your Committee, is to require the Board of Trustees of the Employees' Retirement System to establish a branch under the direction of the Administrator to communicate and provide information to all members, both active and retired.

For purposes of the public hearing, your Committee circulated a proposed H.D. 2 version that deletes the provisions of the bill and inserts new language extending the sunset date of the retirement bonus afforded to state and county retirants and pensioners with at least 10 years of service from June 30, 1995 to June 30, 1997.

Your Committee received testimony supporting the intent of the proposed H.D. 2 version from the Coalition of Hawaii State-Counties Retirees Association, the Hawaii Government Employees Association, and the Kokua Council for Senior Citizens. The Administrator of the Employees' Retirement System also submitted comments.

Upon further consideration, your Committee has amended this bill by deleting its substance and inserting the provisions found in the proposed H.D. 2 version.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 475, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 475, S.D. 2, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1463-94 Finance on S.B. No. 529**

The purpose of this bill is to allow the Director of Finance of each county to enter into a contract with a private person or entity for the registration of new motor vehicles.

The Department of Motor Vehicles of the City and County of Honolulu and the Hawaii Automobile Dealers' Association submitted testimony in support of this measure.

Your Committee has made technical, nonsubstantive amendments to this bill for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 529, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 529, S.D. 1, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1464-94          Finance on S.B. No. 905**

The purpose of this bill is to authorize the Department of Transportation to regulate a statewide system of airports landing fees, a statewide system of airports support charges, and joint use charges for the use of space shared by users.

The Department of Transportation, Citizens Against Noise, and Aloha Airlines submitted testimony supporting the intent of this measure. The Tax Foundation of Hawaii submitted comments.

Upon further consideration, your Committee has amended this measure by:

- (1) Deleting provisions requiring legislative approval or disapproval of rates and charges established by the Director of Transportation;
- (2) Requiring the Department of Transportation, without regard to the public hearing requirements of Chapter 91, Hawaii Revised Statutes, to hold public informational hearings on rates, rentals, fees, and charges; and
- (3) Making other technical, nonsubstantive amendments for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 905, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 905, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1465-94          Finance on S.B. No. 2020**

The purpose of this bill is to:

- (1) Establish Special University of Hawaii Development Zones (zones) in Kapolei Village in Ewa, Oahu, and West Hawaii on the island of Hawaii;
- (2) Provide the Board of Regents (Board) of the University of Hawaii with exclusive authority and responsibility to develop, plan, construct, operate, and maintain higher educational facilities in the zones; and
- (3) Authorize the Board to contract with any person or firm for the construction, operation, and maintenance of facilities for its athletic programs in the zones.

Testimony in support of the intent of this bill was submitted by the Estate of James Campbell. The University of Hawaii submitted comments on this measure.

Your Committee has amended this bill by making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2020, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2020, S.D. 2, H.D. 3.

Signed by all members of the Committee.

**SCRep. 1466-94          Finance on S.B. No. 2161**

The purpose of this bill is to:

- (1) Establish the Statewide Household Hazardous Waste Collection Program (Program); and
- (2) Appropriate funds for the establishment of the outreach and educational element of the Program.

Your Committee received testimony in support of this bill from the Sierra Club, Hawaii Chapter. The Department of Health submitted testimony in support of the intent of this bill.

Upon further consideration, your Committee has amended this bill by:

- (1) Changing the sum appropriated from \$50,000 to \$1 to facilitate further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2161, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2161, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1467-94 Finance on S.B. No. 2162**

The purpose of this bill is to:

- (1) Establish an indoor air quality program in the Department of Health;
- (2) Provide for a Public Intervenor to intervene in administrative proceedings, or initiate administrative or judicial proceedings to ensure compliance with state environmental laws and protection of state natural resources;
- (3) Allow the Director of Health to establish fees for permits and variances issued pursuant to Chapter 342, Hawaii Revised Statutes (HRS);
- (4) Require that the fees collected be deposited into the Environmental Management Special Fund; and
- (5) Allow moneys from the fund to be expended for plan review and approval, and final inspection of individual wastewater systems.

The Department of Health and the Sierra Club of Hawaii, submitted testimony generally in support of the bill. Hawaii Electric Light Company and The Chamber of Commerce of Hawaii submitted comments on the bill.

Your Committee has amended this bill by:

- (1) Deleting the provisions of the bill establishing the Public Intervenor;
- (2) Deleting the provisions of the bill concerning the assessment of fees for permits issued pursuant to Chapter 342, HRS;
- (3) Deleting the provisions of the bill concerning the deposit of fees collected into the Environmental Management Special Fund, and expenditures from that fund; and
- (4) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2162, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2162, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1468-94 Finance on S.B. No. 2164**

The purpose of this bill, as received, is to clarify the Workers' Compensation Law pertaining to the fees charged for medical services by:

- (1) Repealing statutory language that changes the workers' compensation medical fee schedule (medical fee schedule) to reflect increases or decreases in the Consumer Price Index (CPI) for the Honolulu region, as prepared by the Bureau of Labor Statistics of the United States Department of Labor;
- (2) Requiring the Director of Labor and Industrial Relations to conduct a special review and revision of rules pertaining to the medical fee schedule to be effective January 1, 1995; and
- (3) Clarifying that in the calendar years in which there is no three-year review, the rates shall be adjusted to reflect increases or decreases in the CPI.

Supportive testimony was submitted by the Department of Labor and Industrial Relations; the Hawaii Nurses' Association Collective Bargaining Organization; the Hawaii Medical Association; the Construction Industry Legislative Organization; the Proactive Workers' Task Group; and the National Federation of Independent Businesses.

Comments were also submitted by the Building Industry Association of Hawaii, The Chamber of Commerce of Hawaii, and the Hawaii Island Chapter of The Chamber of Commerce of Hawaii.

After careful consideration, your Committee has amended this bill as follows:

- (1) Provided that for the period July 1, 1994, through December 31, 1994, the medical fee schedule shall be the same as the fee schedule for the period ending June 30, 1991; and

- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2164, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2164, S.D. 1, H.D. 3.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1469-94 Finance on S.B. No. 2262**

The purpose of this bill is to provide for the continued resolution of claims against the State and the federal government with respect to the Hawaiian Home Lands Trust, pursuant to the Governor's Action Plan per S.C.R. No. 185, 1991, and Act 352, Session Laws of Hawaii 1993.

Specifically, this bill:

- (1) Extends the service of the court-appointed Independent Representative until December 1, 1995;
- (2) Extends to not less than twenty days before the convening of the 1995 Regular Session, submittal of the report on the actions taken to resolve claims brought forth by the Department of Hawaiian Home Lands, and the Independent Representative's findings and recommendations;
- (3) Establishes mediation procedures in the event the Independent Representative and the members of the State Task Force on Department of Hawaiian Home Lands cannot resolve the claims made against the State; and
- (4) Appropriates funds to:
  - (a) Pay the Independent Representative and pay for any additional services that may be required;
  - (b) Assist the State Task Force on Department of Hawaiian Home Lands title and related claims in preparing the remaining claims package for submission to the Legislature in 1995; and
  - (c) Continue the pursuit of Hawaiian Home Lands Trust Claims against the federal government.

Your Committee received supporting testimony from the Independent Representative of the Hawaiian Home Lands Trust, the Beneficiaries Advisory Council, the Native Hawaiian Legal Corporation, the Native Hawaiian Advisory Council, the Association of Hawaiian Civic Clubs, the Aged Hawaiians and the Waimea Homestead Waiting List, the Anahola Community Homesteaders Council, the Kalalea Farmers Association, Hui Kako'o and other organizations and individuals. Testimony was also submitted by the Office of State Planning, the Department of Hawaiian Home Lands, and the State Council of Hawaiian Homestead Associations.

After extensive deliberation, your Committee has amended this bill by:

- (1) Deleting the Center for Alternative Dispute Resolution in the mediation process to resolve claims against the State;
- (2) Deleting all appropriations except that for the Independent Representative;
- (3) Changing the appropriation to pay the Independent Representative and to pay for any additional services that may be required from \$200,000 to \$1 for purposes of continued discussion; and
- (4) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2262, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2262, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1470-94 Finance on S.B. No. 2272**

The purpose of this bill is to make an appropriation to the Department of Agriculture for the implementation of a Biological and Hydrologic Monitoring Program for the Waikolu Well Development Project on Molokai.

The Molokai Farm Bureau and a concerned citizen submitted testimony in support of this measure. The Chairperson of the Board of Agriculture submitted testimony in support of the intent of this measure.

Upon careful consideration, your Committee has amended this bill by:

- (1) Clarifying that \$200,000 is to be appropriated out of the Irrigation System Revolving Fund for fiscal year 1994-1995;

- (2) Clarifying that the specified sum shall be in addition to the operating appropriation made for Agricultural Resource Management (AGR 141); and
- (3) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2272, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2272, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1471-94 Finance on S.B. No. 2648**

The purpose of this bill is to authorize the expenditure of funds from the University of Hawaii Student Activities Revolving Fund for use by chartered student organizations to employ or retain by contract, attorneys to defend the chartered student organization in any litigation, to render legal advice, or to draft legal documents.

Supportive testimony was submitted by the University of Hawaii; the Associated Students of the University of Hawaii; the Campus Center Board; and the Broadcast Communication Authority.

After careful consideration, your Committee has amended this bill by making technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2648, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2648, S.D. 1, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1472-94 Finance on S.B. No. 2728**

The purpose of this bill is to provide the necessary funds to maintain the current staff and resources of the Hawaii Sugar Planters' Association's experiment station and to effectuate its orderly transfer to the Hawaii Agriculture Research Corporation.

More specifically, this bill appropriates funds for agricultural research, development, and extension to be performed by the Hawaiian Sugar Planters' Association's experiment station.

Testimony in support of this bill was submitted by the Hawaiian Sugar Planters' Association; Alexander and Baldwin, Inc.; the Estate of James Campbell; the Hawaiian Commercial and Sugar Company; the Maui Pineapple Company, Ltd.; the M.A. Robinson Trusts; the McBryde Sugar Company, Ltd.; Dole Food Hawaii; the Maui County Farm Bureau; the Hawaii Farm Bureau Federation; the Hawaii Coffee Growers' Association; Kona Orchids, Inc., the Javellana Farm; the Olokele Sugar Company; Gay and Robinson, Inc.; the Hawaii Forest Industry Association; the Maui County Farm Bureau; AMFAC Sugar and Agribusiness, Inc.; the Waialua Sugar Co., Inc.; Ka'u Agribusiness; and concerned citizens. The Department of Agriculture submitted testimony in support of the intent of this bill. The College of Tropical Agriculture and Human Resources of the University of Hawaii and Del Monte Fresh Produce (Hawaii) Inc., submitted comments on this bill.

After free and open discussion, your Committee has amended this bill by:

- (1) Changing the appropriation amount from \$1,000,000, to \$1, to facilitate further discussion; and
- (2) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2728, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2728, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1473-94 Finance on S.B. No. 2752**

The purpose of this bill is to clarify the administrative functions and duties of the Labor and Industrial Relations Appeals Board (Board). Specifically, this measure provides that:

- (1) The Chairperson of the Board is responsible for the administrative functions of the Board;
- (2) The Board may appoint an executive officer and other employees, set their duties and compensation, and provide for the reimbursement of their expenses incurred in the performance of their duties within amounts made available by appropriations;
- (3) Attorneys hired by the Board are not deputies of the Attorney General;

- (4) Board members and employees, other than clerical and stenographic employees, are exempt from Hawaii's Civil Service, Compensation, and Collective Bargaining laws; and
- (5) Clerical and stenographic employees are hired in accordance with Hawaii's Civil Service and Compensation laws.

The Labor and Industrial Relations Appeals Board submitted testimony supporting the intent of this measure.

Your Committee amended this measure by making technical, nonsubstantive amendments for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2752, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2752, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1474-94 Finance on S.B. No. 2828**

The purpose of this bill is to permit the chief election officer to contract with nonprofit entities to provide precinct officials and other election related personnel, services, and activities. This bill also:

- (1) Changes the deadline for political parties to submit names of precinct officials from ninety to sixty days before the close of filing for an election;
- (2) Allows the chief election officer to assign precinct officials without regard to party affiliation if political parties fail to submit names by the deadline;
- (3) Allows the chief election officer to waive precinct official recruitment and placement requirements in special needs circumstances; and
- (4) Allows the payment schedule for precinct officials and other election day employees to be set by rule instead of by law.

Testimony on this measure was submitted by the Office of the Lieutenant Governor.

Your Committee has made technical, nonsubstantive amendments to this bill for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2828, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2828, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1475-94 Finance on S.B. No. 2924**

The purpose of this bill is to enable the Aloha Tower Development Corporation (ATDC) to retain a larger share of revenues from the Aloha Tower Fund to meet its contractual and statutory obligations by:

- (1) Exempting the Aloha Tower Fund from:
  - (a) The five percent charge on special funds for central service expenses; and
  - (b) Its pro rata share of the administrative expenses incurred by the Department of Business, Economic Development, and Tourism;
 and
- (2) Permitting the ATDC to:
  - (a) Collect fees from developers to cover costs incurred in the furtherance of the Honolulu Waterfront Project; and
  - (b) Use moneys in the Aloha Tower Fund to defray costs associated with the Honolulu Waterfront development.

The ATDC submitted testimony in support of the bill.

Your Committee has amended the bill by:

- (1) Including a provision that would require the ATDC to submit a report to the Legislature in two years on the status of the waterfront special account in the Aloha Tower Fund; and

- (2) Making extensive technical, nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2924, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2924, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1476-94 Finance on S.B. No. 3012**

The purpose of this bill is to:

- (1) Establish the Rehabilitation Trust Fund (Fund) for the receipt of federal funds designated by Congress for the rehabilitation of Kaho'olawe;
- (2) Appropriate funds for the operational expenses of the Kaho'olawe Island Reserve Commission (Commission), with certain provisions; and
- (3) Appropriate funds for completing conveyance and cleanup negotiations of Kaho'olawe with federal agencies.

Your Committee received testimony in support of this bill from the Office of Hawaiian Affairs, the Office of State Planning, and the Department of Land and Natural Resources.

Upon consideration, your Committee has amended this bill by:

- (1) Changing each of the two appropriation sums to \$1 for the purpose of continued discussion;
- (2) Clarifying that the Fund shall be repealed on July 1, 2005, and that the Commission shall transfer to the credit of the general fund all unexpended or unencumbered balances remaining in the Fund prior to June 30, 2005; provided that all unexpended or unencumbered balances of federal moneys shall be disbursed in accordance with applicable federal law; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3012, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3012, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1477-94 Finance on S.B. No. 3036**

The purpose of this bill is to create a Hawaii Health Alliance Advisory Commission to assess whether the creation of a single, mandated health alliance would:

- (1) Reduce the cost of health care;
- (2) Enhance choice;
- (3) Increase competition; and
- (4) Ensure that consumers are provided with the information necessary to make informed choices among health insurance providers.

Testimony in support of the bill was submitted by the Office of Hawaiian Affairs, the Healthcare Association of Hawaii, the Hawaii Nurses' Association, the Kokua Council for Senior Citizens, Legislative Information Services of Hawaii, and the Hawaii Federation of Physicians and Dentists.

Your Committee also received testimony from the Department of Health; the Department of Labor and Industrial Relations; the Department of Business, Economic Development, and Tourism; the Executive Office on Aging; the Hawaii State Association of Life Underwriters; HDS Medical; the National Federation of Independent Businesses; the American Association of Retired Persons; the Hawaii Medical Association; The Chamber of Commerce of Hawaii; the Hawaii Association of Domestic Life Insurers; the Hawaii Medical Service Association; and the Hawaii Association of Domestic Life Insurers.

This bill has been amended by making:

- (1) The appropriation effective on July 1, 1994, rather than upon its approval; and
- (2) Other technical, nonsubstantive amendments for purposes of style, clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3036, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3036, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1478-94 Finance on S.B. No. 3140**

The purpose of this bill is to:

- (1) Extend the effective date of the program all but the most serious traffic offenses decriminalizing and offering drivers the opportunity to either pay or contest their fines; and
- (2) Appropriate the sum of \$400,000, for fiscal year 1994-1995, to carry out the purposes of the bill.

Your Committee received testimony in support of the bill from the State Attorney General, the Judiciary, the Office of the Public Defender, the Honolulu Police Department, and the County of Maui Police Department. The Department of the Prosecuting Attorney of the City and County of Honolulu, the County of Hawaii Police Department, and the County of Kauai Police Department also submitted testimony in general support of the bill.

Upon careful consideration, your Committee has amended this bill by:

- (1) Changing the effective date of Act 214, SLH 1993, to July 1, 1995;
- (2) Deleting the provision that if less than \$400,000 is appropriated for this program, the start-up of the program will be July 1, 1995; and
- (3) Changing the appropriation sum from \$400,000 to \$1, to facilitate continued discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3140, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3140, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1479-94 Finance on S.B. No. 3179**

The purpose of this bill is to specify factors that must be considered in locating state satellite offices. This bill also authorizes the conversion of temporary information specialist and clerk typist positions to permanent status.

Testimony in support of the bill was submitted by the Governor's Office of Information, the Department of Health, the Office of the Vice President for University Relations of the University of Hawaii, the Office of the Mayor of the City and County of Honolulu, the Kaneohe State Satellite Office, the Kokua Council for Senior Citizens, and the Hawaii Army National Guard.

In addition, voluminous testimony was submitted in support of this bill by concerned citizens.

Your Committee has amended the bill as follows:

- (1) Deleting the authorization for the conversion of the temporary positions to permanent positions; and
- (2) Making technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3179, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3179, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Alcon.

**SCRep. 1480-94 Finance on S.B. No. 3292**

The purpose of this bill is to appropriate funds from the Airport Revenue Fund to develop a master plan to help create an economical and efficient airport taxi system, which would benefit taxi customers, taxi operators, and Hawaii's visitor-based economy.

The Department of Transportation submitted testimony supporting this measure. The OTOA submitted comments.

Your Committee amended this measure by:

- (1) Appropriating the sum of \$1 for purposes of continued discussion; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3292, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3292, S.D. 1, H.D. 3.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1481-94 Finance on S.B. No. 3303**

The purpose of this bill is to:

- (1) Provide a more effective means of solid waste disposal enforcement by authorizing the Department of Health to delegate its enforcement powers to the counties; and
- (2) Allow the counties to share half of the revenues generated by the collection of fines and penalties issued as a result of joint state and county enforcement actions.

Your Committee received testimony in support of this measure from the Department of Health, the PVT Land Company, Ltd., and the Sierra Club.

After careful consideration, your Committee has amended this bill by making technical, nonsubstantive revisions for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3303, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3303, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Tajiri, Tam and Ward.

**SCRep. 1482-94 Finance on S.B. No. 3309**

The purpose of this bill as received by your Committee is to assist Hamakua residents on the island of Hawaii with their economic recovery by enabling certain permittees on state lands to obtain long-term leases.

More specifically, this bill would authorize the Department of Land and Natural Resources and the Department of Agriculture to negotiate and enter into leases of state lands with persons holding revocable permits for slaughterhouse and feedlot or any other agricultural purpose within the Hamakua Community Development District without having to conduct public auctions.

Testimony in support of this bill was submitted by the Department of Land and Natural Resources, the Board of Agriculture, the Hamakua/North Hilo Agricultural Cooperative, the Family and Community Task Force, and the Office for Social Ministry and Catholic Charities of the Diocese of Honolulu.

After free and open discussion, your Committee has amended this bill by keeping its language intact and incorporating into it, the contents of S.B. No. 3310, S.D. 2, H.D. 2, which was reported out of the House Committee on Agriculture earlier this session. This would essentially include the North Hilo Region as an area eligible to obtain these long-term leases without having to go through public auctions.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3309, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3309, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1483-94 Finance on S.B. No. 3310**

The purpose of this bill is to assist Hamakua and Hilo coast residents on the island of Hawaii with their economic recovery by enabling qualified permittees on public lands to obtain long-term leases.

Your Committee received testimony in support of the bill from the Department of Land and Natural Resources, the Ka'u Economic Development Corporation, the Diversified Agriculture Task Force, and the Hamakua/North Hilo Agricultural Cooperative.

Following extensive deliberation, your Committee has amended this bill by:

- (1) Specifying that long-term leases on public lands are applicable to qualified permittees in the Kau region on the island of Hawaii;
- (2) Deleting references to the Hilo coast region;
- (3) Deleting the definition "North Hilo region;"
- (4) Adding the definition "Kau region;"
- (5) Establishing a new definition for "person" to include an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership, association, or any other legal

entity engaging in an effort to create employment opportunities for residents of the Kau region, especially employees of Kau Agribusiness;

- (6) Specifying that the lands eligible for lease negotiation are limited to lands within the Kau region;
- (7) Stipulating instead, that the payment of annual lease rent be based on fair market value and a premium, computed at twenty-five percent of the annual lease rent, with the premium to be added to the annual lease rent for each year of the lease equal to the number of years that the lessee had occupied the land under a revocable permit prior to December 31, 1994; and
- (8) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3310, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3310, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1484-94 Finance on S.B. No. 1249**

The purpose of this bill is to establish a formulary council to determine the particular drugs that may be prescribed by each type of health care professional licensed to prescribe drugs. These professionals include dentists, physicians, osteopathic physicians, podiatrists, and veterinarians.

For purposes of the public hearing, your Committee circulated a proposed H.D. 3 version that deleted the provisions of the bill and inserted language that reflected H.B. No. 3212, H.D. 1, that:

- (1) Recognizes Advanced Practice Registered Nurses; and
- (2) Grants limited prescriptive authority to qualified Advanced Practice Registered Nurses through the establishment of a formulary council.

Testimony in support of prescriptive authority for Advanced Practice Registered Nurses or a version of a bill that included such authority was submitted by the following: the Department of Health, the Board of Nursing, the Hawaii Nurses' Association, the Hawaii Association of Occupational Health Nurses, the Hawaii Nurses' Association Collective Bargaining Organization, the School of Nursing at the University of Hawaii at Manoa, Kaiser Permanente, the Healthcare Association, the Hawaii Optometric Association, the Primary Care Roundtable, and 32 individuals.

Other comments on the bill were submitted by the Department of Commerce and Consumer Affairs, the Hawaii Federation of Physicians and Dentists, the Hawaii Medical Association, the American Academy of Pediatrics, and two individuals.

Upon consideration of the testimony presented and after full and free discussion, your Committee has amended the proposed H.D. 3 version of this bill by:

- (1) Adding an appropriation to fund the activities of the formulary council, and inserting the sum of \$1 to facilitate further discussion; and
- (2) Making technical, nonsubstantive revisions for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1249, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1249, S.D. 1, H.D. 3.

Signed by all members of the Committee.  
(Representative Ward voted no.)

**SCRep. 1485-94 Finance on S.B. No. 2141**

The purpose of this bill is to establish a special account to fund spouse and child abuse intervention or prevention programs.

This bill also:

- (1) Provides that the proceeds of the account shall be used by the Legislature to make appropriations to programs engaged in spouse or child abuse intervention or prevention; and
- (2) Provides that in addition to interest and investment earnings, grants, donations, and other contributions, revenues for the special account would be generated by a \$9 fee increase for marriage licenses and a \$3 fee increase for copies of birth, death, and marriage certificates.

The Department of the Prosecuting Attorney of the City and County of Honolulu, the Program Director of Developing Options to Violence and the Transitional Apartments at Child and Family Service, and the Friends of the Children's Advocacy Center of Oahu, Inc., submitted testimony in support of this measure. The Department of Health submitted

testimony in support of the intent of this measure. The Department of Budget and Finance, the Tax Foundation of Hawaii, the Domestic Violence Clearinghouse and Legal Hotline, and the Hawaii Lawyers Care submitted comments on this measure.

Upon careful consideration, your Committee has amended this bill as follows:

- (1) Addressed the constitutional issues raised by the Department of Budget and Finance by specifying that the proceeds of the special account are reserved for use by the Department of Human Services for grants-in-aid;
- (2) Provided that the Department of Human Services, in coordination with the Department of Health, submit an annual report to the Legislature; and
- (3) Made technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2141, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2141, S.D. 2, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1486-94 Finance on S.B. No. 2170**

The purpose of this bill is to promote the recycling of glass containers in the State by:

- (1) Establishing an advance disposal fee program to be administered by the Department of Health;
- (2) Establishing requirements for county glass recovery programs; and
- (3) Requiring that a minimum of ten percent crushed glass aggregate be used in all public highway and road construction and improvement projects.

Supportive testimony was submitted by the Department of Health; the Maui County Department of Public Works; C. Brewer and Company, Ltd.; Aloha Recycling Technologies, Inc.; Unisyn Blowaste Technology; Kanoiehua Industrial Area Association, Inc.; and Recycling Systems Hawaii, Inc.

Comments were also submitted by the Department of Business, Economic Development, and Tourism; the Hawaii County Department of Public Works; the Hawaii Food Industry Association; and the Tax Foundation of Hawaii.

After careful consideration, your Committee has amended this bill as follows:

- (1) Clarified that the provisions relating to the use of crushed glass aggregate in public highway and road construction projects take effect on July 1, 1996; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2170, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2170, S.D. 2, H.D. 3.

Signed by all members of the Committee.

**SCRep. 1487-94 Finance on S.B. No. 2172**

The purpose of this bill is to:

- (1) Establish the Clean Hawaii Center (Center) within the Department of Business, Economic Development, and Tourism (DBEDT) to develop local processing and manufacturing industries for collected recyclables;
- (2) Set up the "Grow Hawaii" revolving fund to finance the activities of the Center;
- (3) Increase the solid waste management surcharge from \$.25 to an unspecified amount for two years, and deposit the amount of the increase collected into the "Grow Hawaii" fund; and
- (4) Appropriate moneys to the "Grow Hawaii" fund.

The Hawaii Food Industry, the Sierra Club of Hawai'i, Hawaiian Earth Products, Ltd., Ecologic Environmental Communications, Recycling Systems Hawaii, Inc., Honolulu Disposal Services, Inc., Unisyn Biowaste Technology, and a private citizen submitted testimony in support of the bill. The Department of Health and Waste Management of Hawaii, Inc., submitted testimony in support of the intent of the bill. The City Council Chair of the City and County of Honolulu and the DBEDT submitted testimony with comments on the bill and suggested amendments. The City and County of Honolulu's Department of Public Works, the Hawaii County Council, and the Tax Foundation submitted comments on the bill.

Upon careful consideration, your Committee has amended the bill by:

- (1) Deleting the provision to increase the solid waste management surcharge for two years, and all references to the proposed increase in the bill;
- (2) Specifying that low-interest loans provided by the Center shall be leveraged through the Hawaii Capital Loan Program, the Hawaii Strategic Development Corporation, the Hawaii Economic Development Corporation, the High Technology Development Corporation, and the Hawaii Innovative Development Fund, as well as through private sector mechanisms;
- (3) Specifying that the Center shall facilitate cooperative marketing of recyclable materials where possible;
- (4) Requiring that the Center's governing board be appointed no later than sixty days after the effective date of the bill;
- (5) Prohibiting board members from participating in decisions concerning entities in which they have a substantial financial interest;
- (6) Deleting the provision that established the "Grow Hawaii" revolving fund;
- (7) Altering the goals of the Center by specifying that the Center shall:
  - (a) Divert 400,000 tons of material for recycling;
  - (b) Assist at least ten new reuse or recycling businesses to become fully operational;
  - (c) Create at least two hundred reuse or remanufacturing jobs; and
  - (d) Create at least seventy-five new private sector waste collection and processing jobs;
- (8) Deleting the provision that created an interim steering committee, and requiring the DBEDT to submit its expenditure and work plan to the governing board instead;
- (9) Adding the following facets to DBEDT's expenditure and work plan:
  - (a) A strategy for integrating and leveraging other state, county, and federal financing programs;
  - (b) A strategy for developing a remanufacturing and recycling industry in Hawaii; and
  - (c) A description of the actions and recommendations for developing markets for commodities comprising a significant percentage of the waste stream and having the greatest potential for use as an industrial or commercial feedstock;
- (10) Deleting the provision that set out the specific percentages the DBEDT could spend on grants and on administrative expenses, and instead requiring the DBEDT to include the proposed percentages in its expenditure plan; and
- (11) Making technical, nonsubstantive amendments for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2172, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2172, S.D. 2, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1488-94 Finance on S.B. No. 2377**

The purpose of this bill is to establish and fund a Social Worker Licensing Program within the Department of Commerce and Consumer Affairs.

Testimony in support of this bill was received from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs; the Dean of the University of Hawaii School of Social Work; Pride in Social Work; the National Association of Social Workers; the Hawaii Nurses' Association; the Hawaii Psychological Association; the Sex Abuse Treatment Center; a representative of the Cambodian and Laotian Community of Hawaii; and concerned citizens. The Department of Health submitted comments on this measure.

Your Committee has amended this bill by:

- (1) Clarifying that the Director of Commerce and Consumer Affairs may refuse to renew, reinstate, or restore, or may deny, revoke, suspend, or condition any license if the applicant fails to report in writing to the Director any disciplinary decision issued against the applicant in another jurisdiction within thirty days of the disciplinary decision; and
- (2) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2377, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2377, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1489-94 Finance on S.B. No. 2544**

The purpose of this bill is to increase the maximum amount of unemployment insurance benefits payable to workers from 26 to 52 weeks when:

- (1) Unemployment is the result of the Hamakua Sugar Company plant closure; and
- (2) A new claim for unemployment insurance benefits is claimed between July 1, 1993 and May 31, 1994.

The Ka'u Economic Development Corporation, the Hamakua Medical Center, ILWU Local 142, the Family and Community Support Task Force, the Pepeekeo Community Association, and concerned citizens submitted testimony in favor of this measure.

The Department of Labor and Industrial Relations, the National Federation of Independent Business, and The Chamber of Commerce of Hawaii submitted comments on this measure.

Upon further consideration, your Committee has amended this measure to:

- (1) Decrease the maximum amount of potential unemployment benefits from 52 to 39 weeks;
- (2) Specify the conditions in which an eligible individual, who has filed for unemployment benefits by April 30, 1994, may receive an extension of benefits;
- (3) Authorize the Director of Labor and Industrial Relations to stop making further payments in excess of 26 weeks if the solvency of the Unemployment Trust Fund is in jeopardy;
- (4) Make various technical, nonsubstantive amendments for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2544, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2544, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Nekoba and Tajiri.

**SCRep. 1490-94 Finance on S.B. No. 2751**

The purpose of this bill is to:

- (1) Allow the Chief Procurement Officer to negotiate project agreements with unions in the building and construction trades in the State;
- (2) Ensure that the State's labor laws are being observed;
- (3) Promote the construction industry in the State; and
- (4) Protect the rights of Hawaii's workers.

Your Committee received voluminous testimony both for and against this bill.

Upon further consideration, your Committee has amended this measure by deleting its substance and inserting provisions:

- (1) Authorizing the Chief Procurement Officer to negotiate project agreements with unions for Hawaii building and construction trades for any construction contract worth at least \$5,000,000;
- (2) Requiring that a project agreement with a union must contain:
  - (A) At a minimum, a provision that the union members will not strike or cause a work stoppage;
  - (B) A provision that the lowest responsible bidder and all subcontractors on the project shall be signatories to the project agreement;
  - (C) Applicable terms of the standard industry-wide collective bargaining agreements of all unions; and
  - (D) A provision that all conflicts between the collective bargaining agreements of each union shall be resolved by the Chief Procurement Officer, whose decision shall be final;

- (3) Authorizing any bidder to bid on a contract as long as the bidder agrees to provide the Chief Procurement Office with documentation that for the duration of the contract:
- (A) No employee of the bidder and no subcontractor working on the project will strike or cause a work stoppage; and
  - (B) The provisions of the Little Davis-Bacon Act (Section 104-2, Hawaii Revised Statutes) will be met;
- (4) Mandating that the bid shall be awarded to the lowest responsible bidder who meets documentary requirements; and
- (5) Increasing the preference given bidders from 5 percent to 10 percent:
- (A) For bids under \$5,000,000, for bidders who have filed their State of Hawaii employment, general excise, and income tax returns and who have paid these taxes for two prior years; and
  - (B) For bids over \$5,000,000, for bidders who have filed their State of Hawaii employment, general excise, and income tax returns and who have paid these taxes for four prior years.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2751, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2751, S.D. 2, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1491-94 Finance on S.B. No. 2875**

The purpose of this bill is to appropriate funds for additional ambulance units and increased ambulance services on Oahu.

The Department of Health (DOH) submitted testimony in support of the intent of the bill, but did not support the additional appropriation because of statewide budget constraints. Seven private citizens submitted testimony in support of the bill.

Your Committee believes that along with any additional funding, the DOH should look into the issue of reimbursements to the county and the State for ambulance services. Specifically, the DOH should try to determine why reimbursements appear to be low, and develop a plan to ensure that adequate reimbursements are made for ambulance services.

Your Committee has amended the bill by inserting the appropriation amount of \$1 to facilitate continued discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2875, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2875, S.D. 1, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1492-94 Finance on S.B. No. 2908**

The purpose of this bill is to require the Director of Health to designate community-based primary care centers as Hawaii Qualified Health Centers (HQHC). This bill also:

- (1) Provides that any Federally Qualified Health Center (FQHC), FQHC lookalike, or Rural Health Center (RHC) be designated as a HQHC;
- (2) Permits the Director of Health to designate additional HQHCs; and
- (3) Requires the Department of Human Services to make a supplemental payment to HQHCs based on the number of clients without insurance who are provided enabling services at those HQHCs.

The Healthy Babies, Healthy Mothers Coalition of Hawaii; the Hawaii Nurses Association; the Kalihi-Palama Health Center; Papa Ola Lokahi; and several private citizens submitted testimony in support of this measure. The Waianae Coast Comprehensive Health Center, the Hawaii State Primary Care Association, and the Waimanalo Health Center submitted testimony in support of the intent of this measure. The Department of Human Services and the Department of Health submitted comments on this measure.

Upon consideration, your Committee has amended this bill by:

- (1) Specifying that the Director of Human Services must concur with the Director of Health in designating additional HQHCs; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency with federal conventions, and conformity with legislative drafting standards.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2908, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2908, S.D. 1, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1493-94 Finance on S.B. No. 3031**

The purpose of this bill, as received by your Committee, is to establish the Hawaii Long-term Care Trust Fund to administer an actuarially sound, long-term care financing program.

The Executive Office on Aging, the Department of Health, the Department of Commerce and Consumer Affairs, the State Health Planning and Development Agency, The Chamber of Commerce of Hawaii, the Healthcare Association of Hawaii, the Hawaii State Association of Life Underwriters, the Hawaii Federation of Physicians and Dentists, the Senior Citizens Advisory Committee, the Coalition of Hawaii State-County Retirees, and concerned citizens submitted testimony supporting the intent of this measure.

The Hawaii State Commission on the Status of Women; the Hawaii State AFL-CIO; Long Term Care, Hawaii; the Hawaii Nurses' Association; the Policy Advisory Board of Elder Affairs; Homecare; the Family Hope Coalition; the ILWU Local 142; the Hawaii Long Term Care Association; the American Association of Retired Persons; the National Association of Retired Federal Employees; and concerned citizens submitted comments on this measure.

Upon careful and deliberate consideration of the issues involved in this bill, your Committee has amended this measure by deleting its substantive contents and inserting provisions that would determine the feasibility of implementing and administering the Hawaii Long-term Care Trust Fund. Specifically, this bill:

- (1) Establishes a temporary Long-term Care Advisory Commission, within the Department of Commerce and Consumer Affairs, to study how the Long-term Care Trust Fund, proposed by the Executive Office on Aging, will provide benefits;
- (2) Requests the Department of Budget and Finance to study the validity of the actuarial report related to the financing of long-term care, which was prepared for the Executive Office on Aging;
- (3) Requests the State Health Planning and Development Agency to study the financial ramifications and the needs and availability of facilities and services relating to long-term care services;
- (4) Requests the Department of Commerce and Consumer Affairs to provide a cost analysis of recommendations relating to long-term care insurance and to examine existing long-term care insurance programs in the State;
- (5) Requests the Department of Labor and Industrial Relations to study existing public and private employer initiatives;
- (6) Requests the Executive Office on Aging to develop and implement a comprehensive community education program; and
- (7) Appropriates funds to carry out the provisions of this bill.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3031, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3031, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Nekoba and Tajiri.

**SCRep. 1494-94 Finance on S.B. No. 3045**

The purpose of this bill is to establish a public corporation to convert lands taken out of sugar and pineapple production into new productive agricultural uses. The public corporation is authorized, among other things, to:

- (1) Perform research and marketing analysis;
- (2) Construct infrastructure;
- (3) Provide technical assistance;
- (4) Develop new markets for Hawaii agricultural products; and
- (5) Develop agricultural projects where large tracts of land will be taken out of agricultural production.

Testimony in support of the bill was submitted by both of Hawaii's U.S. Senators, the Office of State Planning, the Chairperson of the Board of Agriculture, the Department of Land and Natural Resources, the Department of Hawaiian Home Lands, the University of Hawaii, the Hawaiian Sugar Planters' Association, the Estate of James Campbell, the Hawaii Cattlemen's Council, the Big Island Business Council, the Hawaii Farm Bureau Federation, the Molokai Farm Bureau, the Kauai County Farm Bureau, nineteen businesses, and two individuals.

The Big Island Farm Bureau, the Land Use Research Foundation of Hawaii, and one business testified in support of the intent of the bill.

Comments on the bill were received from the County Council of Maui, the Private Sector Economic Coalition, the Hawaii Island Economic Development Board, the Native Hawaiian Advisory Council, the Maui County Farm Bureau, and three individuals.

Upon careful consideration, your Committee has amended the bill as follows:

- (1) Added that the Senate President and the Speaker of the House of Representatives shall submit lists of names from which the Governor is to select the members of the Board of Directors of the Agribusiness Development Corporation (Corporation);
- (2) Deleted the authority of the Agribusiness Development Corporation to capitalize on local markets;
- (3) Mandated the Corporation to include the impact of its projects on existing agriculture throughout the State in its business and agricultural development plans;
- (4) Authorized the Corporation to issue revenue bonds, and created a mechanism to issue the bonds and invest the resulting revenue; and
- (5) Inserted the appropriation sum of \$1 to facilitate further discussion; and
- (6) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3045, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3045, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1495-94 Finance on S.B. No. 3315**

The purpose of this bill is to improve the workers' compensation system by:

- (1) Prohibiting arbitrary cancellation or nonrenewal of a workers' compensation policy; and
- (2) Requiring that workers' compensation rate-filing and ratemaking procedures are open to public scrutiny and appeal by affected insureds.

Testimony in support of this bill was submitted by the Proactive Workers' Task Group, the Hawaii Nurses' Association, and the ILWU Local 142. The Hawaii State AFL-CIO submitted testimony in support of the intent of this bill. The Department of Commerce and Consumer Affairs, the Department of Labor and Industrial Relations, the Building Industry Association of Hawaii, First Insurance Company of Hawaii, the Hawaii Insurers Council, the Hawaii Independent Insurance Agents Association, and the Construction Industry Legislative Organization submitted comments on this bill.

After free and open discussion, your Committee has amended this bill by:

- (1) Including a substantial increase in risk hazard that the insurer could not have reasonably foreseen in the list of exceptions under which an insurer may cancel or not renew a policy;
- (2) Deleting language permitting a contested case hearing on the reasons for cancellation or nonrenewal of a policy;
- (3) Deleting language allowing insureds to obtain copies of rate-filings; request and obtain additional information from insurers, rating organizations, or the Insurance Division and its consultants; submit position statements and supporting data; and challenge the action of the Insurance Division with respect to rate-filing and ratemaking proceedings;
- (4) Permitting insurers or rating organizations to use national data, in addition to data specific to Hawaii, to support their position in rate-filing and ratemaking proceedings;
- (5) Deleting the provision that allowed insureds a contested case hearing when the Insurance Division approved a filing by an insurer or a rating organization;
- (6) Deleting the provision that required the insurer or rating organization seeking an increase in workers' compensation rates to bear the burden of proof of compliance with section 431:14-105.5;
- (7) Deleting the provision that required insurers or rating organizations to pay the insured's cost of appeal if the insurer or rating organization is unable to support its request for a rate increase;
- (8) Deleting S section 3 of the bill, which would have:
  - (a) Permitted the Insurance Commissioner to award rebates to the insured under certain circumstances; and

- (b) Required the Insurance Commissioner to institute proceedings within two years in any case in which an insured was not afforded the right to intervene and participate in rate-filing or ratemaking as a party of interest, and provide appropriate relief if warranted;

and

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3315, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3315, S.D. 2, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1496-94 Finance on S.B. No. 3082**

The purpose of this bill is to appropriate funds for the "Safe Haven" pilot project for the homeless mentally-ill.

Testimony in support of this measure was received from the Hawaii Psychological Association, the Hawaii Psychiatric Society, the Mental Health Association in Hawaii, the Kalihi-Palama Health Clinic, United Self-Help, the Kokua Council for Senior Citizens, the Executive Director of the Waikiki Health Center, several agencies that deal with the mentally ill, and concerned citizens. The Department of Health, the Affordable Housing Alliance, the Hawaii State Alliance for the Mentally ill, The House Inc., and concerned citizens submitted comments on this measure.

Your Committee notes that various members of the community and government agencies, such as First Hawaiian Bank; the Department of Transportation and the Airport Commission; the Weinberg Foundation; and the U.S. Department of Housing and Urban Development are working cooperatively to obtain additional funds, develop housing options, and assist homeless individuals with mental illnesses.

Upon careful consideration, your Committee has amended this bill by:

- (1) Changing the sum appropriated from \$348,800 to \$1 to facilitate further discussion; and
- (2) Making technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3082, S.D. 2, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3082, S.D. 2, H.D. 2.

Signed by all members of the Committee.

**SCRep. 1497-94 Finance on S.B. No. 2151**

The purpose of this bill is to allow the Department of Agriculture to issue special permits on a case-by-case basis for the importation and possession of microorganisms that are not on the lists of prohibited, restricted, or conditionally approved microorganisms under the following conditions:

- (1) The microorganisms will be used for medical research or remediating medical emergencies, agricultural disasters, or ecological disasters; and
- (2) The importer of the microorganism can meet permit requirements consistent with Centers for Disease Control and National Institute of Health guidelines as determined by the Board of Agriculture.

The Chairperson of the Board of Agriculture, the University of Hawaii, and the Hawaii Biotechnology Group, Inc. submitted testimony supporting the intent of this measure.

The testimony of the Chairperson of the Board of Agriculture stated that a Memorandum of Understanding between the Department of Health and the Department of Agriculture is being drafted. Under the terms of the proposed Memorandum of Understanding, the Department of Health will play a greater role in the review of unlisted microorganisms and the inspection and monitoring of laboratories conducting research on human pathogens that are allowed into the State by the Department of Agriculture.

In recognition of the importance of the proposed Memorandum of Understanding, it is the intent of your Committee that this committee report reflect your Committee's desire that the Department of Health and the Department of Agriculture finalize the Memorandum of Understanding in an expeditious manner.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2151, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1498-94 Finance on S.B. No. 2404**

The purpose of this bill is to allow depository financial services loan companies to act as trustees of individual housing accounts.

The Department of Taxation, the Commissioner of Financial Institutions of the Department of Commerce and Consumer Affairs, and the Tax Foundation of Hawaii submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2404, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1499-94 Finance on S.B. No. 2921**

The purpose of this bill is to exempt the moneys collected from assessments made by the Hawaii Community Development Authority for the District-wide Improvement Program from:

- (1) The five percent charge on special funds to defray the prorated estimate of central service expenses of state government; and
- (2) Its pro rata share of the administrative expenses incurred by the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2921, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Tam and Ward.

**SCRep. 1500-94 Finance on S.B. No. 3249**

The purpose of this bill is to provide for the protection of the residents of Hawaii by:

- (1) Requiring disclosure by unaccredited degree-granting institutions of their unaccredited status;
- (2) Imposing sanctions for failure to disclose; and
- (3) Defining degree-granting institutions to exempt any public college, university, or other entity operating as part of the public education system of this State.

Testimony supporting the intent of this measure was received from the University of Hawaii, the University of Hawaii Professional Assembly, Chaminade University, the Vice-President for University Advancement at Brigham Young University, faculty and students of the Brigham Young University, and concerned citizens. The Department of Commerce and Consumer Affairs, the counsel for Kennedy-Western University, and the International College and Graduate School submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3249, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

**SCRep. 1501-94 Finance on S.B. No. 2661**

The purpose of this bill is to appropriate funds to the Hawaii Visitors Bureau for tourism marketing and promotion, to be matched by private sector funds in cooperative advertising partnerships.

The Hawaii Visitors Bureau, The Chamber of Commerce of Hawaii, ITT Sheraton Hawaii, Hilton Resorts Hawaii, and Outrigger Hotels Hawaii submitted testimony in support of the bill. The Department of Business, Economic Development, and Tourism submitted comments on the bill.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2661, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Alcon and Tajiri.

**SCRep. 1502-94 Ocean Recreation and Marine Resources on H.R. No. 234**

The purpose of this House Resolution is to request the development of a comprehensive statewide boating program.

Your Committee on Ocean Recreation and Marine Resources finds that the Auditor studied the financing of the Small Boat Harbors and Boat Ramps Program and made recommendations for improving its efficiency. Your Committee further finds that the State collects fees from harbor users, for which facilities and services to meet basic standards should be provided.

This measure requests the Department of Land and Natural Resources (DLNR) to develop a comprehensive statewide boating program, the plan for which is to include standards for facilities and services, policies for setting fees, the goals for bringing facilities and services up to standard; security measures; administrative rules; and a comprehensive accounting and budgeting system.

Testimonies in support of this measure were received from the DLNR and from a representative of the boating community. The DLNR recognizes that the elements and functions of the program are not sufficiently described or publicized to provide the general public with a good understanding of the goals, objectives, policies, or procedures governing the program.

As affirmed by the record of votes of the members of your Committee on Ocean Recreation and Marine Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 234 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Amaral, Hirono and Tajiri.

**SCRep. 1503-94 Ocean Recreation and Marine Resources on H.C.R. No. 252**

The purpose of this House concurrent resolution is to request the development of a comprehensive statewide boating program.

Your Committee on Ocean Recreation and Marine Resources finds that the Auditor studied the financing of the Small Boat Harbors and Boat Ramps Program and made recommendations for improving its efficiency. Your Committee further finds that the State collects fees from harbor users, for which facilities and services to meet basic standards should be provided.

This measure requests the Department of Land and Natural Resources (DLNR) to develop a comprehensive statewide boating program, the plan for which is to include standards for facilities and services, policies for setting fees, the goals for bringing facilities and services up to standard; security measures; administrative rules; and a comprehensive accounting and budgeting system.

Testimonies in support of this measure were received from the DLNR and from a representative of the boating community. The DLNR recognizes that the elements and functions of the program are not sufficiently described or publicized to provide the general public with a good understanding of the goals, objectives, policies, or procedures governing the program.

As affirmed by the record of votes of the members of your Committee on Ocean Recreation and Marine Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 252 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Amaral, Hirono and Tajiri.

**SCRep. 1504-94 Energy and Environmental Protection on H.C.R. No. 448**

The purpose of this concurrent resolution, as received by your Committee, is to urge GTE Hawaiian Telephone to cease purchasing paper produced from old-growth forests and to adopt a paper policy that prohibits the use of paper derived from clearcut logging forests which provide habitat for endangered species, and in any area where there are outstanding land claims by indigenous people.

Testimony in support of this concurrent resolution was received from:

- (1) The Life of the Land;
- (2) The Sierra Club, Hawaii Chapter; and
- (3) The Puna Outdoor Circle.

Testifiers in support of the concurrent resolution emphasized the need to protect valuable forests in British Columbia, Canada, where many logging companies are clear cutting trees, threatening the fragile forest ecosystems and wildlife habitats, and adversely impacting the land claims of indigenous people. The testifiers noted the need to strongly encourage Hawaiian companies to discontinue purchasing paper from irresponsible logging companies in Canada and the need to increase recycling of paper.

Testimony opposing the concurrent resolution was received from GTE Directories Corporation and GTE Hawaiian Telephone. Both testified that GTE has a strong respect for the environment and is committed to increasing the post-consumer recycled paper content in their directories. They emphasized that GTE has recently expanded environmental

guidelines in contracts with logging companies in Canada. GTE also voiced concern that this concurrent resolution isolated and burdened it unfairly.

After careful consideration, your Committee decided to amend the concurrent resolution to reflect a broader interest and concern over the preservation of old-growth forests and the detrimental practices of logging companies in Canada and more specifically, British Columbia.

Your Committee amended the concurrent resolution by replacing its existing language and:

- (1) Inserting language to encourage all Hawaiian companies to:
  - (a) Become more aware of the practices and impacts of product suppliers, especially paper companies in Canada;
  - (b) Eliminate or minimize purchases from companies with adverse environmental impacts; and
  - (c) Increase post-consumer recycled paper content in products whenever possible;
- (2) Adding language requesting the Canadian government to examine current clear-cutting practices and general policies of the logging industry in Canada; and
- (3) Revising the title of the concurrent resolution to read "REQUESTING THE CANADIAN GOVERNMENT TO INVESTIGATE LOGGING POLICIES AND SUBSEQUENT ENVIRONMENTAL IMPACTS."

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 448, as amended herein, and recommends that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as H.C.R. No. 448, H.D. 1.

Signed by all members of the Committee except Representatives Herkes, Hiraki and Hirono.

**SCRep. 1505-94 Hawaiian Affairs and Higher Education and the Arts on H.R. No. 345**

The purpose of this resolution is to promote greater awareness of the Hawaiian culture, history, and language. This measure requests the University of Hawaii (UH) to:

- (1) Implement a specific course as well as a program of courses in Hawaiian studies and require all students at all campuses to take at least one course in the core program;
- (2) Convene a panel of experts to determine course content of the single course and develop the program of courses in Hawaiian studies; and
- (3) Establish Hawaiian Studies as an academic department housed in the College of Social Sciences.

Testimony was submitted by: the School of Hawaiian, Asian and Pacific Studies as well as the Center for Hawaiian Studies of the University of Hawaii at Manoa; the Hawaiian Studies Department faculty of the University of Hawaii-Hilo; the Office of Hawaiian Affairs; and two interested citizens.

Some of the UH testimony indicated that:

- (1) Academic departments and degree-granting programs for Hawaiian studies already exist;
- (2) Hawaiian studies courses already count toward core requirements;
- (3) The cost to teach a single, required course to all 40,000 UH students would be tremendous;
- (4) Only one member of the proposed panel of experts is able to read and understand primary documents written in Hawaiian; and
- (5) The lack of funding is a major constraint preventing the UH from accomplishing some of the objectives.

Based on the testimony presented, your Committees have essentially re-drafted this measure to, among other things:

- (1) Request the Board of Regents to review its policies and planning to encourage all students to enroll in courses that offer a basic understanding of native Hawaiian culture and history;
- (2) Direct the UH to carry out its master plan to preserve, promote, and lead research and scholarship in Hawaiian language and culture by establishing the M.A. and Ph.D. degrees on these subjects; and
- (3) Request the UH to prepare a plan for the additional funding and positions necessary to:
  - (a) Promote and expand the Hawaiian studies departments and programs; and
  - (b) Increase the Hawaiian studies courses across the curriculum at every campus.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Higher Education and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 345, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 345, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Duldulao, M. Ige, Ihara, Yonamine and Tanimoto.

**SCRep. 1506-94 Hawaiian Affairs and Higher Education and the Arts on H.C.R. No. 399**

The purpose of this concurrent resolution is to promote greater awareness of the Hawaiian culture, history, and language. This measure requests the University of Hawaii (UH) to:

- (1) Implement a specific course as well as a program of courses in Hawaiian studies and require all students at all campuses to take at least one course in the core program;
- (2) Convene a panel of experts to determine course content of the single course and develop the program of courses in Hawaiian studies; and
- (3) Establish Hawaiian Studies as an academic department housed in the College of Social Sciences.

Testimony was submitted by: the School of Hawaiian, Asian and Pacific Studies as well as the Center for Hawaiian Studies of the University of Hawaii at Manoa; the Hawaiian Studies Department faculty of the University of Hawaii-Hilo; the Office of Hawaiian Affairs; and two interested citizens.

Some of the UH testimony indicated that:

- (1) Academic departments and degree-granting programs for Hawaiian studies already exist;
- (2) Hawaiian studies courses already count toward core requirements;
- (3) The cost to teach a single, required course to all 40,000 UH students would be tremendous;
- (4) Only one member of the proposed panel of experts is able to read and understand primary documents written in Hawaiian; and
- (5) The lack of funding is a major constraint preventing the UH from accomplishing some of the objectives.

Based on the testimony presented, your Committees have essentially re-drafted this measure to, among other things:

- (1) Request the Board of Regents to review its policies and planning to encourage all students to enroll in courses that offer a basic understanding of native Hawaiian culture and history;
- (2) Direct the UH to carry out its master plan to preserve, promote, and lead research and scholarship in Hawaiian language and culture by establishing the M.A. and Ph.D. degrees on these subjects; and
- (3) Request the UH to prepare a plan for the additional funding and positions necessary to:
  - (a) Promote and expand the Hawaiian studies departments and programs; and
  - (b) Increase the Hawaiian studies courses across the curriculum at every campus.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Higher Education and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 399, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 399, H.D. 1.

Signed by all members of the Committees except Representatives Apo, Duldulao, M. Ige, Ihara, Yonamine and Tanimoto.

**SCRep. 1507-94 Hawaiian Affairs on H.C.R. No. 313**

The purpose of this concurrent resolution, as received by your Committee, is to request all state and county departments and agencies to impose a moratorium on the resale or exchange of ceded lands until the year 2004.

Your Committee received testimony in support of this measure from the Hawaiian Sovereignty Advisory Commission, Ka Lahui Hawai'i, the Hawaiian Civil Political Action Committee, Na Koa Ikaika, and the Chairperson of the Economic Development Committee of the Native Hawaiian Chamber of Commerce.

Testimony in opposition to this measure was received by the Office of Hawaiian Affairs.

Your Committee has amended this concurrent resolution as follows:

- (1) Amending the title of this concurrent resolution to read "REQUESTING ALL STATE AND COUNTY DEPARTMENTS AND AGENCIES TO IMPOSE A MORATORIUM ON THE SALE OR EXCHANGE OF CEDED LANDS UNTIL THE YEAR 2004";
- (2) Amending this concurrent resolution by replacing the word "resale" with the word "sale" throughout;
- (3) Inserting additional "BE IT RESOLVED" clauses to request all state and county departments and agencies to cease the sale or exchange of ceded lands until the year 2004, along with the limitations and exceptions governing the sale or exchange of ceded lands; and
- (4) Making technical and nonsubstantive changes for purposes of consistency, style, and clarity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 313, as amended herein, and recommends that it be referred to the Committee on Water and Land Use Planning in the form attached hereto as H.C.R. No. 313, H.D. 1.

Signed by all members of the Committee except Representatives D. Ige and Lee.

**SCRep. 1508-94 Education on H.R. No. 303**

The purpose of this resolution is to request the Board of Education to develop "Request for Proposals" for the alternative management of public schools.

This resolution has been amended by:

- (1) Adding a "Whereas" clause stating that private companies often are able to provide up-front capital which can accelerate technology and school-based improvements; and
- (2) Making technical, non-substantive amendments for the purposes of clarity and style.

Your Committee also notes that if a school chooses to enter into a public/private partnership regarding its management, the Department of Education shall in no way be absolved from its responsibilities towards the school. The Department should work with the private company in ensuring that the school is not neglected and functions smoothly.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 303, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 303, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1509-94 Education on H.C.R. No. 337**

The purpose of this concurrent resolution is to request the Board of Education to develop "Request for Proposals" for the alternative management of public schools.

This concurrent resolution has been amended by:

- (1) Adding a "Whereas" clause stating that private companies often are able to provide up-front capital which can accelerate technology and school-based improvements; and
- (2) Making technical, non-substantive amendments for the purposes of clarity and style.

Your Committee also notes that if a school chooses to enter into a public/private partnership regarding its management, the Department of Education shall in no way be absolved from its responsibilities towards the school. The Department should work with the private company in ensuring that the school is not neglected and functions smoothly.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 337, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 337, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1510-94 Education on H.R. No. 384**

The purpose of this resolution is to urge the Department of Education to examine methods which will expand the use of close-captioning in educational and commercial programming.

Testimony in support of this measure was received from the Department of Education. The Commission on Persons with Disabilities supported the intent of the resolution.

Your Committee notes that although close-captioning is an important function which should be available on all televisions in the Department of Education, it should ultimately be the teacher or person in charge of the viewing who decides whether to use close-captioning in the classroom.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 384 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1511-94          Education on H.C.R. No. 461**

The purpose of this concurrent resolution is to urge the Department of Education to examine methods which will expand the use of close-captioning in educational and commercial programming.

Testimony in support of this measure was received from the Department of Education. The Commission on Persons with Disabilities supported the intent of the concurrent resolution.

Your Committee notes that although close-captioning is an important function which should be available on all televisions in the Department of Education, it should ultimately be the teacher or person in charge of the viewing who decides whether to use close-captioning in the classroom.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 461 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1512-94          Education on H.R. No. 146**

The purpose of this resolution is to request the Department of Education to enter into a real estate transaction for a new Kihei II Elementary School in Kihei, Maui.

Supporting testimony for this measure was given by the Department of Education.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 146, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 146, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1513-94          Education on H.C.R. No. 156**

The purpose of this concurrent resolution is to request the Department of Education to enter into a real estate transaction for a new Kihei II Elementary School in Kihei, Maui.

Supporting testimony for this measure was given by the Department of Education.

This concurrent resolution has been amended by allowing the Department of Education to lease the land for the school for ten to thirty years instead of twenty to thirty years.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 156, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 156, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1514-94          Education on H.R. No. 365**

The purpose of this resolution is to request the Department of Education to submit a report on its training program for security guards who work at the public schools.

Testimony in support of this measure was received from the Department of Education.

Your Committee notes that security attendants play a vital and conspicuous role at the public schools. They come into contact on a daily basis with teachers, students, and guests of the schools and should therefore be trained to work with and be respectful of these groups.

Your Committee would also urge the Department of Education to investigate the feasibility of developing an educational program directed towards the students, faculty, and staff of the schools regarding their expectations of the security attendants so that all parties at the schools are in accordance with the responsibilities of the attendants.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 365 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1515-94 Education on H.C.R. No. 432**

The purpose of this concurrent resolution is to request the Department of Education to submit a report on its training program for security guards who work at the public schools.

Testimony in support of this measure was received from the Department of Education.

Your Committee notes that security attendants play a vital and conspicuous role at the public schools. They come into contact on a daily basis with teachers, students, and guests of the schools and should therefore be trained to work with and be respectful of these groups.

Your Committee would also urge the Department of Education to investigate the feasibility of developing an educational program directed towards the students, faculty, and staff of the schools regarding their expectations of the security attendants so that all parties at the schools are in accordance with the responsibilities of the attendants.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 432 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1516-94 Education on H.R. No. 22**

The purpose of this resolution, as received, is to request the establishment of a Demonstration Family Center Program in a public school to address the needs of Hawaii's youths and their families.

The Department of Human Services and the Department of Health submitted testimony in support of the intent and purpose of this resolution. The Department of Education submitted testimony in opposition to this resolution.

Upon careful consideration, your Committee has amended this resolution by:

- (1) Changing the title to request the Department of Education to collaborate with the Department of Human Services and the Department of Health to develop a plan to establish family-centered programs and activities in the public schools;
- (2) Adding that health and social service programs should be offered in the evenings and on the weekends to accommodate those families that consist of single parents, as well as dual income earners;
- (3) Adding that schools should establish programs that are targeted at families who are reluctant to get involved in their children's education due to physical disabilities, homelessness, illiteracy, and limited proficiency in English;
- (4) Adding that the Department of Education should require the schools to create programs that promote family involvement in the educational process and provide the schools with the resources to implement these programs; and
- (5) Making technical, nonsubstantive revisions for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 22, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 22, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1517-94 Education on H.C.R. No. 26**

The purpose of this concurrent resolution, as received, is to request the establishment of a Demonstration Family Center Project in a public school to address the needs of Hawaii's youths and their families.

The Department of Human Services and the Department of Health submitted testimony in support of the intent and purpose of this concurrent resolution. The Department of Education submitted testimony in opposition to this concurrent resolution.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Changing the title to request the Department of Education to collaborate with the Department of Human Services and the Department of Health to develop a plan to establish family-centered programs and activities in the public schools;
- (2) Adding that health and social service programs should be offered in the evenings and on the weekends to accommodate those families that consist of single parents, as well as dual income earners;
- (3) Adding that schools should establish programs that are targeted at families who are reluctant to get involved in their children's education due to physical disabilities, homelessness, illiteracy, and limited proficiency in English;
- (4) Adding that the Department of Education should require the schools to create programs that promote family involvement in the educational process and provide the schools with the resources to implement these programs; and
- (5) Making technical, nonsubstantive revisions for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 26, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 26, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1518-94 Intergovernmental Relations and International Affairs on H.R. No. 141**

The purpose of this concurrent resolution is to request the counties to consider the feasibility of implementing variable rate fees or unit-based pricing for solid waste collection services.

Your Committee received testimony in support of this resolution from the Department of Health.

Your Committee finds that variable rate fees or unit-based pricing for solid waste collection services will educate the public on the true cost of disposing solid waste, thus encouraging the public to modify their purchase habits, as well as to recycle more of their waste.

Currently, Hawaii's residents have their disposal costs built into their property taxes and are therefore more apt to perceive their solid waste collection as a "free" service.

In municipalities that utilize variable rate fees or unit-based pricing for solid waste collection, residents seem more apt to recycle and use less non-recyclable items.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 141 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1519-94 Intergovernmental Relations and International Affairs on H.C.R. No. 30**

The purpose of this concurrent resolution is to request the counties to consider the feasibility of implementing variable rate fees or unit-based pricing for solid waste collection services.

Your Committee received testimony in support of this concurrent resolution from the Department of Health.

Your Committee finds that variable rate fees or unit-based pricing for solid waste collection services will educate the public on the true cost of disposing solid waste, thus encouraging the public to modify their purchase habits, as well as to recycle more of their waste.

Currently, Hawaii's residents have their disposal costs built into their property taxes and are therefore more apt to perceive their solid waste collection as a "free" service.

In municipalities that utilize variable rate fees or unit-based pricing for solid waste collection, residents seem more apt to recycle and use less non-recyclable items.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 30 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1520-94 Intergovernmental Relations and International Affairs on H.R. No. 204**

The purpose of this resolution is to request the Legislative Reference Bureau to undertake a study to determine the most cost-effective options the Legislature may use to develop a separate communication and information system which meets its needs as an independent arm of state government.

Your Committee received testimony in favor of this measure from a Hawaii resident who resides in Washington, D.C.

Your Committee finds that 40 states and territories, including Hawaii, have direct representation in Washington, D.C. However, the representation currently received by the State of Hawaii was established by the Governor's Office in 1991 and serves as the Governor's "eyes and ears." Other state legislatures have already moved to establish their own offices.

If the Legislature is to remain an independent arm of state government, it may be necessary for the Legislature to maintain its own communication and information function, especially since there may be times when legislative and administrative priorities may differ.

It is your Committee's hope that through the adoption of this measure, the Legislature will be able to analyze what other state legislatures have done and explore all possible options in establishing its own communication "pipeline" with the federal government.

Your Committee is keenly aware of the financial position of the State, but this study should not preclude the establishment of a Washington office as a possible option. However, the requested study should not be seen as a call for the establishment of a legislative office in Washington, D.C.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 204 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Alcon, Hagino and Takumi.

**SCRep. 1521-94 Intergovernmental Relations and International Affairs on H.C.R. No. 215**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to undertake a study to determine the most cost-effective options the Legislature may use to develop a separate communication and information system which meets its needs as an independent arm of state government.

Your Committee received testimony in favor of this measure from a Hawaii resident who resides in Washington, D.C.

Your Committee finds that 40 states and territories, including Hawaii, have direct representation in Washington, D.C. However, the representation currently received by the State of Hawaii was established by the Governor's Office in 1991 and serves as the Governor's "eyes and ears." Other state legislatures have already moved to establish their own offices.

If the Legislature is to remain an independent arm of state government, it may be necessary for the Legislature to maintain its own communication and information function, especially since there may be times when legislative and administrative priorities may differ.

It is your Committee's hope that through the adoption of this measure, the Legislature will be able to analyze what other state legislatures have done and explore all possible options in establishing its own communication "pipeline" with the federal government.

Your Committee is keenly aware of the financial position of the State, but this study should not preclude the establishment of a Washington office as a possible option. However, the requested study should not be seen as a call for the establishment of a legislative office in Washington, D.C.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 215 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Alcon, Hagino and Takumi.

**SCRep. 1522-94 Intergovernmental Relations and International Affairs on H.R. No. 263**

The purpose of this resolution is to encourage the United States and Japan to quickly resolve the trade negotiations between the two countries.

Your Committee received testimony in support of this measure from the Office of International Relations, the Department of Business, Economic Development, and Tourism and the Department of Transportation.

Your Committee finds that strong, friendly relations between Hawaii and Japan would be harmed if current trade relations are not expediently resolved.

Technical, nonsubstantive amendments have been made for purposes of consistency and clarity.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 263, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 263, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Hagino and Takumi.

**SCRep. 1523-94 Intergovernmental Relations and International Affairs on H.C.R. No. 282**

The purpose of this concurrent resolution is to encourage the United States and Japan to quickly resolve the trade negotiations between the two countries.

Your Committee received testimony in support of this measure from the Office of International Relations, the Department of Business, Economic Development, and Tourism and the Department of Transportation.

Your Committee finds that strong, friendly relations between Hawaii and Japan would be harmed if current trade relations are not expediently resolved.

Technical, nonsubstantive amendments have been made for purposes of consistency and clarity.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee 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 Representatives Alcon, Hagino and Takumi.

**SCRep. 1524-94 Consumer Protection and Commerce and Judiciary on H.C.R. No. 222**

The purpose of this concurrent resolution is to request all persons who rent or sell video movies to voluntarily label, for violent content, all video movies rented or sold.

Testimony was received from several concerned members of the public.

Your Committees find that violence in the media leads to violent behavior and that violence results in great costs paid in dollars and in human suffering. Your Committees also find that parents who wish to avoid exposing their children to violence can be greatly assisted if video tapes are labelled to describe their violent content, if any.

Upon consideration, your Committees concur with the intent of the concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 222 and recommend its adoption.

Signed by all members of the Committees except Representatives Cachola, Herkes, Menor, Peters, Takamine and White.

**SCRep. 1525-94 Human Services on H.R. No. 328**

The purpose of this resolution is to encourage continuing collaborative efforts among the participating state agencies and private human services providers and public-private partnerships to prevent out-of-home placement in crisis situations and to reunite families whenever possible.

Testimony from the Department of Human Services, Department of Health, Office of Youth Services, Catholic Services to Families, Parents Anonymous of Hawaii, Parents and Children Together, Institute For Family Enrichment, and a private citizen was received in support for this resolution.

It is noted by your Committee that the Families Together Initiative (FTI) is designed to enhance the state's ability to systematically prevent the unnecessary out of home placement of children and to keep families together. FTI brings state agencies and private service providers together to ensure that intensive, home-based family preservation services are offered to families who are in immediate risk of having a child removed from the home for protective, mental health or legal reasons and to families who have a child returning home from residential placement.

Upon further consideration, your Committee has amended this resolution by:

- (1) Stating that collaboration enhances mutual benefit and achieves a common purpose; and
- (2) Expressing that collaboration in the decision-making processes will develop positive alternatives for future actions.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee 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 Representatives Duldulao, Peters and Tanimoto.

**SCRep. 1526-94 Human Services on H.C.R. No. 243**

The purpose of this concurrent resolution is to request that State employees donate to the Hawaii Foodbank State Employees' Food Drive.

Testimony from the Department of Labor and Industrial Relations Office of Community Services and Kokua Council for Senior Citizens was received in support of this concurrent resolution.

It is noted by your Committee that each year the Hawaii Foodbank holds a statewide drive to collect non-perishable food or monetary donations for the purpose of feeding hungry individuals and families within our island community.

This year, the Hawaii Foodbank has set its goals on collecting 500,000 pounds of food and \$270,000 in cash. The State Employees' portion of the Food Drive is 145,000 pounds of food and \$55,000 in cash. Hopefully, we can topple these targets during the upcoming Food Drive.

Upon further consideration, your Committee has amended this concurrent resolution by correcting a typographical error on page 1, line 28 to read "Hungry" instead of "Hunger."

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 243, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 243, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and Tanimoto.

**SCRep. 1527-94 Energy and Environmental Protection on H.R. No. 290**

The purpose of this resolution is to have the Department of Agriculture determine the cost of establishing a pick-up program for unused or unwanted pesticide products and a recycling program for pesticide product containers.

Testimony supporting this resolution was presented to the Committee by:

- (1) The Board of Agriculture; and
- (2) The Sierra Club, Hawaii Chapter.

Those testifying on support of the resolution noted the importance of investigating proper pesticide storage and disposal and their associated costs. Both testifiers agreed that a study is crucial to monitor and understand the threats that pesticides pose to the environment. The Sierra Club recommended an amendment to ensure that the costs of these programs are born by those who have caused the problems.

Your Committee agreed with the views expressed by both testifiers and recognized the importance of initiating a study to determine the cost of establishing these pesticide programs.

Your Committee amended the resolution by adding the language ", and an equitable manner of recovering the cost," on Page 3, line 3 after "requested to determine the cost."

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 290, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 290, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1528-94 Energy and Environmental Protection on H.C.R. No. 323**

The purpose of this concurrent resolution is to have the Department of Agriculture determine the cost of establishing a pick-up program for unused or unwanted pesticide products and a recycling program for pesticide product containers.

Testimony supporting this concurrent resolution was presented to the Committee by:

- (1) The Board of Agriculture; and
- (2) The Sierra Club, Hawaii Chapter.

Those testifying on support of the concurrent resolution noted the importance of investigating proper pesticide storage and disposal and their associated costs. Both testifiers agreed that a study is crucial to monitor and understand the threats that pesticides pose to the environment. The Sierra Club recommended an amendment to ensure that the costs of these programs are born by those who have caused the problems.

Your Committee agreed with the views expressed by both testifiers and recognized the importance of initiating a study to determine the cost of establishing these pesticide programs.

Your Committee amended the concurrent resolution by adding the language ", and an equitable manner of recovering the cost," on Page 3, line 3 after "requested to determine the cost."

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 323, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 323, H.D. 1.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1529-94 Intergovernmental Relations and International Affairs on H.R. No. 32**

The purpose of this resolution is to request the Governor to establish a temporary commission to plan, coordinate, and oversee the implementation of:

- (1) A campaign to bring the battleship Missouri to Pearl Harbor to join the battleship Arizona and the submarine Bowfin as permanent exhibits in a memorial to the major naval engagements of the Second World War in the Pacific theatre; and
- (2) Arrangements for the observance of the Fiftieth Anniversary of the day (September 2, 1945) when General Douglas MacArthur accepted the government of Japan's formal surrender aboard the battleship Missouri in Tokyo Bay;

to observe the Fiftieth Anniversary of the end of World War II.

Your Committee received testimony in support of this measure from the State Department of Defense, the Department of Business, Economic Development, and Tourism and The Chamber of Commerce.

Your Committee finds that the current scope of the resolution duplicates efforts currently undertaken by the Governor and The Chamber of Commerce, which put together a private sector group to mount a campaign to bring the USS Missouri to Hawaii on a permanent basis. Concerns were raised by these testifiers that the creation of a separate commission would dilute their efforts and possibly push their efforts off course.

Upon careful consideration, your Committee has amended the resolution to address the concerns of duplicity by:

- (1) Requesting the Governor to activate a committee (committee) to plan, coordinate, and oversee the implementation of arrangements for the observance of the Fiftieth Anniversary of the end of World War II;
- (2) Changing the title of the resolution to read: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO ACTIVATE A COMMITTEE TO PLAN, COORDINATE, AND OVERSEE THE IMPLEMENTATION OF ARRANGEMENTS FOR THE OBSERVANCE OF THE FIFTIETH ANNIVERSARY OF THE END OF WORLD WAR II;"
- (3) Requesting the Governor to designate an executive agency within the State to work closely with the national executive agent (USCINCPAC), thus forming an overall committee to oversee the implementation of the activities;
- (4) Deleting references to the campaign to bring the battleship Missouri to Pearl Harbor as an activity of the committee;
- (5) Stating the endorsement of the private sector's ongoing campaign;
- (6) Specifying that if the committee is successful in bringing the battleship Missouri to Pearl Harbor, the complex formed by the battleship Arizona, the submarine Bowfin, and the battleship Missouri be appropriately named to reflect the achieved peace and conciliation; and
- (7) Making extensive technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 32, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 32, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Hagino and Takumi.

**SCRep. 1530-94 Intergovernmental Relations and International Affairs on H.C.R. No. 35**

The purpose of this concurrent resolution is to request the Governor to establish a temporary commission to plan, coordinate, and oversee the implementation of:

- (1) A campaign to bring the battleship Missouri to Pearl Harbor to join the battleship Arizona and the submarine Bowfin as permanent exhibits in a memorial to the major naval engagements of the Second World War in the Pacific theatre; and

- (2) Arrangements for the observance of the Fiftieth Anniversary of the day (September 2, 1945) when General Douglas MacArthur accepted the government of Japan's formal surrender aboard the battleship Missouri in Tokyo Bay;

to observe the Fiftieth Anniversary of the end of World War II.

Your Committee received testimony in support of this measure from the State Department of Defense, the Department of Business, Economic Development, and Tourism and The Chamber of Commerce.

Your Committee finds that the current scope of the concurrent resolution duplicates efforts currently undertaken by the Governor and The Chamber of Commerce, which put together a private sector group to mount a campaign to bring the USS Missouri to Hawaii on a permanent basis. Concerns were raised by these testifiers that the creation of a separate commission would dilute their efforts and possibly push their efforts off course.

Upon careful consideration, your Committee has amended the concurrent resolution to address the concerns of duplicity by:

- (1) Requesting the Governor to activate a committee (committee) to plan, coordinate, and oversee the implementation of arrangements for the observance of the Fiftieth Anniversary of the end of World War II;
- (2) Changing the title of the concurrent resolution to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ACTIVATE A COMMITTEE TO PLAN, COORDINATE, AND OVERSEE THE IMPLEMENTATION OF ARRANGEMENTS FOR THE OBSERVANCE OF THE FIFTIETH ANNIVERSARY OF THE END OF WORLD WAR II;"
- (3) Requesting the Governor to designate an executive agency within the State to work closely with the national executive agent (USCINCPAC), thus forming an overall committee to oversee the implementation of the activities;
- (4) Deleting references to the campaign to bring the battleship Missouri to Pearl Harbor as an activity of the committee;
- (5) Stating the endorsement of the private sector's ongoing campaign;
- (6) Specifying that if the committee is successful in bringing the battleship Missouri to Pearl Harbor, the complex formed by the battleship Arizona, the submarine Bowfin, and the battleship Missouri be appropriately named to reflect the achieved peace and conciliation; and
- (7) Making extensive technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 35, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 35, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Hagino and Takumi.

**SCRep. 1531-94 Intergovernmental Relations and International Affairs on H.R. No. 331**

The purpose of this resolution is to support the continuation of agricultural uses on dedicated and non-dedicated lands statewide by requesting the City and County of Honolulu, and the Counties of Hawaii, Kauai, and Maui to initiate property tax relief and other incentives through review and revision of real property tax ordinances and rules.

Testimony in support of the resolution was received from the Estate of James Campbell, The Hawaiian Sugar Planters' Association, and the Land Use Research Foundation of Hawaii.

Your Committee realizes that the ongoing closure of sugar plantations necessitates the diversification of agricultural land to other crops.

However, current County real property tax agricultural dedication provisions do not always allow farmers to change crops quickly and easily in response to market forces; these provisions may also penalize lands legitimately held fallow for soil conservation or crop rotation. Above all, under existing provisions, new tenants face a very heavy tax burden during their critical start-up period.

Your Committee finds that a revision of real property tax ordinances by the counties would greatly assist farmers and encourage crop diversification.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 331 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1532-94 Intergovernmental Relations and International Affairs on H.C.R. No. 392**

The purpose of this concurrent resolution is to support the continuation of agricultural uses on dedicated and non-dedicated lands statewide by requesting the City and County of Honolulu, and the Counties of Hawaii, Kauai, and Maui to initiate property tax relief and other incentives through review and revision of real property tax ordinances and rules.

Testimony in support of the concurrent resolution was received from the Estate of James Campbell, The Hawaiian Sugar Planters' Association, and the Land Use Research Foundation of Hawaii.

Your Committee realizes that the ongoing closure of sugar plantations necessitates the diversification of agricultural land to other crops.

However, current County real property tax agricultural dedication provisions do not always allow farmers to change crops quickly and easily in response to market forces; these provisions may also penalize lands legitimately held fallow for soil conservation or crop rotation. Above all, under existing provisions, new tenants face a very heavy tax burden during their critical start-up period.

Your Committee finds that a revision of real property tax ordinances by the counties would greatly assist farmers and encourage crop diversification.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 392 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1533-94 Intergovernmental Relations and International Affairs on H.R. No. 140**

The purpose of this resolution is to direct the Department of Health and the Mayor and Council of each county to identify and obtain a consensus on a full cost analysis methodology to measure the true costs of solid waste management.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that under the current system, the "true" costs of traditional solid waste management are hidden in the costs of infrastructure, such as fleets of vehicles, fuel, personnel, landfills, and processing facilities.

Until the "true" costs of traditional solid waste management can be identified, it is difficult for each county to plan for future investments in recycling and diversion programs because of the difficulty in establishing the viability of the programs and identifying cost savings and other anticipated rewards of these nontraditional programs.

Testimony on this measure indicated that the Department of Business, Economic Development, and Tourism (DBEDT) has begun work on such a methodology. Consequently, your Committee has amended this measure to include DBEDT, along with the Department of Health and the Mayors and County Councils, in developing the full cost analysis methodology.

In addition, this measure has been amended to include DBEDT as a recipient of a certified copy of this measure. Other technical, nonsubstantive amendments were made for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 140, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 140, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1534-94 Intergovernmental Relations and International Affairs on H.C.R. No. 31**

The purpose of this concurrent resolution is to direct the Department of Health and the Mayor and Council of each county to identify and obtain a consensus on a full cost analysis methodology to measure the true costs of solid waste management.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that under the current system, the "true" costs of traditional solid waste management are hidden in the costs of infrastructure, such as fleets of vehicles, fuel, personnel, landfills, and processing facilities.

Until the "true" costs of traditional solid waste management can be identified, it is difficult for each county to plan for future investments in recycling and diversion programs because of the difficulty in establishing the viability of the programs and identifying cost savings and other anticipated rewards of these nontraditional programs.

Testimony on this measure indicated that the Department of Business, Economic Development, and Tourism (DBEDT) has begun work on such a methodology. Consequently, your Committee has amended this measure to include DBEDT, along with the Department of Health and the Mayors and County Councils, in developing the full cost analysis methodology.

In addition, this measure has been amended to include DBEDT as a recipient of a certified copy of this measure. Other technical, nonsubstantive amendments were made for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 31, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 31, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1535-94 Intergovernmental Relations and International Affairs on H.C.R. No. 257**

The purpose of this concurrent resolution is to request the Department of Health to assist the City and County of Honolulu, Department of Wastewater Management, in identifying those cesspools on the island of Oahu that are failing. In addition, the measure requests that the Department of Wastewater Management give highest priority to the pumping and treatment of failing North Shore cesspools.

Testimony in support of the concurrent resolution was received from the Director of the Hawaii State Department of Health and the Hawaii Association of Realtors.

Your Committee understands that failing cesspools may be inflicting damage on the environment and pose a potential threat to the health of residents on the North Shore of Oahu.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 257, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1536-94 Public Safety and Corrections and Judiciary on H.R. No. 312**

The purpose of this resolution is to urge the Governor to negotiate on behalf of the State to develop a secure residential drug treatment center at the Barbers Point Naval Air Station.

The Department of Public Safety, Corrections Population Management Commission, the Department of Health, the Judiciary and the Department of the Prosecuting Attorney, City and County of Honolulu submitted testimony in support of this measure.

Currently, the resources available for "transitional inmate" substance abuse programs are severely limited due to present budgetary restrictions.

However, your Committees find that the securing of Barbers Point Naval Air Station from the Federal government, and conversion of its existing facilities into a secured substance abuse treatment facility for nonviolent drug offenders and other minimum security inmates could conceivably result in a cost savings to the State, as well as reduce the overcrowding of inmates in correctional facilities.

Furthermore, your Committees have learned that under provisions of the federal Property and Administrative Services Act of 1949, as amended, property owned by the Federal government may be conveyed to a state for prison use at no cost.

As affirmed by the records of votes of the members of your Committees on Public Safety and Corrections and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 312 and recommend that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committees except Representatives Bunda, Hirono, Oshiro, Peters, Takamine and Thielen.  
(Representative Amaral voted no.)

**SCRep. 1537-94 Public Safety and Corrections and Judiciary on H.C.R. No. 349**

The purpose of this concurrent resolution is to urge the Governor to negotiate on behalf of the State to develop a secure residential drug treatment center at the Barbers Point Naval Air Station.

The Department of Public Safety, Corrections Population Management Commission, the Department of Health, the Judiciary and the Department of the Prosecuting Attorney, City and County of Honolulu submitted testimony in support of this measure.

Currently, the resources available for "transitional inmate" substance abuse programs are severely limited due to present budgetary restrictions.

However, your Committees find that the securing of Barbers Point Naval Air Station from the federal government, and conversion of its existing facilities into a secured substance abuse treatment facility for nonviolent drug offenders and other

minimum security inmates could conceivably result in a cost savings to the State, as well as reduce the overcrowding of inmates in correctional facilities.

Furthermore, your Committees have learned that under provisions of the Federal Property and Administrative Services Act of 1949, as amended, property owned by the federal government may be conveyed to a state for prison use at no cost.

As affirmed by the records of votes of the members of your Committees on Public Safety and Corrections and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 349 and recommend that it be referred to the Committee on Intergovernmental Relations and International Affairs.

Signed by all members of the Committees except Representatives Bunda, Hirono, Oshiro, Peters, Takamine and Thielen.  
(Representative Amaral voted no)

**SCRep. 1538-94 Economic Development and Business Concerns on H.C.R. No. 474**

The purpose of this concurrent resolution is to request the Governor to convene a Ka'u Coordinating Committee to coordinate federal, state, and county assistance to the Ka'u community.

Testimony generally in support of this concurrent resolution was received from Councilwoman Keiko Bonk-Abramson, the Ka'u Community Development Corporation, and the ILWU Local 142.

C. Brewer and Co., Ltd. offered comments on this measure.

Your Committee finds that the Ka'u community has already taken an active role in planning for its future. The Ka'u Community Development Corporation was recently formed out of numerous meetings by residents. Further, the ILWU, Ka'u Agribusiness Co., Inc., and the Department of Labor and Industrial Relations has formed an Employee Assistance Committee to address the employment, training, housing, and social needs of sugar workers who will be displaced as sugar operations wind down.

Your Committee further finds that in light of these community efforts, it may be inappropriate to impose governmental action from "above."

Accordingly, this concurrent resolution is amended by:

- (1) Amending the title of the concurrent resolution to read: "REQUESTING THE OFFICE OF STATE PLANNING TO FACILITATE THE CREATION OF A KA'U COORDINATING COMMITTEE";
- (2) Requesting the Office of State Planning to facilitate the creation of a Ka'u Coordinating Committee comprised of the various interested parties;
- (3) Requesting the Department of Business, Economic Development, and Tourism to make its expertise available to the Ka'u Coordinating Committee;
- (4) Making technical, non-substantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 474, as amended herein, and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs in the form attached hereto as H.C.R. No. 474, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, D. Ige and Tam.

**SCRep. 1539-94 Tourism on H.R. No. 202**

The purpose of this resolution is to request:

- (1) The Office of Tourism of the Department of Business, Economic Development, and Tourism and the Hawaii Visitors Bureau to develop long-term strategies to promote knowledge of Hawaiian culture and foster the Aloha spirit;
- (2) The Office of Tourism and the Hawaii Visitors Bureau to develop surveys to measure the experiences and attitudes of the people of Hawaii and visitors;
- (3) The Office of Tourism, with the assistance of the School of Travel Industry Management of the University of Hawaii, the Hawaii Hotel Association and other interested organizations and agencies, to conduct visitor industry executive seminars on Hawaiian culture;
- (4) The Office of Tourism to establish a temporary task force to:
  - (a) Develop a plan to promote the history, values and traditions of the Hawaiian culture, and provide for the cultural education of the people of the State in general and Hawaii's travel industry and hotel management personnel in particular;

- (b) Examine all relevant public and private programs, institutions, and organizations that offer academic courses, training, or curricula aimed at promoting knowledge of Hawaiian culture and the Aloha spirit to develop a clear understanding of existing resources;
- (c) Recommend the types of programs that should be established within Hawaii's public and private elementary, secondary, high school, university, and community college systems to further promote the Aloha spirit;
- (5) The task force to use information resources including the results of the resident and visitor surveys conducted by the Office of Tourism and the Hawaii Visitors Bureau and the findings and recommendations of the Hawaiian Culture and Visitor Experience Task Forces of the 1993 Tourism Congress in formulating its plan, which may examine the possibility of undertaking various initiatives;
- (6) The Office of Tourism and the President of the Hawaii Visitors Bureau to report their preliminary and final findings and recommendations to the Legislature twenty days prior to the convening of the Regular Sessions of 1995 and 1996, respectively.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism, the Department of Labor and Industrial Relations, the Tourism Training Council, the University of Hawaii School of Travel Industry Management, the Office of Hawaiian Affairs, the Hawaii Visitors Bureau, the Hawaii Hotel Association.

Your Committee finds that the current slowness of the visitor industry and the economy shows that Hawaii needs to take measures to improve its competitive position in the international visitor market. One of Hawaii's strengths is the hospitality of the people and the uniqueness of the native Hawaiian culture, although these would be enhanced by greater efforts to preserve and spread knowledge of Hawaiian language and culture, the source of the Aloha that enhances the experience of residents and visitors alike.

Your Committee revised this resolution by:

- (1) Amending the second subject of the surveys to read "The people of the State with respect to their treatment of each other and understanding of the host culture";
- (2) Adding Hawaiian language to the preservation objectives of the long-term programs and strategies developed by the Office of Tourism and the Hawaii Visitors Bureau;
- (3) Adding the Director of Transportation to the task force;
- (4) Amending the first duty of the task force to read "Develop a comprehensive plan to foster, preserve, promote, and nurture the Hawaiian language and the history, values, and traditions of the Hawaiian culture, and provide for the cultural education of the people of the State in general and Hawaii's travel industry and hotel management personnel in particular";
- (5) Adding "behavior" to the indicators of the hospitality and Hawaiian cultural awareness and authenticity of businesses and personnel;
- (6) Adding the Director of Transportation to those receiving certified copies; and
- (7) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 202, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 202, H.D. 1.

Signed by all members of the Committee.

**SCRep. 1540-94 Higher Education and the Arts on H.R. No. 335**

The purpose of this resolution is to request that the Legislative Reference Bureau conduct a study, in consultation with the University of Hawaii at Manoa (UHM) and the Department of Transportation, on the impacts of UHM commuter traffic on morning peak hour congestion on the island of Oahu.

Supportive testimony was submitted by a concerned citizen. The Associate Dean of the College of Arts and Sciences of the University of Hawaii at Manoa submitted comments on this resolution.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Added a WHEREAS clause stating that UHM does not offer any core classes after 5:30 p.m. nor on the weekends;
- (2) Added a WHEREAS clause stating that a large percentage of core classes are offered in the afternoons and evenings at the various community colleges to accommodate the growing number of non-traditional students; and
- (3) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 335, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 335, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Arakaki, Duldulao, M. Ige, Shon and Tanimoto.

**SCRep. 1541-94 Higher Education and the Arts on H.C.R. No. 387**

The purpose of this concurrent resolution is to request that the Legislative Reference Bureau conduct a study, in consultation with the University of Hawaii at Manoa (UHM) and the Department of Transportation, on the impacts of UHM commuter traffic on morning peak hour congestion on the island of Oahu.

Supportive testimony was submitted by a concerned citizen. The Associate Dean of the College of Arts and Sciences of the University of Hawaii at Manoa submitted comments on this concurrent resolution.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Added a WHEREAS clause stating that UHM does not offer any core classes after 5:30 p.m. nor on the weekends;
- (2) Added a WHEREAS clause stating that a large percentage of core classes are offered in the afternoons and evenings at the various community colleges to accommodate the growing number of non-traditional students; and
- (3) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 387, H.D. 1, 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. 387, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Arakaki, Duldulao, M. Ige, Shon and Tanimoto.

**SCRep. 1542-94 Higher Education and the Arts on H.R. No. 310**

The purpose of this resolution, as received, is to request the Real Estate Commission (Commission) to fund a study, to be conducted by the Hawaii Real Estate Research and Education Center, with the cooperation and assistance of the Department of Taxation, and a report of which is to be submitted to the 1995 Legislature, to ascertain:

- (1) The effects on the housing market if the value of a single residential real estate property that was the deceased's principal residence is excluded from the computation of the "gross estate" for state estate tax purposes;
- (2) Whether the policy of excluding the value of a deceased's single principle residential real estate property from the computation of estate tax can be implemented under the Estate Tax Law; and
- (3) How this policy can be implemented by drafting legislation that either amends the current Estate Tax Law or proposes a new estate tax model, structure, or theory.

Comments were submitted by the Commission.

The representative of the Commission testified that it does not appear that the Commission is the appropriate agency for the study, inter alia, because:

- (1) The Commission does not have authority or expertise over the Estate Tax Law;
- (2) The Commission does not have or provide information on the housing market, nor does it conduct studies on the housing market; and
- (3) The Commission is the trustee for two education and research trust funds--the Real Estate Education Fund, and the Condominium Management Education fund--that are statutorily specific as to their uses. After consulting with the Office of the Attorney General, the Commission has been advised that the use of either fund for the study proposed in this resolution is not authorized by law and could be considered a breach of fiduciary duty as trustees.

Accordingly, your Committee has amended this resolution as follows:

- (1) Amended the title to read:

"HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONTRACT THE SERVICES OF THE HAWAII REAL ESTATE RESEARCH AND EDUCATION CENTER TO ASCERTAIN THE EFFECTS ON THE HOUSING MARKET IF A SINGLE RESIDENTIAL REAL ESTATE PROPERTY THAT WAS THE DECEASED'S PRINCIPAL RESIDENCE IS EXCLUDED FROM THE "GROSS ESTATE" FOR STATE ESTATE TAX FILING PURPOSES";

- (2) Requested the Legislative Reference Bureau, in lieu of the Real Estate Commission, to contract the aforementioned study;
- (3) Requested the Real Estate Commission to assist the Hawaii Real Estate Research and Education Center in the performance of the foregoing study; and
- (4) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 310, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 310, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Arakaki, Duldulao, M. Ige, Shon and Tanimoto.

**SCRep. 1543-94 Higher Education and the Arts on H.C.R. No. 347**

The purpose of this concurrent resolution, as received, is to request the Real Estate Commission (Commission) to fund a study, to be conducted by the Hawaii Real Estate Research and Education Center, with the cooperation and assistance of the Department of Taxation, and a report of which is to be submitted to the 1995 Legislature, to ascertain:

- (1) The effects on the housing market if the value of a single residential real estate property that was the deceased's principal residence is excluded from the computation of the "gross estate" for state estate tax purposes;
- (2) Whether the policy of excluding the value of a deceased's single principle residential real estate property from the computation of estate tax can be implemented under the Estate Tax Law; and
- (3) How this policy can be implemented by drafting legislation that either amends the current Estate Tax Law or proposes a new estate tax model, structure, or theory.

Comments were submitted by the Commission.

The representative of the Commission testified that it does not appear that the Commission is the appropriate agency for the study, inter alia, because:

- (1) The Commission does not have authority or expertise over the Estate Tax Law;
- (2) The Commission does not have or provide information on the housing market, nor does it conduct studies on the housing market; and
- (3) The Commission is the trustee for two education and research trust funds--the Real Estate Education Fund, and the Condominium Management Education fund--that are statutorily specific as to their uses. After consulting with the Office of the Attorney General, the Commission has been advised that the use of either fund for the study proposed in this concurrent resolution is not authorized by law and could be considered a breach of fiduciary duty as trustees.

Accordingly, your Committee has amended this concurrent resolution as follows:

- (1) Amended the title to read:  

"HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONTRACT THE SERVICES OF THE HAWAII REAL ESTATE RESEARCH AND EDUCATION CENTER TO ASCERTAIN THE EFFECTS ON THE HOUSING MARKET IF A SINGLE RESIDENTIAL REAL ESTATE PROPERTY THAT WAS THE DECEASED'S PRINCIPAL RESIDENCE IS EXCLUDED FROM THE "GROSS ESTATE" FOR STATE ESTATE TAX FILING PURPOSES";
- (2) Requested the Legislative Reference Bureau, in lieu of the Real Estate Commission, to contract the aforementioned study;
- (3) Requested the Real Estate Commission to assist the Hawaii Real Estate Research and Education Center in the performance of the foregoing study; and
- (4) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Higher Education and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 347, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 347, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Arakaki, Duldulao, M. Ige, Shon and Tanimoto.

**SCRep. 1544-94 Hawaiian Affairs on H.R. No. 383**

The purpose of this resolution is to request that the Hawaiian Home Lands Trust Individual Claims Review Panel receive, investigate, and create an informational record on breaches of trust occurring prior to August 21, 1959, affecting individual beneficiaries.

Testimony in support of this resolution was presented by the Hawaiian Home Lands Trust Individual Claims Review Panel, the Office of State Planning, Native Hawaiian Legal Corporation, the Association of Hawaiian Civic Clubs and other concerned citizens.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.R. No. 383 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives D. Ige and Lee.

**SCRep. 1545-94 Hawaiian Affairs on H.C.R. No. 460**

The purpose of this concurrent resolution is to request that the Hawaiian Home Lands Trust Individual Claims Review Panel receive, investigate, and create an informational record on breaches of trust occurring prior to August 21, 1959, affecting individual beneficiaries.

Testimony in support of this concurrent resolution was presented by the Hawaiian Home Lands Trust Individual Claims Review Panel, the Office of State Planning, Native Hawaiian Legal Corporation, the Association of Hawaiian Civic Clubs and other concerned citizens.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 460 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives D. Ige and Lee.

**SCRep. 1546-94 Hawaiian Affairs on H.R. No. 187**

The purpose of this resolution is to request that the Hui 'Imi Task Force be reinstated to provide guidance and counsel to the Legislature in implementing the recommendations of Hui 'Imi Task Force's report.

Testimony in support of this resolution was presented by the Office of Hawaiian Affairs (OHA), the Association of Hawaiian Civic Clubs, the Department of Hawaiian Home Lands (DHHL), the Native Hawaiian Legal Corporation, Alu Like, Inc., and other concerned citizens.

Your Committee finds that the reinstatement of the Hui 'Imi Task Force would, in addition to providing guidance and counsel to the Legislature, provide an effective mechanism for coordinating activities between Hui 'Imi's member organizations.

Based upon the testimony presented, your Committee has amended this resolution by:

- (1) Requesting that the Hui 'Imi Task Force submit a status report, including updates and findings, on the implementation of the Hui 'Imi Task Force Report recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 1995; and
- (2) Making technical, nonsubstantive amendments for the purpose of clarity and style.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 187, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 187, H.D. 1.

Signed by all members of the Committee except Representatives Ihara, D. Ige and Okamura.

**SCRep. 1547-94 Hawaiian Affairs on H.C.R. No. 199**

The purpose of this concurrent resolution is to request that the Hui 'Imi Task Force be reinstated to provide guidance and counsel to the Legislature in implementing the recommendations of Hui 'Imi Task Force's report.

Testimony in support of this concurrent resolution was presented by the Office of Hawaiian Affairs (OHA), the Association of Hawaiian Civic Clubs, the Department of Hawaiian Home Lands (DHHL), the Native Hawaiian Legal Corporation, Alu Like, Inc., and other concerned citizens.

Your Committee finds that the reinstatement of the Hui 'Imi Task Force would, in addition to providing guidance and counsel to the Legislature, provide an effective mechanism for coordinating activities between Hui 'Imi's member organizations.

Based upon the testimony presented, your Committee has amended this concurrent resolution by:

- (1) Requesting that the Hui 'Imi Task Force submit a status report, including updates and findings, on the implementation of the Hui 'Imi Task Force Report recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 1995; and
- (2) Making technical, nonsubstantive amendments for the purpose of clarity and style.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 199, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 199, H.D. 1.

Signed by all members of the Committee except Representatives Ihara, D. Ige and Okamura.

**SCRep. 1548-94 Hawaiian Affairs on H.R. No. 268**

The purpose of this resolution, as received, is to nominate the Mo'okini and Kukuipahu Heiau, and the Mahukona Historical Site, all of which are located in North Kohala, County of Hawaii, for inclusion as a National Historic Landmark by the United States Department of the Interior.

Supportive testimony was submitted by a concerned citizen.

Comments were submitted by the Department of Land and Natural Resources (DLNR).

The DLNR representative testified that Mo'okini Heiau has already been designated as a National Historic Landmark.

Further, because the Mo'okini and Kukuipahu Heiau and the Mahukona Historical Site each possess unique historical and cultural significance, the consolidation of the three sites into one landmark would require additional research prior to the preparation of the necessary nomination forms and applications.

Accordingly, your Committee has amended this resolution as follows:

- (1) Amended the title to read:  

"HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO DECLARE KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, AS NATIONAL HISTORIC LANDMARKS";
- (2) Deleted all references to Mo'okini Heiau;
- (3) Clarified that both Kukuipahu Heiau and Mahukona Historical Site be nominated for inclusion as National Historic Landmarks; and
- (4) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 268, as amended herein, and recommends that it be referred to the Committee on Water and Land Use Planning in the form attached hereto as H.R. No. 268, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Ihara, and Tanimoto.

**SCRep. 1549-94 Hawaiian Affairs on H.C.R. No. 290**

The purpose of this concurrent resolution, as received, is to nominate the Mo'okini and Kukuipahu Heiau, and the Mahukona Historical Site, all of which are located in North Kohala, County of Hawaii, for inclusion as a National Historic Landmark by the United States Department of the Interior.

Supportive testimony was submitted by a concerned citizen.

Comments were submitted by the Department of Land and Natural Resources (DLNR).

The DLNR representative testified that Mo'okini Heiau has already been designated as a National Historic Landmark.

Further, because the Mo'okini and Kukuipahu Heiau and the Mahukona Historical Site each possess unique historical and cultural significance, the consolidation of the three sites into one landmark would require additional research prior to the preparation of the necessary nomination forms and applications.

Accordingly, your Committee has amended this concurrent resolution as follows:

- (1) Amended the title to read:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO DECLARE KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, AS NATIONAL HISTORIC LANDMARKS";

- (2) Deleted all references to Mo'okini Heiau;
- (3) Clarified that both Kukuipahu Heiau and Mahukona Historical Site be nominated for inclusion as National Historic Landmarks; and
- (4) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 290, as amended herein, and recommends that it be referred to the Committee on Water and Land Use Planning in the form attached hereto as H.C.R. No. 290, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Ihara and Tanimoto.

**SCRep. 1550-94 Hawaiian Affairs on H.C.R. No. 456**

The purpose of this concurrent resolution is to request the Office of Management and Budget to change its Race and Ethnic Standards for Federal Statistics and Administrative Reporting under Directive No. 15, to categorize Native Hawaiians separately from Pacific Islanders.

Testimony in support of this concurrent resolution was presented by the Office of Hawaiian Affairs and other concerned citizens.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 456 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives D. Ige and Lee.

**SCRep. 1551-94 Hawaiian Affairs on H.R. No. 363**

The purpose of this resolution, as received by your Committee, is to urge the media of the State of Hawaii to improve its collective sensitivity towards the indigenous people and culture of these islands.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, the Council of Hawaiian Organizations, the Hawaiian Civic Political Action Committee, Ha Mana, and concerned private citizens.

Your Committee understands and acknowledges the misperception often construed with the media's portrayal of the Hawaiian people. Furthermore, your Committee recognizes that the inaccurate portrayal of an ethnic group is not strictly confined to native Hawaiians but also to the many ethnic backgrounds comprising the diverse cultures of our State, and thus to broaden the scope of this resolution to increase the media's awareness for appreciation of the diverse cultures of Hawaii may be more beneficial to the people of Hawaii who are in essence, a melting pot of cultures.

Your Committee has also expressed concerns over the Legislative Reference Bureau's (LRB) ability to oversee an investigative study of media coverage of ethnically-related news as well as to educate the media on how to improve its collective insensitivity towards the indigineous people of these islands.

Your Committee has therefore amended this resolution as follows:

- (1) Amending the title of this resolution to read, "URGING THE MEDIA OF THE STATE OF HAWAII TO DEMONSTRATE AWARENESS AND SENSITIVITY TOWARD ALL OF HAWAI'I'S PEOPLE AND THEIR DIFFERENT CULTURES";
- (2) Deleting the body of this resolution relating strictly to the native Hawaiian people and replacing it to apply to all of the ethnic cultures of our state;
- (3) Deleting all references to the Legislative Reference Bureau;
- (4) Deleting the request to submit a report to the Speaker of the House of Representatives prior to the convening of the Regular Session of 1995;
- (5) Inserting a "BE IT RESOLVED" clause to request that Ha Mana, a Native Hawaiian Media Corporation, present examples of reporting demonstrative of insensitivity to the various cultures of Hawai'i's people to the media in order to raise awareness by the media; and
- (6) Making technical and nonsubstantive amendments for purposes of style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 363, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.R. No. 363, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Ihara and Tanimoto.

**SCRep. 1552-94          Tourism on H.C.R. No. 213**

The purpose of this concurrent resolution is to request:

- (1) The Office of Tourism of the Department of Business, Economic Development, and Tourism and the Hawaii Visitors Bureau to develop long-term strategies to promote knowledge of Hawaiian culture and foster the Aloha spirit;
- (2) The Office of Tourism and the Hawaii Visitors Bureau to develop surveys to measure the experiences and attitudes of the people of Hawaii and visitors;
- (3) The Office of Tourism, with the assistance of the School of Travel Industry Management of the University of Hawaii, the Hawaii Hotel Association and other interested organizations and agencies, to conduct visitor industry executive seminars on Hawaiian culture;
- (4) The Office of Tourism to establish a temporary task force to:
  - (a) Develop a plan to promote the history, values and traditions of the Hawaiian culture, and provide for the cultural education of the people of the State in general and Hawaii's travel industry and hotel management personnel in particular;
  - (b) Examine all relevant public and private programs, institutions, and organizations that offer academic courses, training, or curricula aimed at promoting knowledge of Hawaiian culture and the Aloha spirit to develop a clear understanding of existing resources;
  - (c) Recommend the types of programs that should be established within Hawaii's public and private elementary, secondary, high school, university, and community college systems to further promote the Aloha spirit;
- (5) The task force to use information resources including the results of the resident and visitor surveys conducted by the Office of Tourism and the Hawaii Visitors Bureau and the findings and recommendations of the Hawaiian Culture and Visitor Experience Task Forces of the 1993 Tourism Congress in formulating its plan, which may examine the possibility of undertaking various initiatives;
- (6) The Office of Tourism and the President of the Hawaii Visitors Bureau to report their preliminary and final findings and recommendations to the Legislature twenty days prior to the convening of the Regular Sessions of 1995 and 1996, respectively.

Your Committee received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism, the Department of Labor and Industrial Relations, the Tourism Training Council, the University of Hawaii School of Travel Industry Management, the Office of Hawaiian Affairs, the Hawaii Visitors Bureau, the Hawaii Hotel Association.

Your Committee finds that the current slowness of the visitor industry and the economy shows that Hawaii needs to take measures to improve its competitive position in the international visitor market. One of Hawaii's strengths is the hospitality of the people and the uniqueness of the native Hawaiian culture, although these would be enhanced by greater efforts to preserve and spread knowledge of Hawaiian language and culture, the source of the Aloha that enhances the experience of residents and visitors alike.

Your Committee revised this concurrent resolution by:

- (1) Amending the second subject of the surveys to read "The people of the State with respect to their treatment of each other and understanding of the host culture";
- (2) Adding Hawaiian language to the preservation objectives of the long-term programs and strategies developed by the Office of Tourism and the Hawaii Visitors Bureau;
- (3) Adding the Director of Transportation to the task force;
- (4) Amending the first duty of the task force to read "Develop a comprehensive plan to foster, preserve, promote, and nurture the Hawaiian language and the history, values, and traditions of the Hawaiian culture, and provide for the cultural education of the people of the State in general and Hawaii's travel industry and hotel management personnel in particular";
- (5) Adding "behavior" to the indicators of the hospitality and Hawaiian cultural awareness and authenticity of businesses and personnel;
- (6) Adding the Director of Transportation to those receiving certified copies; and
- (7) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 213, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 213, H.D. 1.

Signed by all members of the Committee.

**SCRep. 1553-94 Water and Land Use Planning on H.R. No. 286**

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to study and explore the factors involved in the development of a tropical/ornamental fish aquacultural park.

Your Committee finds that the ornamental/tropical fish industry is one of the most promising areas for increases in aquaculture production and agricultural diversification for the state of Hawaii. DLNR's testimony states that they have been working in conjunction with a core industry, the University of Hawaii Sea Grant College Program, and the Windward Community College Mariculture Research Training program to define, research, and develop Hawaii's aquaculture industry. The department believes it can carry out a study on the feasibility of a tropical fish aquacultural park with the help of the industry and UH programs without requiring additional resources.

Testimony in support of this measure was received from DLNR, the University of Hawaii Sea Grant College Program, Hanohano Enterprises, Inc., and several interested citizens.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee is in accord with the intent and purpose of H.R. No. 286 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1554-94 Water and Land Use Planning on H.C.R. No. 320**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) to study and explore the factors involved in the development of a tropical/ornamental fish aquacultural park.

Your Committee finds that the ornamental/tropical fish industry is one of the most promising areas for increases in aquaculture production and agricultural diversification for the state of Hawaii. DLNR's testimony states that they have been working in conjunction with a core industry, the University of Hawaii Sea Grant College Program, and the Windward Community College Mariculture Research Training program to define, research, and develop Hawaii's aquaculture industry. The department believes it can carry out a study on the feasibility of a tropical fish aquacultural park with the help of the industry and UH programs without requiring additional resources.

Testimony in support of this measure was received from DLNR, the University of Hawaii Sea Grant College Program, Hanohano Enterprises, Inc., and several interested citizens.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 320 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1555-94 Water and Land Use Planning on H.C.R. No. 170**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to study the concept of exchanging State lands at Puuanahulu with land at Keahole owned by Hawaii Electric Light Company (HELCO).

Your Committee received testimony from the Department of Land and Natural Resources (DLNR), the Office of Hawaiian Affairs (OHA), HELCO, Waimana Enterprises Inc./Kawaihae Congeneration Partners, Kohala Coast Resort Association, Mauna Lani Resort, Waikoloa Land Company, Waikoloa Village, Kona-Kohala Chamber of Commerce, Century 21, and several private citizens.

Your Committee has amended this measure by:

- (1) Inserting language on page 2, line 5, that would allow recognition of decisions made by the Public Utilities Commission; and
- (2) Inserting a BE IT RESOLVED clause stating that should negotiations for a land exchange involve ceded lands, the DLNR is urged to work closely with the OHA to ensure that revenues from the public land trust are not significantly diminished; and
- (3) Making technical, nonsubstantive amendments for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 170, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 170, H.D. 2.

Signed by all members of the Committee except Representative Tajiri.

**SCRes. 1556-94 Consumer Protection and Commerce on H.R. No. 122**

The purpose of this resolution is to request the Board of Directors of the Hawaii Hurricane Relief Fund (Fund) to review H.B. No. 2441, as introduced during the 1994 Regular Session, to determine the advantages and disadvantages of expanding the authority of Fund to provide property insurance against other types of catastrophes.

In addition, the resolution also requests the Fund to:

- (1) Determine whether H.B. No. 2441 should be enacted with any amendments;
- (2) Develop funding mechanisms, a timetable for a plan of action, and methods of determining hazard zones; and
- (3) Submit a report to the Legislature twenty days prior to the convening of the 1995 Regular Session.

Comments were submitted by the Hawaii Association of Realtors and the Fund.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 122 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1557-94 Consumer Protection and Commerce on H.C.R. No. 130**

The purpose of this concurrent resolution is to request the Board of Directors of the Hawaii Hurricane Relief Fund (Fund) to review H.B. No. 2441, as introduced during the 1994 Regular Session, to determine the advantages and disadvantages of expanding the authority of Fund to provide property insurance against other types of catastrophes.

In addition, the concurrent resolution also requests the Fund to:

- (1) Determine whether H.B. No. 2441 should be enacted with any amendments;
- (2) Develop funding mechanisms, a timetable for a plan of action, and methods of determining hazard zones; and
- (3) Submit a report to the Legislature twenty days prior to the convening of the 1995 Regular Session.

Comments were submitted by the Hawaii Association of Realtors and the Fund.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 130 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1558-94 Consumer Protection and Commerce on H.R. No. 168**

The purpose of this resolution is to request the Board of the Hawaii Hurricane Relief Fund to develop a program to provide property insurance rate discounts to homeowners who modify their buildings to reduce the risk of hurricane damage.

The Executive Director of the Hawaii Hurricane Relief Fund submitted testimony supporting the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 168 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1559-94 Consumer Protection and Commerce on H.C.R. No. 179**

The purpose of this concurrent resolution is to request the Board of the Hawaii Hurricane Relief Fund to develop a program to provide property insurance rate discounts to homeowners who modify their buildings to reduce the risk of hurricane damage.

The Executive Director of the Hawaii Hurricane Relief Fund submitted testimony supporting the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 179 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1560-94 Consumer Protection and Commerce on H.R. No. 200**

The purpose of this resolution is to request the Auditor to conduct a study of the competitive practices of health insurers, mutual benefit societies, health maintenance organizations, and any other organizations providing health care coverage in Hawaii.

Supportive testimony was submitted by the Department of Health. Comments by the Hawaii Medical Service Association and Kaiser Permanente were also submitted.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Deleted a reference to National Committee for Quality Assurance, and recommended that the Auditor conduct its study by using national standards of measurement or other data sets; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 200, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 200, H.D. 2.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1561-94 Consumer Protection and Commerce on H.C.R. No. 211**

The purpose of this concurrent resolution is to request the Auditor to conduct a study of the competitive practices of health insurers, mutual benefit societies, health maintenance organizations, and any other organizations providing health care coverage in Hawaii.

Supportive testimony was submitted by the Department of Health. Comments by the Hawaii Medical Service Association and Kaiser Permanente were also submitted.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Deleted a reference to National Committee for Quality Assurance, and recommended that the Auditor conduct its study by using national standards of measurement or other data sets; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 211, H.D. 1, 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. 211, H.D. 2.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1562-94 Consumer Protection and Commerce on H.R. No. 248**

The purpose of this resolution is to request the Department of Commerce and Consumer Affairs and the Board of Private Detectives and Guards to examine the issue of mandating private security guard training.

Testimony expressing concerns about this resolution was received from the Department of Commerce and Consumer Affairs, Board of Detectives and Guards, Freeman Guards Inc., and Royal Guard Security, Incorporated.

Upon consideration, your Committee has amended the resolution by:

- (1) Changing the title of the resolution to "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REQUIREMENTS FOR LICENSURE FOR PRIVATE DETECTIVES AND GUARDS;"
- (2) Changing the subject of the resolution to a study of the requirements for licensure of private detectives and guards;
- (3) Requesting that a sunset review be conducted by the Auditor;
- (4) Requesting that the study consider other states' requirements, impending federal legislation, suggested modifications to the current licensure requirements, costs and benefits of the suggested modifications, if any, and suggested legislation, as necessary and appropriate;

- (5) Making technical, non-substantive changes for purposes of clarity, style, and consistency of language.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 248, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 248, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1563-94 Consumer Protection and Commerce on H.C.R. No. 231**

The purpose of this concurrent resolution is to request the Department of Commerce and Consumer Affairs and the Board of Private Detectives and Guards to examine the issue of mandating private security guard training.

Testimony expressing concerns about this concurrent resolution was received from the Department of Commerce and Consumer Affairs, Board of Detectives and Guards, Freeman Guards Inc., and Royal Guard Security, Incorporated.

Upon consideration your Committee has amended the concurrent resolution by:

- (1) Changing the title of the concurrent resolution to "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REQUIREMENTS FOR LICENSURE FOR PRIVATE DETECTIVES AND GUARDS;"
- (2) Changing the subject of the concurrent resolution to a study of the requirements for licensure of private detectives and guards;
- (3) Requesting that a sunset review be conducted by the Auditor;
- (4) Requesting that the study consider other states' requirements, impending federal legislation, suggested modifications to the current licensure requirements, costs and benefits of the suggested modifications, if any, and suggested legislation, as necessary and appropriate;
- (5) Making technical, non-substantive changes for purposes of clarity, style, and consistency of language.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 231, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 231, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1564-94 Consumer Protection and Commerce on H.R. No. 179**

The purpose of this resolution is to urge Hawaii's congressional delegation to support legislation that would provide an income tax credit for action taken by taxpayers that may mitigate damage from future natural disasters.

The Office of State Planning, the Building Industry Association of Hawaii, and the Puna-Kau Community Council submitted testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 179 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1565-94 Consumer Protection and Commerce on H.C.R. No. 191**

The purpose of this concurrent resolution is to urge Hawaii's congressional delegation to support legislation that would provide an income tax credit for action taken by taxpayers that may mitigate damage from future natural disasters.

The Office of State Planning, the Building Industry Association of Hawaii, and the Puna-Kau Community Council submitted testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 191 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1566-94 Consumer Protection and Commerce on H.R. No. 169**

The purpose of this resolution is to request a study by the Legislative Auditor to analyze whether there is a need to regulate physical therapy assistants and whether doing so would be consistent with the policies set forth in §26H-2, Hawaii Revised Statutes.

Testimony in support of the resolution was received from the Department of Commerce and Consumer Affairs, the Board of Physical Therapy, and the Hawaii Chapter of the American Physical Therapy Association.

Your Committee finds that at present the responsibility to supervise and control physical therapy assistants is vested in physical therapists and that physical therapy assistants are not currently required to obtain a license themselves.

Your Committee finds that although House Bill 3485 proposes to regulate the physical therapy assistants, a sunrise review is required from the Legislative Auditor before imposition of regulation.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 169 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono, Oshiro, Peters and Takamine.

**SCRep. 1567-94 Consumer Protection and Commerce on H.C.R. No. 180**

The purpose of this concurrent resolution is to request a study by the Legislative Auditor to analyze whether there is a need to regulate physical therapy assistants and whether doing so would be consistent with the policies set forth in §26H-2, Hawaii Revised Statutes.

Testimony in support of the concurrent resolution was received from the Department of Commerce and Consumer Affairs, the Board of Physical Therapy, and the Hawaii Chapter of the American Physical Therapy Association.

Your Committee finds that at present the responsibility to supervise and control physical therapy assistants is vested in physical therapists and that physical therapy assistants are not currently required to obtain a license themselves.

Your Committee finds that although House Bill 3485 proposes to regulate the physical therapy assistants, a sunrise review is required from the Legislative Auditor before imposition of regulation.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 180 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono, Oshiro, Peters and Takamine.

**SCRep. 1568-94 Consumer Protection and Commerce on H.C.R. No. 190**

The purpose of this concurrent resolution is to request a study by the Legislative Auditor to analyze whether there is a need to regulate respiratory care and whether doing so would be consistent with the policies set forth in §26H-2, Hawaii Revised Statutes.

Testimony in support of the concurrent resolution was received from the Department of Commerce and Consumer Affairs, Hawaii Society for Respiratory Care, and several concerned members of the public.

Your Committee finds that although House Bill 1519 proposes to regulate the providers of respiratory care, a sunrise review is required from the Legislative Auditor before imposition of regulation.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 190 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono, Oshiro, Peters and Takamine.

**SCRep. 1569-94 Consumer Protection and Commerce on H.C.R. No. 327**

The purpose of this concurrent resolution is to request the Auditor to analyze whether there is a need to regulate electronic surveillance detection and whether doing so would be consistent with the policies set forth in §26H-6, Hawaii Revised Statutes.

Your Committee received testimony stating no objections to this concurrent resolution from the Department of Commerce and Consumer Affairs. Your Committee also received testimony in support of the concurrent resolution from a concerned member of the public.

Your Committee is in accord with the intent and language of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 327 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1570-94 Consumer Protection and Commerce on H.C.R. No. 230**

The purpose of this concurrent resolution is to request a study by the Auditor of the profession of automobile consultant.

Your Committee received testimony stating no objections to this concurrent resolution from the Department of Commerce and Consumer Affairs and the Motor Vehicle Industry Licensing Board. Your Committee also received testimony in support from a concerned member of the public.

Your Committee finds that, loosely defined, an automobile consultant is a person hired by a prospective purchaser of a motor vehicle for the purpose of providing the prospective purchaser with information about the dealer's cost, preparation charges, features, sales practices, and the legal rights and obligations of buyers and sellers.

Upon consideration, your Committee finds that the term 'automobile adviser' is a more appropriate designation.

Therefore, your Committee has amended the title and text of the concurrent resolution to refer to 'automobile adviser' rather than 'automobile consultant.'

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 230, 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. 230, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Hirono and Peters.

**SCRep. 1571-94 Judiciary on H.R. No. 377**

The purpose of this resolution is to urge the Convention Center Authority to incorporate the Hawai'i Center for Peace (Center) within the convention center facility.

The Center for Primary Dispute Resolution, the Hawaii Wellness Foundation, and a number of private citizens submitted testimony in support of the resolution. The Hawaii Visitors Bureau submitted testimony in support of the intent of the resolution. The Convention Center Authority and Outrigger Hotels submitted comments.

Your Committee believes that the work of the Hawai'i Center for Peace should be encouraged, and that the Center should work actively with state agencies in fulfilling its mission. There is some concern, however, about committing a portion of space to the Center while the convention center is still in the planning stages, and before it has reached its maximum capacity. Therefore, your Committee has amended this resolution by:

- (1) Deleting all references to placing the Hawai'i Center for Peace in the convention center; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 377, as amended herein, and recommends that it be referred to the Committee on Tourism in the form attached hereto as H.R. No. 377, H.D. 1.

Signed by all members of the Committee except Representatives Chun, Hirono, Peters and White.

**SCRep. 1572-94 Judiciary on H.C.R. No. 470**

The purpose of this concurrent resolution is to urge the Convention Center Authority to incorporate the Hawai'i Center for Peace (Center) within the convention center facility.

The Center for Primary Dispute Resolution, the Hawaii Wellness Foundation, and a number of private citizens submitted testimony in support of the concurrent resolution. The Hawaii Visitors Bureau submitted testimony in support of the intent of the concurrent resolution. The Convention Center Authority and Outrigger Hotels submitted comments.

Your Committee believes that the work of the Hawai'i Center for Peace should be encouraged, and that the Center should work actively with state agencies in fulfilling its mission. There is some concern, however, about committing a portion of space to the Center while the convention center is still in the planning stages, and before it has reached its maximum capacity. Therefore, your Committee has amended this concurrent resolution by:

- (1) Deleting all references to placing the Hawai'i Center for Peace in the convention center;
- (2) Changing the title from "URGE THE CONVENTION CENTER AUTHORITY TO INCORPORATE THE HAWAII CENTER FOR PEACE WITHIN THE CONVENTION CENTER FACILITY" to "URGING THE

**HAWAII CENTER FOR PEACE TO MOVE FORWARD WITH PLANS TO INCREASE HAWAII'S PROMINENCE AS A WORLDWIDE CENTER FOR PEACE ACTIVITIES;" and**

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 470, as amended herein, and recommends that it be referred to the Committee on Tourism in the form attached hereto as H.C.R. No. 470, H.D. 1.

Signed by all members of the Committee except Representatives Chun, Hirono, Peters and White.

**SCRep. 1573-94 Judiciary on H.R. No. 277**

The purpose of this resolution is to request the establishment of a task force to plan and implement a program to enforce the state law pertaining to the sale of tobacco products to minors.

The Department of Health submitted testimony in support of this resolution and the Hawaii Food Industry Association submitted comments.

Your Committee is aware that the enforcement of our law prohibiting the sale of tobacco products to minors has been somewhat inconsistent. In addition to promoting unhealthy behavior among minors, lackluster enforcement also jeopardizes receipt of federal funds.

After consideration, your Committee has amended this resolution by making technical, nonsubstantive amendments for consistency and to correct a drafting error.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 277, as amended herein, and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs in the form attached hereto as H.R. No. 277, H.D. 1.

Signed by all members of the Committee except Representatives Chun, Hirono, Peters and White.

**SCRep. 1574-94 Judiciary on H.C.R. No. 299**

The purpose of this concurrent resolution is to request the establishment of a task force to plan and implement a program to enforce the state law pertaining to the sale of tobacco products to minors.

The Department of Health submitted testimony in support of this concurrent resolution and the Hawaii Food Industry Association submitted comments.

Your Committee is aware that the enforcement of our law prohibiting the sale of tobacco products to minors has been somewhat inconsistent. In addition to promoting unhealthy behavior among minors, lackluster enforcement also jeopardizes receipt of federal funds.

After consideration, your Committee has amended this concurrent resolution by making technical, nonsubstantive amendments for consistency and to correct a drafting error.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 299, as amended herein, and recommends that it be referred to the Committee on Intergovernmental Relations and International Affairs in the form attached hereto as H.C.R. No. 299, H.D. 1.

Signed by all members of the Committee except Representatives Chun, Hirono, Peters and White.

**SCRep. 1575-94 Education on H.R. No. 88**

The purpose of this resolution is to request an evaluation of current physical education activities in the public schools prior to the development of a comprehensive physical education program.

Supportive testimony was submitted by a concerned citizen. Comments by the Department of Education were also submitted.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Added that outcome measures or performance standards should be incorporated into the School Status and Improvement Reports to allow communities to determine educational quality; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 88, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 88, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1576-94 Education on H.C.R. No. 97**

The purpose of this concurrent resolution is to request an evaluation of current physical education activities in the public schools prior to the development of a comprehensive physical education program.

Supportive testimony was submitted by a concerned citizen. Comments by the Department of Education were also submitted.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Added that outcome measures or performance standards should be incorporated into the School Status and Improvement Reports to allow communities to determine educational quality; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 97, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 97, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1577-94 Education on H.R. No. 138**

The purpose of this resolution is to request the Board of Education and the Department of Education to establish technology and telecommunication demonstration models for public schools.

Testimony in support of this measure was received from the Department of Education.

After careful consideration, your Committee has amended this resolution by:

- (1) Adding a "Whereas" clause which describes local area networks (LANS);
- (2) Changing "local area networks" on page 1, line 10, to "wide area networks";
- (3) Adding a "Whereas" clause which cites the schools where current demonstration models are taking place;
- (4) Adding a "Whereas" clause which estimates the retrofit cost for the public schools to be over \$200 million; and
- (5) Requesting the Department of Education to develop a technology and telecommunication implementation plan.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 138, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 138, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Hagino, Isbell, Lee, Shon and Taniguchi.

**SCRep. 1578-94 Education on H.C.R. No. 150**

The purpose of this concurrent resolution is to request the Board of Education and the Department of Education to establish technology and telecommunication demonstration models for public schools.

Testimony in support of this measure was received from the Department of Education.

After careful consideration, your Committee has amended this concurrent resolution by:

- (1) Adding a "Whereas" clause which describes local area networks (LANS);
- (2) Changing "local area networks" on page 1, line 10, to "wide area networks";
- (3) Adding a "Whereas" clause which cites the schools where current demonstration models are taking place;
- (4) Adding a "Whereas" clause which estimates the retrofit cost for the public schools to be over \$200 million; and

- (5) Requesting the Department of Education to develop a technology and telecommunication implementation plan.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 150, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 150, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Hagino, Isbell, Lee, Shon and Taniguchi.

**SCRep. 1579-94 Education on H.R. No. 318**

The purpose of this resolution is to request the Legislative Reference Bureau (LRB) to conduct a study on an appropriate media literacy education program for the State of Hawaii.

Your Committee received testimony in strong support of this measure from the Department of Education (DOE), the Kalaheo Communication Arts Learning Center, Kamehameha Schools Bishop Estate, the Institute on Media Education at Harvard University, the Center for Media Literacy at Los Angeles, California, Strategies for Media Literacy, Inc., at San Francisco, California, Hawaii Media Watch, Juniroa Productions, Inc., Kaiser High Communications Arts and Technology Learning Center, and several private citizens.

Your Committee has amended this resolution as follows:

- (1) Inserting a "BE IT FURTHER RESOLVED" clause directing the LRB to be primarily responsible for the study, but to work with the DOE in obtaining data and generating the study; and
- (2) Making technical and nonsubstantive changes for purposes of style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 318, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 318, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1580-94 Education on H.C.R. No. 363**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to conduct a study on an appropriate media literacy education program for the State of Hawaii.

Your Committee received testimony in strong support of this measure from the Department of Education (DOE), the Kalaheo Communication Arts Learning Center, Kamehameha Schools Bishop Estate, the Institute on Media Education at Harvard University, the Center for Media Literacy at Los Angeles, California, Strategies for Media Literacy, Inc. at San Francisco, California, Hawaii Media Watch, Juniroa Productions, Inc., Kaiser High Communications Arts and Technology Learning Center, and several private citizens.

Your Committee has amended this concurrent resolution as follows:

- (1) Inserting a "BE IT FURTHER RESOLVED" clause directing the LRB to be primarily responsible for the study, but to work with the DOE in obtaining data and generating the study; and
- (2) Making technical and nonsubstantive changes for purposes of style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 363, 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. 363, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1581-94 Education on H.R. No. 112**

The purpose of this resolution is to request the Department of Education and the Department of Health to develop various plans of action for temperature and ventilation control for classroom facilities.

Your Committee received testimony in support of this measure from the Department of Education (DOE) and the Department of Health.

Your Committee has amended this resolution as follows:

- (1) Inserting an additional "BE IT RESOLVED" which instructs the DOE to include in its guidelines an assessment of the fiscal impact of implementing the guidelines, the establishment of policy for school and

private sector improvement initiatives, and the establishment of policy for prioritization of allocation of funds; and

- (2) Making technical and nonsubstantive changes for purposes of style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 112, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 112, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1582-94 Education on H.C.R. No. 123**

The purpose of this concurrent resolution is to request the Department of Education and the Department of Health to develop various plans of action for temperature and ventilation control for classroom facilities.

Your Committee received testimony in support of this measure from the Department of Education (DOE) and the Department of Health.

Your Committee has amended this concurrent resolution as follows:

- (1) Inserting an additional "BE IT RESOLVED" clause which instructs the DOE to include in its guidelines an assessment of the fiscal impact of implementing the guidelines, the establishment of policy for school and private sector improvement initiatives, and the establishment of policy for prioritization of allocation of funds; and
- (2) Making technical and nonsubstantive changes for purposes of style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 123, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 123, H.D. 2.

Signed by all members of the Committee except Representatives Apo, Beirne, Hagino, M. Ige, Shon, Taniguchi and Tanimoto.

**SCRep. 1583-94 Education and Higher Education and the Arts on H.C.R. No. 248**

The purpose of this concurrent resolution is to urge the State of Hawaii to promote environmental education initiatives and programs within the State.

Testimony in support of this measure was received from the University of Hawaii, the Department of Health, the Bishop Museum, the Hawaii Association of Conservation Districts, the Hawaii Nature Center, Hawaiian Electric Company, and a private individual.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 248, H.D. 1, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Apo, Arakaki, Duldulao, M. Ige, Shon and Tanimoto.

**SCRep. 1584-94 Ocean Recreation and Marine Resources on H.C.R. No. 192**

The purpose of this House concurrent resolution is to request the Hawaii State Association of Counties to establish a task force to examine and recommend methods for improving the management of Hawaii's beaches and shoreline areas, and to investigate and recommend coastal hazard mitigation measures.

Your Committee on Ocean Recreation and Marine Resources finds that the preservation and enhancement of the State's beaches and shoreline areas are essential for Hawaii's major industry, tourism, and for the benefit of residents. Your Committee is aware that human actions, such as grading and construction in sensitive shoreline areas, and a variety of natural hazards, including hurricanes, high waves, tsunami, and erosion have contributed to negative effects on many coastal areas. Unless improved management and effective hazard mitigation measures occur, coastal environmental degradation will continue.

This measure requests the Hawaii State Association of Counties to establish a task force to examine and recommend methods for improving the management of Hawaii's beaches and shoreline areas, and to investigate and recommend coastal hazard mitigation measures. The overall objective is to prevent further destruction of Hawaii's beaches and shoreline areas, as well as potential losses of lives, through the development of comprehensive and effective recommendations for remedial and preventive measures and their subsequent implementation.

Testimonies in support of this measure were heard from the Office of State Planning, the Department of Transportation, the School of Ocean and Earth Science and Technology at the University of Hawaii, and the Lanikai Community Association.

As affirmed by the record of votes of the members of your Committee on Ocean Recreation and Marine Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 192, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Apo, Hirono and Tajiri.

**SCRep. 1585-94 Water and Land Use Planning on H.C.R. No. 366**

The purpose of this concurrent resolution is to request the Board of Land and Natural Resources and the Office of Hawaiian Affairs to facilitate the phasing out of the homestead lease programs created under the Land Act of 1895 and referenced in Section 171-99, Hawaii Revised Statutes, by working together to accomplish stated goals including:

- (1) Establishing a determination of successor arbitration program to aid individuals with an interest in homestead lands in determining their genealogy;
- (2) Allowing the remaining lessees to purchase their leases for \$1;
- (3) Establishing a basis to support the eventual repeal of subsections (c), (d), and (h) of Section 171-99, Hawaii Revised Statutes, relating to the continuation of rights under existing homestead leases, certificates of occupation, right of purchase leases, and cash freehold agreements; and
- (4) Gathering support for a tax moratorium on homestead leases.

Two homestead lessees and Representative Ululani Beirne submitted testimony in favor of this measure.

The Department of Land and Natural Resources testified that the goal of establishing a successor arbitration program is not necessary because:

- (1) Allowing the lease purchase for \$1 would conflict with the original intent of the Homestead Act;
- (2) The program would discriminate against previous sales at fair market value; and
- (3) The program would subject the State to possible lawsuits.

The Department also explained that a tax moratorium is a county matter. The Office of Hawaiian Affairs testified that a phase out of the nine hundred and ninety-nine year homestead lease program might be premature.

After further consideration, your Committee has amended this concurrent resolution by:

- (1) Amending the title to read:
 

**"HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESOLVE THE PROBLEMS FACING THE NINE HUNDRED NINETY-NINE YEAR HOMESTEAD LESSEES";**
- (2) Suggesting that the respective parties and agencies look into the feasibility of establishing a real property tax exemption for lessees;
- (3) Requesting the Office of Hawaiian Affairs, with the cooperation of and in consultation with the Department of Land and Natural Resources, to review proposed solutions to the problems faced by the lessees analyzed in the "Analysis of the 999 Year Homestead Lease Program; Current Problems and Possible Solution", including recommendations for:
  - (A) The status quo option regarding the meaning of "fair market price", providing information to lessees about the lease program, and developing culturally-appropriate mechanisms for dispute resolution;
  - (B) The accelerated phase-out option regarding the setting of a nominal price for fee simple ownership and establishing a pilot program and alternatives to resolve problems of title documentation;
  - (C) Continuing the homestead lease program regarding the repeal of statutory language mandating fee simple purchase for a "fair market price", reforming the lease terms to allow lessees to obtain financing, statutorily creating a designation system to determine the heirs to a lease, establishing a pilot program and alternative to resolve problems of title documentation, providing information to lessees about homestead leases and the program, and developing culturally-appropriate mechanisms for dispute resolution;
- (4) Studying the ramifications of allowing the remaining homestead lessees to purchase their leases for \$1 and the obligation of the State to reimburse those lessees who exercised their purchase option at "fair market value";

- (5) Studying the feasibility of an option to purchase the fee simple interest at fifty percent of the "fair market value" or other discounted rate with a requirement for blood lineage successorship to:
- (A) Eliminate reimbursement to prior purchasers at "fair market value";
  - (B) Retain the original intent of the nine hundred and ninety-nine year homestead lease program; and
  - (C) Explore financing arrangements, including the Community Reinvestments Act, which would enable lessees to renovate and repair existing structures or to build on their leasehold properties;
- (6) Requesting the Office of Hawaiian Affairs, after consultation with the Department of Land and Natural Resources, to submit a report on its recommended solutions to the Legislature; and
- (7) Requesting the City and County of Honolulu to work with the Office of Hawaiian Affairs and the Department of Land and Natural Resources to examine the feasibility of exempting the 999 year homestead leases on public lands from real property taxes.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 366, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 366, H.D. 1.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1586-94 Water and Land Use Planning on H.C.R. No. 443**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) in consultation with the residents of Maunaloa, Makiki Heights, Island of Oahu, to develop a plan that would enable lessees of public lands who have not been able to build new homes to either improve their existing homes or to build new homes.

Supportive testimony was submitted by the Representative of the 4th House District; the Office of Hawaiian Affairs (OHA); the Maunaloa Valley Community Association; and concerned residents of Maunaloa, Makiki Heights, Island of Oahu.

Comments by DLNR were also submitted.

The OHA representative testified that OHA would welcome the opportunity to enter discussions with DLNR, the lessees of Maunaloa, and others regarding the preparation of the aforementioned plan. In addition, OHA staff would also be able to provide technical assistance to the lessees in a wide variety of ways.

In light of this, your Committee has amended this concurrent resolution as follows:

- (1) Requested that DLNR develop the aforementioned plan with the assistance of the Office of Hawaiian Affairs; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 443, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 443, H.D. 2.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1587-94 Intergovernmental Relations and International Affairs on H.R. No. 239**

The purpose of this concurrent resolution is to request the Department of Health to assist the City and County of Honolulu, Department of Wastewater Management, in identifying those cesspools on the island of Oahu that are failing. In addition, the measure requests that the Department of Wastewater Management give highest priority to the pumping and treatment of failing North Shore cesspools.

Testimony in support of the resolution was received from the Director of the Hawaii State Department of Health and the Hawaii Association of Realtors.

Your Committee understands that failing cesspools may be inflicting damage on the environment and pose a potential threat to the health of residents on the North Shore of Oahu.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 239, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1588-94 Ocean Recreation and Marine Resources on H.R. No. 381**

The purpose of this House Resolution, as received by your Committee, was to request the Department of Land and Natural Resources (DLNR) and the Department of Business, Economic Development and Tourism (DBEDT) to examine the feasibility of converting the Ala Wai Yacht Harbor into an independent Marina.

Your Committee on Ocean Recreation and Marine Resources finds that activities conducted at boat harbor marinas are assets for the State's tourist-related economy and for their benefits to residents. Your Committee is aware that management and maintenance problems have detracted from the potential advantages which ocean marinas have for the economy of the State and the pleasures of visitors and residents.

This measure proposes to examine the feasibility of converting the Ala Wai Yacht Harbor into an independent Marina, as means for expanding usage and improving management.

The DLNR testified against this House resolution, citing extra costs for mooring fees would result under private management. The Office of Hawaiian Affairs did not take an official position on the privatization issue, but wanted it known that the Ala Wai Yacht Harbor is on ceded land. The DBEDT expressed opposition because no funds are available to conduct the feasibility study. Two members of the boating community testified in favor of privatizing the Ala Wai Yacht Harbor.

Your Committee has amended this House resolution by:

- (1) Changing the title from "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXAMINE THE FEASIBILITY OF CONVERTING THE ALA WAI YACHT HARBOR INTO AN INDEPENDENT MARINA" to "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXAMINE THE FEASIBILITY OF CONVERTING RECREATIONAL SMALL BOAT FACILITIES INTO INDEPENDENTLY MANAGED MARINAS AND SMALL BOAT HARBORS".
- (2) Editing and rewriting the content to reflect the expansion from examination of a single facility, the Ala Wai Yacht Harbor, to multiple facilities.
- (3) Omitting references to a connection between recreational boating and small boat harbors and the convention center.

As affirmed by the record of votes of the members of your Committee on Ocean Recreation and Marine Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 381, as amended herein, and recommends that it be referred to the Committee on Tourism in the form attached hereto as H.R. No. 381, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Hirono and Tajiri.

**SCRep. 1589-94 Ocean Recreation and Marine Resources on H.C.R. No. 458**

The purpose of this House concurrent resolution, as received by your Committee, was to request the Department of Land and Natural Resources (DLNR) and the Department of Business, Economic Development and Tourism (DBEDT) to examine the feasibility of converting the Ala Wai Yacht Harbor into an independent Marina.

Your Committee on Ocean Recreation and Marine Resources finds that activities conducted at boat harbor marinas are assets for the State's tourist-related economy and for their benefits to residents. Your Committee is aware that management and maintenance problems have detracted from the potential advantages which ocean marinas have for the economy of the State and the pleasures of visitors and residents.

This measure proposes to examine the feasibility of converting the Ala Wai Yacht Harbor into an independent Marina, as means for expanding usage and improving management.

The DLNR testified against this House concurrent resolution, citing extra costs for mooring fees would result under private management. The Office of Hawaiian Affairs did not take an official position on the privatization issue, but wanted it known that the Ala Wai Yacht Harbor is on ceded land. The DBEDT expressed opposition because no funds are available to conduct the feasibility study. Two members of the boating community testified in favor of privatizing the Ala Wai Yacht Harbor.

Your Committee has amended this House concurrent resolution by:

- (1) Changing the title from "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXAMINE THE FEASIBILITY OF CONVERTING THE ALA WAI YACHT HARBOR INTO AN INDEPENDENT MARINA" to "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXAMINE THE FEASIBILITY OF CONVERTING RECREATIONAL SMALL BOAT FACILITIES INTO INDEPENDENTLY MANAGED MARINAS AND SMALL BOAT HARBORS".
- (2) Editing and rewriting the content to reflect the expansion from examination of a single facility, the Ala Wai Yacht Harbor, to multiple facilities.
- (3) Omitting references to a connection between recreational boating and small boat harbors and the convention center.

As affirmed by the record of votes of the members of your Committee on Ocean Recreation and Marine Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 458, as amended herein, and recommends that it be referred to the Committee on Tourism in the form attached hereto as H.C.R. No. 458, H.D.1.

Signed by all members of the Committee except Representatives Apo, Hirono and Tajiri.

**SCRep. 1590-94 Economic Development and Business Concerns and Agriculture on H.R. No. 352**

The purpose of this resolution is to recognize the Central O'ahu/North Shore Regional Plan (Regional Plan) as a useful, community-based planning document, and to recommend its use in all Central O'ahu and North Shore planning undertakings.

A private citizen residing in the North Shore region testified in strong support of this measure.

The Office of State Planning (OSP) testified in opposition to this measure because the Regional Plan is based on the assumption that sugar and pineapple will continue to be viable industries on Oahu. OSP recommended that a new plan for Central Oahu and the North Shore be formulated with more current information and assumptions.

Your Committee finds that OSP's concerns regarding the viability of the sugar and pineapple industries are valid. Currently, the future of the sugar industry is uncertain, and negotiations with the Galbraith Trust for a land exchange continue. However, your Committee believes that an updated regional plan with input from the community must be formulated.

Accordingly, your Committee has passed this measure in an amended form to request OSP to undertake a cooperative regional planning program to respond to social, economic, and physical changes in the North Shore region of Oahu. Specifically:

- (1) OSP is requested to use applicable information from the long-range master plan developed in accordance with City Council Resolution No. 90-448, while undertaking this cooperative regional planning program;
- (2) OSP is requested to develop policies that maximize the productive agricultural use of existing sugar lands, and recognize sugar cane as an aesthetic asset;
- (3) All State and City and County of Honolulu task forces established to respond to social, economic, and physical changes in the North Shore region, the Commission on Water Resources Management, and the federal joint agency task group formed to develop a wastewater policy and guidelines plan are requested to cooperate and coordinate their activities with OSP;
- (4) OSP is requested to submit findings and recommendations prior to the convening of the 1995 Regular Session; and
- (5) Certified copies of this measure will be transmitted to the Governor, the members of Hawaii's congressional delegation, appropriate State agencies, the Mayor and Chairperson of the Council of the City and County of Honolulu, the Director of the Office of State Planning, the Chairperson of the Commission on Water Resources Management, and the Pacific Ocean Division Commander of the United States Army Corps of Engineers.

Your Committee notes that, although other State agencies are not specifically named to participate in this regional planning program, many agencies are expected to offer their particular expertise in formulating the regional plan. Further, it is anticipated that the Department of Business, Economic Development, and Tourism and the Department of Agriculture will be actively involved with the planning process.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 352, as amended herein, and recommend that it be referred to the Committee on Water and Land Use Planning in the form attached hereto as H.R. No. 352, H.D. 1.

Signed by all members of the Committees except Representatives D. Ige, Morihara and Tam.

**SCRep. 1591-94 Economic Development and Business Concerns and Agriculture on H.C.R. No. 410**

The purpose of this concurrent resolution is to recognize the Central O'ahu/North Shore Regional Plan (Regional Plan) as a useful, community-based planning document, and to recommend its use in all Central O'ahu and North Shore planning undertakings.

A private citizen residing in the North Shore region testified in strong support of this measure.

The Office of State Planning (OSP) testified in opposition to this measure because the Regional Plan is based on the assumption that sugar and pineapple will continue to be viable industries on Oahu. OSP recommended that a new plan for Central Oahu and the North Shore be formulated with more current information and assumptions.

Your Committee finds that OSP's concerns regarding the viability of the sugar and pineapple industries are valid. Currently, the future of the sugar industry is uncertain, and negotiations with the Galbraith Trust for a land exchange

continue. However, your Committee believes that an updated regional plan with input from the community must be formulated.

Accordingly, your Committee has passed this measure in an amended form to request OSP to undertake a cooperative regional planning program to respond to social, economic, and physical changes in the North Shore region of Oahu. Specifically:

- (1) OSP is requested to use applicable information from the long-range master plan developed in accordance with City Council Resolution No. 90-448, while undertaking this cooperative regional planning program;
- (2) OSP is requested to develop policies that maximize the productive agricultural use of existing sugar lands, and recognize sugar cane as an aesthetic asset;
- (3) All State and City and County of Honolulu task forces established to respond to social, economic, and physical changes in the North Shore region, the Commission on Water Resources Management, and the federal joint agency task group formed to develop a wastewater policy and guidelines plan are requested to cooperate and coordinate their activities with OSP;
- (4) OSP is requested to submit findings and recommendations prior to the convening of the 1995 Regular Session; and
- (5) Certified copies of this measure will be transmitted to the Governor, the members of Hawaii's congressional delegation, appropriate State agencies, the Mayor and Chairperson of the Council of the City and County of Honolulu, the Director of the Office of State Planning, the Chairperson of the Commission on Water Resources Management, and the Pacific Ocean Division Commander of the United States Army Corps of Engineers.

Your Committee notes that, although other State agencies are not specifically named to participate in this regional planning program, many agencies are expected to offer their particular expertise in formulating the regional plan. Further, it is anticipated that the Department of Business, Economic Development, and Tourism and the Department of Agriculture will be actively involved with the planning process.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 410, as amended herein, and recommend that it be referred to the Committee on Water and Land Use Planning in the form attached hereto as H.C.R. No. 410, H.D. 1.

Signed by all members of the Committees except Representatives D. Ige, Morihara and Tam.

**SCRep. 1592-94                      Judiciary on H.R. No. 39**

The purpose of this resolution is to request the Judiciary to expedite trials in which a child victim or witness is involved.

The City and County of Honolulu Department of the Prosecuting Attorney, the Hawaii Women's Political Caucus, the Hawaii State Coalition Against Sexual Assault, the Sex Abuse Treatment Center, Parents and Children Together, the Committee for Adoption Reform Education, the Hawaii Green Party, and a Guardian Ad Litem on the Island of Kauai submitted testimony in support of the resolution.

Stating that it already has an adequate process in place, the Judiciary submitted testimony in opposition to the measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 39 and recommends its adoption.

Signed by all members of the Committee except Representatives Chun, Hirono, Peters and White.

**SCRep. 1593-94                      Judiciary on H.C.R. No. 42**

The purpose of this concurrent resolution is to request the Judiciary to expedite trials in which a child victim or witness is involved.

The City and County of Honolulu Department of the Prosecuting Attorney, the Hawaii Women's Political Caucus, the Hawaii State Coalition Against Sexual Assault, the Sex Abuse Treatment Center, Parents and Children Together, the Committee for Adoption Reform Education, the Hawaii Green Party, and a Guardian Ad Litem on the Island of Kauai submitted testimony in support of the concurrent resolution.

Stating that it already has an adequate process in place, the Judiciary submitted testimony in opposition to the measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 42 and recommends its adoption.

Signed by all members of the Committee except Representatives Chun, Hirono, Peters and White.

**SCRep. 1594-94          Judiciary on H.R. No. 319**

The purpose of this resolution is to:

- (1) Clarify legislative intent regarding pre-trial detainees; and
- (2) Request that the Department of Public Safety, the Judiciary, and the Counties resolve the matter of residential detention for pre-arraignment detainees based on:
  - (a) Legislative intent; and
  - (b) The safety and welfare of the public.

The Department of Public Safety and the Kauai County Council submitted testimony in support of the intent of the resolution.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 319 and recommends its adoption.

Signed by all members of the Committee except Representatives Cun, Hirono, Peters and White.

**SCRep. 1595-94          Judiciary on H.C.R. No. 364**

The purpose of this concurrent resolution is to:

- (1) Clarify legislative intent regarding pre-trial detainees; and
- (2) Request that the Department of Public Safety, the Judiciary, and the Counties resolve the matter of residential detention for pre-arraignment detainees based on:
  - (a) Legislative intent; and
  - (b) The safety and welfare of the public.

The Department of Public Safety and the Kauai County Council submitted testimony in support of the intent of the concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 364 and recommends its adoption.

Signed by all members of the Committee except Representatives Chun, Hirono, Peters and White.

**SCRep. 1596-94          Public Safety and Corrections on H.R. No. 358**

The purpose of this resolution is to request the Legislative Reference Bureau (LRB), with the assistance of the Departments of Land and Natural Resources (DLNR) and Public Safety (DPS), to determine the value, under current zoning, of the property that currently supports the Oahu Community Correctional Center (OCCC) facility.

More specifically, this resolution:

- (1) Recommends that LRB, inter alia, examine:
  - (A) The cost of relocating prison operations;
  - (B) The benefits of alternative uses; and
  - (C) The feasibility of using the funds generated through the sale of property for the expansion of other facilities such as Kulani prison;
- (2) Requests DLNR, in consultation with DPS and the Office of Hawaiian Affairs, to prepare a plan for the closure of OCCC, the sale of the site, and the relocation of inmates and prison operations; and
- (3) Requests that both LRB and DLNR submit reports to the 1995 Legislature.

Supportive testimony was submitted by the Honolulu Neighborhood Housing Services, Inc., the Kalihi Business Association, the Kalihi-Palama Community Council, and concerned residents of the Kalihi-Palama area.

Testimony in opposition was submitted by DPS.

Comments by LRB, DLNR, and the Building Industry Association of Hawaii were also submitted.

Your Committee finds that the United States Department of Justice has recently approved the construction of a 500-bed facility within the Kalihi-Palama district.

It is the intent of your Committee that:

- (1) DLNR serve in an advisory capacity only, rather than in a primary role, in the completion of the foregoing study;
- (2) LRB examine the impacts of the possible closure of OCCC on the entire prison system;
- (3) Your Committee not prejudge the closure of OCCC at this time; and
- (4) Federal prisoners and detainees currently housed at OCCC be transferred to the new Federal prison upon completion of construction.

As affirmed by the record of votes of the members of your Committee on Public Safety and Corrections that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 358, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Tom and Thielen.

**SCRep. 1597-94      Public Safety and Corrections on H.C.R. No. 418**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB), with the assistance of the Departments of Land and Natural Resources (DLNR) and Public Safety (DPS), to determine the value, under current zoning, of the property that currently supports the Oahu Community Correctional Center (OCCC) facility.

More specifically, this concurrent resolution:

- (1) Recommends that LRB, inter alia, examine:
  - (A) The cost of relocating prison operations;
  - (B) The benefits of alternative uses; and
  - (C) The feasibility of using the funds generated through the sale of property for the expansion of other facilities such as Kulani prison;
- (2) Requests DLNR, in consultation with DPS and the Office of Hawaiian Affairs, to prepare a plan for the closure of OCCC, the sale of the site, and the relocation of inmates and prison operations; and
- (3) Requests that both LRB and DLNR submit reports to the 1995 Legislature.

Supportive testimony was submitted by the Honolulu Neighborhood Housing Services, Inc., the Kalihi Business Association, the Kalihi-Palama Community Council, and concerned residents of the Kalihi-Palama area.

Testimony in opposition was submitted by DPS.

Comments by LRB, DLNR, and the Building Industry Association of Hawaii were also submitted.

Your Committee finds that the United States Department of Justice has recently approved the construction of a 500-bed facility within the Kalihi-Palama district.

It is the intent of your Committee that:

- (1) DLNR serve in an advisory capacity only, rather than in a primary role, in the completion of the foregoing study;
- (2) LRB examine the impacts of the possible closure of OCCC on the entire prison system;
- (3) Your Committee not prejudge the closure of OCCC at this time; and
- (4) Federal prisoners and detainees currently housed at OCCC be transferred to the new Federal prison upon completion of construction.

As affirmed by the record of votes of the members of your Committee on Public Safety and Corrections that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 418, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Tom and Thielen.

**SCRep. 1598-94      Tourism on H.C.R. No. 144**

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a management and financial audit of state funding and support provided to the King Kamehameha Celebration Commission and to make recommendations for improving the coordination of and assistance to the King Kamehameha celebrations.

In addition, this concurrent resolution requests that the Hawaii Visitors Bureau and the King Kamehameha Celebration Commission meet to improve coordination and support for King Kamehameha celebrations.

Your Committee received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism, the Office of Hawaiian Affairs, the King Kamehameha Celebration Commission and the Hawaii Visitors Bureau.

Your Committee finds that the King Kamehameha Celebration Commission has received very little public and private funding in the past, but the event has great potential for becoming a widely popular event. A celebration of King Kamehameha the Great, one of the most important Hawaii historical figures, would certainly increase the appreciation of the culture and history of Hawaii on the part of both residents and visitors.

Your Committee revised this concurrent resolution by:

- (1) Removing references to an audit in the title and body;
- (2) Adding a provision requesting the Department of Accounting and General Services, with the assistance of the Department of Business, Economic Development and Tourism, the Office of Hawaiian Affairs, and the Hawaii Visitors Bureau, to assist the King Kamehameha Celebration Commission in developing plans for enhancing operations, administration and funding, in order to promote tourism and increase cultural awareness;
- (3) Adding a request to the King Kamehameha Celebration Commission to form an advisory council to make recommendations for restructuring the commission;
- (4) Providing for certified copies to be transmitted to the Comptroller, the Director of Business, Economic Development, and Tourism, the Administrator of the Office of Hawaiian Affairs, the Chair of the King Kamehameha Celebration Commission, the President of the Association of Hawaiian Civic Clubs, and the President of the Hawaii Visitors Bureau; and
- (5) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 144, H.D. 1, 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. 144, H.D. 2.

Signed by all members of the Committee except Representatives Ishii-Morikami and Lee.

**SCRep. 1599-94      Tourism on H.R. No. 133**

The purpose of this resolution is to request the Legislative Auditor to conduct a management and financial audit of state funding and support provided to the King Kamehameha Celebration Commission and to make recommendations for improving the coordination of and assistance to the King Kamehameha celebrations.

In addition, this resolution requests that the Hawaii Visitors Bureau and the King Kamehameha Celebration Commission meet to improve coordination and support for King Kamehameha celebrations.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism, the Office of Hawaiian Affairs, the King Kamehameha Celebration Commission and the Hawaii Visitors Bureau.

Your Committee finds that the King Kamehameha Celebration Commission has received very little public and private funding in the past, but the event has great potential for becoming a widely popular event. A celebration of King Kamehameha the Great, one of the most important Hawaii historical figures, would certainly increase the appreciation of the culture and history of Hawaii on the part of both residents and visitors.

Your Committee revised this resolution by:

- (1) Removing references to an audit in the title and body;
- (2) Adding a provision requesting the Department of Accounting and General Services, with the assistance of the Department of Business, Economic Development and Tourism, the Office of Hawaiian Affairs, and the Hawaii Visitors Bureau, to assist the King Kamehameha Celebration Commission in developing plans for enhancing operations, administration and funding, in order to promote tourism and increase cultural awareness;
- (3) Adding a request to the King Kamehameha Celebration Commission to form an advisory council to make recommendations for restructuring the commission;
- (4) Providing for certified copies to be transmitted to the Comptroller, the Director of Business, Economic Development, and Tourism, the Administrator of the Office of Hawaiian Affairs, the Chair of the King Kamehameha Celebration Commission, the President of the Association of Hawaiian Civic Clubs, and the President of the Hawaii Visitors Bureau; and
- (5) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 133, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 133, H.D. 2.

Signed by all members of the Committee except Representatives Ishii-Morikami and Lee.

**SCRep. 1600-94            Tourism on H.C.R. No. 317**

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism, with the cooperation of the Office of International Relations and other interested parties, to develop an ongoing effort to coordinate and facilitate trade between Hawaii and the Pacific Islands.

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 Native Hawaiian Chamber of Commerce Economic Development Committee.

Your Committee finds that better commercial trade relations with other Pacific islands would strengthen and diversify Hawaii's economy. Although greater trade would reduce Hawaii's dependence on tourism, the visitor industry will remain the greatest private sector contributor to the economy. Increased trade would also enhance the visitor industry.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 317, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ishii-Morikami and Lee.

**SCRep. 1601-94            Hawaiian Affairs on H.R. No. 185**

The purpose of this resolution is to request that the Office of Hawaiian Affairs (OHA) act as a coordinating body to help other trusts and foundations that serve the interest of native Hawaiians and Hawaiians to coordinate and collaborate services with each other.

Testimony was presented by the Office of Hawaiian Affairs (OHA), the Department of Hawaiian Home Lands (DHHL), Alu Like, the Native Hawaiian Advisory Council and other concerned citizens.

"Your Committee finds that more flexibility should be given to the coordination of services. In addition, it is your Committee's intent that all organizations whose common goal is to work for the betterment of Native Hawaiians and Hawaiians to collaborate their efforts. Accordingly, your Committee has amended this measure by:

- (1) Deleting all references to OHA from this resolution; as amended, the title reads: "REQUESTING TRUSTS AND FOUNDATIONS WHOSE BENEFICIARIES ARE HAWAIIANS TO COLLABORATE AND COORDINATE SERVICES;"
- (2) Deleting a reference to "a central agency" in the fourth WHEREAS clause; and
- (3) Having a certified copy of this resolution be transmitted to the Chairperson of the Hui Imi Task Force instead of the officers of OHA.

Your Committee strongly supports the intent of this resolution, as amended."

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 185, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 185, H.D. 1.

Signed by all members of the Committee except Representatives D. Ige and Lee.

**SCRep. 1602-94            Hawaiian Affairs on H.C.R. No. 197**

The purpose of this concurrent resolution is to request that the Office of Hawaiian Affairs (OHA) act as a coordinating body to help other trusts and foundations that serve the interest of native Hawaiians and Hawaiians to coordinate and collaborate services with each other.

Testimony was presented by the Office of Hawaiian Affairs (OHA), the Department of Hawaiian Home Lands (DHHL), Alu Like, the Native Hawaiian Advisory Council and other concerned citizens.

"Your Committee finds that more flexibility should be given to the coordination of services. In addition, it is your Committee's intent that all organizations whose common goal is to work for the betterment of Native Hawaiians and Hawaiians to collaborate their efforts. Accordingly, your Committee has amended this measure by:

- (1) Deleting all references to OHA from this concurrent resolution; as amended, the title reads: "REQUESTING TRUSTS AND FOUNDATIONS WHOSE BENEFICIARIES ARE HAWAIIANS TO COLLABORATE AND COORDINATE SERVICES;"

- (2) Deleting a reference to "a central agency" in the fourth WHEREAS clause; and
- (3) Having a certified copy of this concurrent resolution be transmitted to the Chairperson of the Hui Imi Task Force instead of the officers of OHA.

Your Committee strongly supports the intent of this concurrent resolution, as amended."

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 197, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 197, H.D. 1.

Signed by all members of the Committee except Representatives D. Ige and Lee.

**SCRep. 1603-94 Hawaiian Affairs on H.R. No. 343**

The purpose of this resolution is to request that the United States Army withdraw its application to continue use of the Makua Military Reservation as a hazardous waste management facility.

Testimony in support of this measure was presented by the Office of Hawaiian Affairs (OHA), Hamana, a Native Hawaiian Media Corporation and other concerned citizens.

Testimony in opposition to this resolution was presented by the Department of the Army, the State of Hawaii Department of Defense, and The Chamber of Commerce of Hawaii.

Your Committee has found it necessary to acknowledge the vital role that the United States military has played in our State's political and economic history. It is not the intention of your Committee to imply a position of hostility towards the presence of the U.S. military in Hawaii. Rather, it is your Committee's intention to begin the long process of reassessing the role of the U.S. military in Hawaii, in light of the end of the "Cold War", and with respect to the emerging "New World Order". In doing so, your Committee has amended this resolution by, among other things:

- (1) Changing the title to read: REQUESTING THE UNITED STATES OF AMERICA TO PRESERVE AND PROTECT MAKUA MILITARY RESERVATION;
- (2) Deleting the sections which require the military reservation to be returned to the Office of Hawaiian Affairs;
- (3) Adding a section requesting the United States Army to consider a fair lease agreement and payment plan for the use of ceded lands; and
- (4) Making other technical non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 343, as amended herein, and recommends that it be referred to the Committees on Water and Land Use Planning and Energy and Environmental Protection in the form attached hereto as H.R. No. 343, H.D. 1.

Signed by all members of the Committee except Representatives Apo, D. Ige and Tanimoto.

**SCRep. 1604-94 Hawaiian Affairs on H.C.R. No. 345**

The purpose of this concurrent resolution is to request that the United States Army withdraw its application to continue use of the Makua Military Reservation as a hazardous waste management facility.

Testimony in support of this measure was presented by the Office of Hawaiian Affairs (OHA), Hamana, a Native Hawaiian Media Corporation and other concerned citizens.

Testimony in opposition to this concurrent resolution was presented by the Department of the Army, the State of Hawaii Department of Defense, and The Chamber of Commerce of Hawaii.

Your Committee has found it necessary to acknowledge the vital role that the United States military has played in our State's political and economic history. It is not the intention of your Committee to imply a position of hostility towards the presence of the U.S. military in Hawaii. Rather, it is your Committee's intention to begin the long process of reassessing the role of the U.S. military in Hawaii, in light of the end of the "Cold War", and with respect to the emerging "New World Order". In doing so, your Committee has amended this concurrent resolution by, among other things:

- (1) Changing the title to read: REQUESTING THE UNITED STATES OF AMERICA TO PRESERVE AND PROTECT MAKUA MILITARY RESERVATION;
- (2) Deleting the sections which require the military reservation to be returned to the Office of Hawaiian Affairs;
- (3) Adding a section requesting the United States Army to consider a fair lease agreement and payment plan for the use of ceded lands; and

- (4) Making other technical non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 345, as amended herein, and recommends that it be referred to the Committees on Water and Land Use Planning and Energy and Environmental Protection in the form attached hereto as H.C.R. No. 345, H.D. 1.

Signed by all members of the Committee except Representatives Apo, D. Ige and Tanimoto.

**SCRep. 1605-94 Hawaiian Affairs on H.R. No. 378**

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to include Kukuipahu Heiau and the Mahukona historical site in the Hawaii Register of Historic Places. The resolution also requests DLNR to petition the National Park Service for the nomination of these sites for inclusion in the National Register of Historic Places as National Historic Landmarks.

DLNR submitted testimony in support of the intent of this resolution. However, according to DLNR, Kukuipahu Heiau was already listed on the National Register of Historic Places in 1973. Testimony in support of the resolution was also submitted by the Office of Hawaiian Affairs, the Historic Hawaii Foundation, Mookini Luakini, Inc., and four individuals.

Your Committee has amended the resolution to focus on having the Kukuipahu Heiau and the Mahukona historical site included on the Hawaii Register of Historic Places, and having the Mahukona historical site included in the National Register of Historic Places. The following specific amendments have been made:

- (1) Revised the title to read:
- "HOUSE RESOLUTION REQUESTING THE INCLUSION OF KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, ON THE HAWAII REGISTER OF HISTORIC PLACES AND THE INCLUSION OF THE MAHUKONA HISTORICAL SITE ON THE NATIONAL REGISTER OF HISTORIC PLACES";
- (2) Stated that both the Kukuipahu Heiau and the Mahukona historical site have not been designated on the Hawaii Register of Historic Places; nor has the Mahukona historical site been included on the National Register of Historic Places;
- (3) Urged the DLNR to nominate the Mahukona historical site for inclusion in the National Register of Historic Places; and
- (4) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 378, as amended herein, and recommends that it be referred to the Committee on Water and Land Use Planning in the form attached hereto as H.R. No. 378, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Ihara and Tanimoto.

**SCRep. 1606-94 Hawaiian Affairs on H.C.R. No. 472**

The purpose of this concurrent resolution is to urge the National Park Service to include Kukuipahu Heiau and Mahukona historical site in North Kohala, County of Hawaii, on the National Register of Historic Places.

Your Committee finds that although the Kukuipahu Heiau has already been included on the National Register of Historic Places, neither the Kukuipahu Heiau nor the Mahukona Historical Site has been included on the Hawaii Register of Historic Places.

Accordingly, your Committee has amended the concurrent resolution to focus on having the Kukuipahu Heiau and the Mahukona historical site included on the Hawaii Register of Historic Places, and having the Mahukona historical site included in the National Register of Historic Places. The following specific amendments have been made:

- (1) Revised the title to read:
- "HOUSE CONCURRENT RESOLUTION REQUESTING THE INCLUSION OF KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, ON THE HAWAII REGISTER OF HISTORIC PLACES AND THE INCLUSION OF THE MAHUKONA HISTORICAL SITE ON THE NATIONAL REGISTER OF HISTORIC PLACES";
- (2) Stated that both the Kukuipahu Heiau and the Mahukona historical site have not been designated on the Hawaii Register of Historic Places; nor has the Mahukona historical site been included on the National Register of Historic Places;
- (3) Urged the DLNR to nominate the Mahukona historical site for inclusion in the National Register of Historic Places; and

- (4) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 472, as amended herein, and recommends that it be referred to the Committee on Water and Land Use Planning in the form attached hereto as H.C.R. No. 472, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Ihara and Tanimoto.

**SCRep. 1607-94 Hawaiian Affairs on H.C.R. No. 73**

The purpose of this concurrent resolution is to request the Judiciary to establish a task force to study the feasibility of amending Chapter 571, Hawaii Revised Statutes (HRS), to protect the best interests of native Hawaiian children.

Your Committee received testimony from the Office of Hawaiian Affairs, the Department of Human Services, the Department of Health, and the Kamehameha Schools/Bernice Pauahi Bishop Estate, all supporting the intent of the concurrent resolution, but suggesting that the Hui Imi Task Force be utilized with appropriate legal representation to address the issue of native Hawaiian children who are placed into foster or adoptive care. The Judiciary submitted testimony which was neither in support of nor in opposition to the concurrent resolution.

In accord with the supportive testimony it received, your Committee has amended the concurrent resolution by:

- (1) Changing the title to request that the Hui Imi Task Force study the feasibility of amending Chapter 571, HRS, to protect the best interests of native Hawaiian as well as Hawaiian children;
- (2) Adding a seventh "WHEREAS" clause to define the Hui Imi Task Force;
- (3) Amending the first "BE IT RESOLVED" clause to reflect the amendment to the title;
- (4) In order to avoid redundancy, deleting the first and third "BE IT FURTHER RESOLVED" clauses;
- (5) Adding a "BE IT RESOLVED" clause to instruct the Hui Imi Task Force to consult with the Judiciary, the Native Hawaiian Bar Association and Hawaii Women Lawyers in studying the feasibility of amending Chapter 571, HRS;
- (6) Amending the fourth "BE IT FURTHER RESOLVED" clause by substituting the Judiciary with the Hui Imi Task Force;
- (7) Amending the last "BE IT FURTHER RESOLVED" clause to include the Hui Imi Task Force and the Judiciary as receivers of certified copies of this concurrent resolution; and
- (8) Making technical, nonsubstantive changes for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 73, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.C.R. No. 73, H.D. 1.

Signed by all members of the Committee except Representatives Apo, Ihara and Tanimoto.

**SCRep. 1608-94 Legislative Management on H.R. No. 271**

The purpose of this resolution, as received by your Committee, is to request that the Auditor, in the ongoing audit of the Department of Business, Economic Development, and Tourism, to place a sufficiently heavy emphasis on the Office of Space Industry to ensure that taxpayer dollars are accounted for and expended efficiently for purposes of economic recovery, development, and growth.

By way of a brief background, the Office of Space Industry (Office) was established by Act 355, Session Laws of Hawaii 1988. The Office was charged with the responsibility of developing, coordinating, and monitoring the progress of a strategic plan for Hawaii's space industry by supporting a broad range of space-related activities that may lead to the expansion and diversification of the State's economic base.

Testimony in support of this measure was submitted by the Hawaii Chapter of the Sierra Club. The Department of Business, Economic Development, and Tourism submitted testimony in support of the intent of this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Revising the language in the first "WHEREAS" paragraph to more accurately reflect the present economic condition of Hawaii and the nation;
- (2) Including language requesting the Auditor to examine the future of the space industry in Hawaii; and
- (3) Making technical, nonsubstantive revision for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 271, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 271, H.D. 1.

Signed by all members of the Committee except Representatives Ihara and Say.

**SCRep. 1609-94            Legislative Management on H.C.R. No. 293**

The purpose of this concurrent resolution, as received by your Committee, is to request that the Auditor, in the ongoing audit of the Department of Business, Economic Development, and Tourism, to place a sufficiently heavy emphasis on the Office of Space Industry to ensure that taxpayer dollars are accounted for and expended efficiently for purposes of economic recovery, development, and growth.

By way of a brief background, the Office of Space Industry (Office) was established by Act 355, Session Laws of Hawaii 1988. The Office was charged with the responsibility of developing, coordinating, and monitoring the progress of a strategic plan for Hawaii's space industry by supporting a broad range of space-related activities that may lead to the expansion and diversification of the State's economic base.

Testimony in support of this measure was submitted by the Hawaii Chapter of the Sierra Club. The Department of Business, Economic Development, and Tourism submitted testimony in support of the intent of this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Revising the language in the first "WHEREAS" paragraph to more accurately reflect the present economic condition of Hawaii and the nation;
- (2) Including language requesting the Auditor to examine the future of the space industry in Hawaii; and
- (3) Making technical, nonsubstantive revision for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee 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 Representatives Ihara and Say.

**SCRep. 1610-94            Legislative Management on H.R. No. 253**

The purpose of this resolution, as received, is to request the Department of Land and Natural Resources and the Auditor to report on sales, leases, and exchanges of public land trusts within the last decade.

Supportive testimony was submitted by the Office of Hawaiian Affairs. The Department of Land and Natural Resources submitted testimony stating that due to their limited staffing and budget, and the anticipated shortfall of revenues to the State, they are unable to support this resolution.

Your Committee notes that the Department of Land and Natural Resources will provide the House Committee on Finance with an estimate of the staffing, budget, and other resource requirements necessary to prepare the requested report.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Changed the title of the resolution to request the Department of Land and Natural Resources and the Auditor to report on sales, leases, and exchanges of public land trusts since June, 1980; and
- (2) Made technical, nonsubstantive revisions for purposes of style, clarity, and conformity.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 253, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 253, H.D. 1.

Signed by all members of the Committee except Representatives Ihara and Say.

**SCRep. 1611-94            Legislative Management on H.C.R. No. 228**

The purpose of this concurrent resolution, as received, is to request the Department of Land and Natural Resources and the Auditor to report on sales, leases, and exchanges of public land trusts within the last decade.

Supportive testimony was submitted by the Office of Hawaiian Affairs. The Department of Land and Natural Resources submitted testimony stating that due to their limited staffing and budget, and the anticipated shortfall of revenues to the State, they are unable to support this concurrent resolution.

Your Committee notes that the Department of Land and Natural Resources will provide the House Committee on Finance with an estimate of the staffing, budget, and other resource requirements necessary to prepare the requested report.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Changed the title of the concurrent resolution to request the Department of Land and Natural Resources and the Auditor to report on sales, leases, and exchanges of public land trusts since June, 1980; and
- (2) Made technical, nonsubstantive revisions for purposes of style, clarity, and conformity.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 228, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 228, H.D. 1.

Signed by all members of the Committee except Representatives Ihara and Say.

**SCRep. 1612-94            Legislative Management on H.R. No. 304**

The purpose of this resolution is to request the Legislative Reference Bureau to determine the need for seatbelts and other safety requirements for school buses.

Supportive testimony was submitted by the Department of Transportation, the American Academy of Pediatrics, and concerned citizens. The Department of Education submitted testimony in concurrence with the intent of this resolution.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 304, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ihara and Say.

**SCRep. 1613-94            Legislative Management on H.C.R. No. 339**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to determine the need for seatbelts and other safety requirements for school buses.

Supportive testimony was submitted by the Department of Transportation, the American Academy of Pediatrics, and concerned citizens. The Department of Education submitted testimony in concurrence with the intent of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 339, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ihara and Say.

**SCRep. 1614-94            Legislative Management on H.R. No. 346**

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study to determine the viability of developing incubation centers for small businesses.

Supportive testimony was submitted by the Small Business Council of The Chamber of Commerce of Hawaii. The Department of Business, Economic Development, and Tourism (DBEDT) submitted testimony in support of the underlying philosophy of this resolution. The Executive Director of the High Technology Development Corporation submitted comments.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Clarified that DBEDT would be the lead agency to conduct the study instead of the Legislative Reference Bureau;
- (2) Added that in conducting the study, DBEDT also consider the type of demand or business for developing incubation centers within the small business community;
- (3) Stated that DBEDT examine and make recommendations that address how incubation centers that assist selected businesses serve a public purpose, including the cost benefits of such activities in Hawaii and other states; and
- (4) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee 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 Ihara and Say.

**SCRep. 1615-94      Legislative Management on H.C.R. No. 400**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study to determine the viability of developing incubation centers for small businesses.

Supportive testimony was submitted by the Small Business Council of The Chamber of Commerce of Hawaii. The Department of Business, Economic Development, and Tourism (DBEDT) submitted testimony in support of the underlying philosophy of this concurrent resolution. The Executive Director of the High Technology Development Corporation submitted comments.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Clarified that DBEDT would be the lead agency to conduct the study instead of the Legislative Reference Bureau;
- (2) Added that in conducting the study, DBEDT also consider the type of demand or business for developing incubation centers within the small business community;
- (3) Stated that DBEDT examine and make recommendations that address how incubation centers that assist selected businesses serve a public purpose, including the cost benefits of such activities in Hawaii and other states; and
- (4) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 400, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 400, H.D. 2.

Signed by all members of the Committee except Representatives Ihara and Say.

**SCRep. 1616-94      Legislative Management on H.C.R. No. 378**

The purpose of this concurrent resolution, as received by your Committee, is to request the Legislative Reference Bureau (Bureau) to study the feasibility of expanding state regulatory practices to allow optometrists to use therapeutic pharmaceutical agents.

This study is to include but not be limited to a comprehensive review of the following:

- (1) The use of therapeutic pharmaceutical agents in the eye care industry;
- (2) Patient safety;
- (3) The effect of expanded regulatory practices on competition between optometrists and ophthalmologists;
- (4) Studies and other review required by the states that currently allow optometrists to use therapeutic pharmaceutical agents; and
- (5) The availability and accessibility of optometrists and ophthalmologists in those states that allow the use of therapeutic pharmaceutical agents.

Testimony in support of this measure was submitted by the Hawaii Ophthalmological Society, the Hawaii Optometric Association, and the American Public Health Association. The Board of Examiners in Optometry submitted testimony in support of the intent of this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Expanding the scope of the study to include a comprehensive review of the impact that expanding the scope of optometric practice may have on the cost of eye care;
- (2) Clarifying that the Bureau also review the experiences and studies in Hawaii and other states regarding problems relating to misdiagnosis and treatment of patients as a result of allowing optometrists to prescribe various medications; and
- (3) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee 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 except Representatives Ihara and Say.  
(Representative Thielen voted no.)

**SCRep. 1617-94            Transportation on H.C.R. No. 22**

The purpose of this concurrent resolution is to request the Department of Transportation to desist the installation of any variable message signs along the Windward area until the concerns of the impacted community are addressed.

Your Committee finds that the Windward community has expressed concerns regarding the Department of Transportation's installation of variable message signs and the impact such signs have on the area's scenery.

Your Committee received testimony from the Department of Transportation, the Kaneohe Neighborhood Board, the Outdoor Circle, the Kaneohe Outdoor Circle, and various concerned citizens.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 22 and recommends its adoption.

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

**SCRep. 1618-94            Transportation on H.R. No. 21**

The purpose of this resolution is to request the Department of Transportation to desist the installation of any variable message signs along the Windward area until the concerns of the impacted community are addressed.

Your Committee finds that the Windward community has expressed concerns regarding the Department of Transportation's installation of variable message signs and the impact such signs have on the area's scenery.

Your Committee received testimony from the Department of Transportation, the Kaneohe Neighborhood Board, the Outdoor Circle, the Kaneohe Outdoor Circle, and various concerned citizens.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 21 and recommends its adoption.

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

**SCRep. 1619-94            Transportation on H.R. No. 219**

The purpose of this resolution is to request the Department of Transportation to provide bicycle safety awareness information in all new publications of driver's manuals and in questions on written driver's license examinations.

Your Committee finds that as traffic congestion increases more commuters are electing to use alternative commuting modes such as bicycling. Your Committee finds that the interaction between bicyclists and motorists on the State roadways will increase as the number of bicyclists multiplies. Your Committee finds that the safety of the State's motorists and bicyclists could be enhanced through education as to the rights and responsibilities of both motorists and bicyclists.

Your Committee received testimony from the Department of Transportation and various concerned citizens.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 219 and recommends that it be referred to the Committee on Finance.

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

**SCRep. 1620-94            Transportation on H.C.R. No. 235**

The purpose of this concurrent resolution is to request the Department of Transportation to provide bicycle safety awareness information in all new publications of driver's manuals and in questions on written driver's license examinations.

Your Committee finds that as traffic congestion increases more commuters are electing to use alternative commuting modes such as bicycling. Your Committee finds that the interaction between bicyclists and motorists on the State roadways will increase as the number of bicyclists multiplies. Your Committee finds that the safety of the State's motorists and bicyclists could be enhanced through education as to the rights and responsibilities of both motorists and bicyclists.

Your Committee received testimony from the Department of Transportation and various concerned citizens.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 235 and recommends that it be referred to the Committee on Finance.

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

**SCRep. 1621-94            Transportation on H.R. No. 301**

The purpose of this resolution is to name the Interstate H-3 tunnel The Tetsuo Harano Tunnel.

Your Committee finds that Tetsuo Harano has faithfully and diligently completed 52 years of service to the State of Hawaii -- the last 25 years as the Department of Transportation's Highways Chief Engineer. Your Committee finds that Tetsuo Harano has had a part in the construction of almost every mile of highway improvements in the State, which covers 2,163 lane miles of highway. Your Committee finds that Tetsuo Harano's service has included a variety of unique situations ranging from the utilization of advanced engineering techniques to the emergency reconstruction of highway segments destroyed by volcanic and tsunami activity. Your Committee finds that Tetsuo Harano was instrumental in obtaining the necessary authorization to finance, construct, and complete the Interstate H-3 highway and accompanying tunnel.

Your Committee received testimony from the Department of Transportation, Engineering Concepts, Inc., Parsons Brinckerhoff Engineering, and various concerned citizens.

Your Committee has amended this resolution by making various technical and non-substantive changes for the purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee 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 except Representatives Hagino and Ward.

**SCRep. 1622-94            Transportation on H.C.R. No. 335**

The purpose of this concurrent resolution is to name the Interstate H-3 tunnel The Tetsuo Harano Tunnel.

Your Committee finds that Tetsuo Harano has faithfully and diligently completed 52 years of service to the State of Hawaii -- the last 25 years as the Department of Transportation's Highways Chief Engineer. Your Committee finds that Tetsuo Harano has had a part in the construction of almost every mile of highway improvements in the State, which covers 2,163 lane miles of highway. Your Committee finds that Tetsuo Harano's service has included a variety of unique situations ranging from the utilization of advanced engineering techniques to the emergency reconstruction of highway segments destroyed by volcanic and tsunami activity. Your Committee finds that Tetsuo Harano was instrumental in obtaining the necessary authorization to finance, construct, and complete the Interstate H-3 highway and accompanying tunnel.

Your Committee received testimony from the Department of Transportation, Engineering Concepts, Inc., Parsons Brinckerhoff Engineering, and various concerned citizens.

Your Committee has amended this concurrent resolution by making various technical and non-substantive changes for the purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 335, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 335, H.D. 1.

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

**SCRep. 1623-94            Consumer Protection and Commerce on H.R. No. 390**

The purpose of this resolution is to relieve the former Hamakua Sugar Company employees and their families of financial responsibility of outstanding payments owed for medical services that should have been paid by their medical plan.

Your Committee received testimony in support of this measure from the Department of Health, the ILWU Local 142 and a Councilmember from the County of Hawaii.

Your Committee finds that the Department of Health noted that by statute only the Attorney General's Office is permitted to provide relief for State debts owed by private parties.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 390 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bunda, Hiraki, Hirono, Menor, Oshiro and Peters.

**SCRep. 1624-94            Consumer Protection and Commerce on H.C.R. No. 445**

The purpose of this concurrent resolution is to relieve the former Hamakua Sugar Company employees and their families of financial responsibility of outstanding payments owed for medical services that should have been paid by their medical plan.

Your Committee received testimony in support of this measure from the Department of Health, the ILWU Local 142 and a Councilmember from the County of Hawaii.

Your Committee finds that the Department of Health noted that by statute only the Attorney General's Office is permitted to provide relief for State debts owed by private parties.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 445 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bunda, Hiraki, Hirono, Menor, Oshiro and Peters.

**SCRep. 1625-94            Health on H.R. No. 84**

The purpose of this resolution is to request the Department of Health to enhance the capacity of the Office of Hawaiian Health to plan, coordinate, augment, and evaluate existing health services for native Hawaiians.

Testimonies in support of this measure were received from the Department of Health, the Council of Hawaiian Organizations, the Office of Hawaiian Affairs, and Papa Ola Lokahi.

Your Committee notes that eight years ago the Office of Hawaiian Health was organized to address the on going poor health status of native Hawaiians in this state. However, funding for the continued operation of this office has been minimal. Further, the health condition of native Hawaiians continues to decline and the only solution to this dilemma appears to be to address the multitude of health needs which exist in the community.

Accordingly, your Committee has passed this resolution and has amended this measure by including a request for proposed legislation to statutorily establish the Office of Hawaiian Health from the Department of Health. Other technical, nonsubstantive amendments were made for the purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 84, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 84, H.D. 2.

Signed by all members of the Committee except Representatives Duldulao, Kawakami and Tanimoto.

**SCRep. 1626-94            Health on H.C.R. No. 91**

The purpose of this concurrent resolution is to request the Department of Health to enhance the capacity of the Office of Hawaiian Health to plan, coordinate, augment, and evaluate existing health services for native Hawaiians.

Testimonies in support of this measure were received from the Department of Health, the Council of Hawaiian Organizations, the Office of Hawaiian Affairs, and Papa Ola Lokahi.

Your Committee notes that eight years ago the Office of Hawaiian Health was organized to address the on going poor health status of native Hawaiians in this state. However, funding for the continued operation of this office has been minimal. Further, the health condition of native Hawaiians continues to decline and the only solution to this dilemma appears to be to address the multitude of health needs which exist in the community.

Accordingly, your Committee has passed this concurrent resolution and has amended this measure by including a request for proposed legislation to statutorily establish the Office of Hawaiian Health from the Department of Health. Other technical, nonsubstantive amendments were made for the purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 91, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 91, H.D. 2.

Signed by all members of the Committee except Representatives Duldulao, Kawakami and Tanimoto.

**SCRep. 1627-94            Health on H.R. No. 135**

The purpose of this resolution is to request that the Department of Health, along with the Department of Education, develop a plan to reduce sexual involvement.

Testimonies in support of this measure were received from the Hawaii Right to Life and the Kokua Council.

Both the Department of Health and the Department of Education supported the intent of this measure but felt that it was not necessary at this time because they felt the situation was already being addressed by their curriculum.

It is clear to your Committee that adolescent sexual activity is a serious public health problem in the State of Hawaii. However, it was felt that early intervention and education could reduce various problems the state is now facing with teen pregnancy.

Your Committee notes that there are a number of successful, cost effective abstinence-based programs implemented throughout the nation. Some programs have demonstrated overall success by showing a reduction in teen pregnancy, a decrease in other social problems among students, and an increase in student test scores. Some of these federally sponsored programs include Teen Choice and the Challenge Program in Virginia, the Art of Loving Well in Massachusetts, AANCHOR in Utah, Sex Respect Facing Reality in Illinois, the Responsible Social Values Program in Ohio, and Teen Aid, Inc. in Washington. It is suggested that these abstinence-based sexuality education programs be further examined.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 135, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Duldulao, Kawakami and Tanimoto.

**SCRep. 1628-94      Health on H.C.R. No. 146**

The purpose of this concurrent resolution is to request that the Department of Health, along with the Department of Education, develop a plan to reduce sexual involvement.

Testimonies in support of this measure were received from the Hawaii Right to Life and the Kokua Council.

Both the Department of Health and the Department of Education supported the intent of this measure but felt that it was not necessary at this time because they felt the situation was already being addressed by their curriculum.

It is clear to your Committee that adolescent sexual activity is a serious public health problem in the State of Hawaii. However, it was felt that early intervention and education could reduce various problems the state is now facing with teen pregnancy.

Your Committee notes that there are a number of successful, cost effective abstinence-based programs implemented throughout the nation. Some programs have demonstrated overall success by showing a reduction in teen pregnancy, a decrease in other social problems among students, and an increase in student test scores. Some of these federally sponsored programs include Teen Choice and the Challenge Program in Virginia, the Art of Loving Well in Massachusetts, AANCHOR in Utah, Sex Respect Facing Reality in Illinois, the Responsible Social Values Program in Ohio, and Teen Aid, Inc. in Washington. It is suggested that these abstinence-based sexuality education programs be further examined.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 146, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Duldulao, Kawakami and Tanimoto.

**SCRep. 1629-94      Health on S.C.R. No. 79**

The purpose of this concurrent resolution is to request the Department of Health to recommend a definition of qualified nutritionist and a way to protect the public from nutrition fraud.

Testimonies in support of the intent of this legislation was received from the Department of Health, the University of Hawaii Department of Food Science and Health Nutrition, the Hawaii Dietetic Association, the Hawaii Nutrition Council, and various other members of the concerned public.

It was brought to your Committee's attention that there are a great variety of unsubstantiated nutritional claims that are available in the community. It is also realized that some of this information may be detrimental to the public's health and may actually increase the cost of health care.

The education necessary to become a qualified nutritionist or registered dietitian is extensive. It is evident that these individuals who have received formal training in the nutritional sciences and dietetics are the best people to make dietary recommendations to the public.

It was further noted by your Committee that no means exist for the public to identify qualified practitioners of nutritional care and that this could have a tremendous impact of the health of the community.

Accordingly, your Committee has decided to pass this measure for the benefit of the people of Hawaii.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 79 and recommends that it be referred to the Committee on Consumer Protection and Commerce.

Signed by all members of the Committee except Representatives Duldulao, Kawakami and Tanimoto.

**SCRep. 1630-94      Health on S.C.R. No. 172**

The purpose of this concurrent resolution is to improve enforcement for Hawaii's sale of tobacco products of minors law.

Proponents of the intent of this measure included the Kokua Council, the Hawaii Medical Association, the Department of Health, the Liquor Commission, and the American Cancer Society.

Your Committee notes that while tobacco use among adults is declining, smoking by children and adolescents is increasing. This is taking place despite widely available information regarding the dangers of tobacco use.

Furthermore, your Committee understands that tobacco products are readily available to minors through vending machines, small "kiosk" type vendors, and various other means even though sale of tobacco products to minors is prohibited by law.

Because it feels that, in the interest of protecting public health, a way must be found to curtail access to tobacco products by minors, your Committee has passed this measure. However, technical nonsubstantive amendments were made for the purposes of clarity, conformity, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 172, S.D. 1, as amended herein, and recommends that it be referred to the Committees on Judiciary and Consumer Protection and Commerce in the form attached hereto as S.C.R. No. 172, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Kawakami and Tanimoto.

**SCRep. 1631-94      Intergovernmental Relations and International Affairs on H.R. No. 332**

The purpose of this resolution is to enable the people of Hawaii to exercise their lifestyle choices by requesting the planning departments of each county to review and revise their subdivision and building requirements to facilitate subsistence farming in the State.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs (OHA).

Your Committee finds that the Housing Division of the OHA has prepared a Housing and Community Development Plan that proposes the development of agricultural subsistence subdivisions to provide native Hawaiians with an opportunity to live in a traditional lifestyle.

Your Committee notes the importance of choice and lifestyle and, as such, is in accord with this measure.

Because the OHA is currently involved in planning for subsistence-style living, your Committee has amended this measure to include the OHA as a recipient of a certified copy of the measure. In addition, stylistic, nonsubstantive amendments have been made for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 332, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 332, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1632-94      Intergovernmental Relations and International Affairs on H.C.R. No. 393**

The purpose of this concurrent resolution is to enable the people of Hawaii to exercise their lifestyle choices by requesting the planning departments of each county to review and revise their subdivision and building requirements to facilitate subsistence farming in the State.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs (OHA).

Your Committee finds that the Housing Division of the OHA has prepared a Housing and Community Development Plan that proposes the development of agricultural subsistence subdivisions to provide native Hawaiians with an opportunity to live in a traditional lifestyle.

Your Committee notes the importance of choice and lifestyle and, as such, is in accord with this measure.

Because the OHA is currently involved in planning for subsistence-style living, your Committee has amended this measure to include the OHA as a recipient of a certified copy of the measure. In addition, stylistic, nonsubstantive amendments have been made for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 393, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 393, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1633-94 Intergovernmental Relations and International Affairs on H.R. No. 357**

The purpose of this resolution is to request the University of Hawaii to enhance its cooperative, reciprocal arrangements with students, faculty, and staff from Sister-State post-secondary educational institutions.

Your Committee received testimony in support of this measure from the Office of International Relations (OIR) and the University of Hawaii.

Your Committee supports the intent of the measure as it finds that exchanges between Hawaii and its eight sister-states will enrich our knowledge and understanding of our most important international relationships.

However, your Committee feels that when developing reciprocal agreements, exchanges with governmental, as well as educational, institutions are of importance.

Accordingly, your Committee has amended this measure to:

- (1) Include the development of reciprocal arrangements with governmental institutions;
- (2) Include the Director of OIR as a recipient of a certified copy of this measure; and
- (3) Make technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 357, H.D. 1, as amended herein, and recommends that it be adopted in the form attached hereto as H.R. No. 357, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1634-94 Intergovernmental Relations and International Affairs on H.C.R. No. 417**

The purpose of this concurrent resolution is to request the University of Hawaii to enhance its cooperative, reciprocal arrangements with students, faculty, and staff from Sister-State post-secondary educational institutions.

Your Committee received testimony in support of this measure from the Office of International Relations (OIR) and the University of Hawaii.

Your Committee supports the intent of the measure as it finds that exchanges between Hawaii and its eight sister-states will enrich our knowledge and understanding of our most important international relationships.

However, your Committee feels that when developing reciprocal agreements, exchanges with governmental, as well as educational, institutions are of importance.

Accordingly, your Committee has amended this measure to:

- (1) Include the development of reciprocal arrangements with governmental institutions;
- (2) Include the Director of OIR as a recipient of a certified copy of this measure; and
- (3) Make technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 417, H.D. 1, as amended herein, and recommends that it be adopted in the form attached hereto as H.C.R. No. 417, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1635-94 Consumer Protection and Commerce on H.R. No. 196**

The purpose of this resolution is to request a study by the Auditor.

Testimony in support of this resolution was received from a concerned member of the public.

Testimony concerning this resolution was received from the Department of Health which did not support the resolution. Although the Hawaii Medical Services Association supported the intent of the resolution, it expressed concerns about the role of managed care health plans in the health care system.

Upon consideration, your Committee has amended the resolution as follows:

- (1) Amended the title and scope of the resolution to include all other medical specialists;

- (2) Added whereas clauses setting forth the role of managed care health plans;
- (3) Added whereas clauses setting forth the possible detriment to consumers and the medical profession relating to rising costs and to erosion of the freedom to choose a provider; and
- (4) Requested that the Auditor consider the provisions of S.B. 2374, H.D. 1, rather than H.B. 3040.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 196, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 196, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Hiraki, Hirono, Menor, Oshiro and Peters.

**SCRep. 1636-94 Consumer Protection and Commerce on H.C.R. No. 207**

The purpose of this concurrent resolution is to request a study by the Auditor.

Testimony in support of this concurrent resolution was received from a concerned member of the public.

Testimony concerning this concurrent resolution was received from the Department of Health which did not support the concurrent resolution. Although the Hawaii Medical Services Association supported the intent of the concurrent resolution, it expressed concerns about the role of managed care health plans in the health care system.

Upon consideration, your Committee has amended the concurrent resolution as follows:

- (1) Amended the title and scope of the concurrent resolution to include all other medical specialists;
- (2) Added whereas clauses setting forth the role of managed care health plans;
- (3) Added whereas clauses setting forth the possible detriment to consumers and the medical profession relating to rising costs and to erosion of the freedom to choose a provider; and
- (4) Requested that the Auditor to consider the provisions of S.B. 2374, H.D. 1, rather than H.B. 3040.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 207, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 207, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Hiraki, Hirono, Menor, Oshiro and Peters.

**SCRep. 1637-94 Consumer Protection and Commerce on H.R. No. 212**

The purpose of this resolution is to request the Public Utilities Commission to initiate rulemaking proceedings to adopt rules to govern situations where electric utilities and qualifying facilities are unable to negotiate a power purchase agreement. At present, when an electric utility and an independent power producer ("qualifying facility") reach an impasse, whereby the impasse continues, or the utility files a petition or the facility files a complaint with the Commission.

The resolution requests the Commission to adopt a rule requiring the utility (or permitting the qualifying facility) to file a petition to request a hearing on the matter with the Commission to act on the petition within seventy-five days.

Testimony in support of the resolution was received from:

- (1) The Department of Business, Economic Development, and Tourism;
- (2) The Hawaii Sugar Planters Association;
- (3) Waimana Enterprises, Inc., Kawaihae Cogeneration Partners, Mauna Kea Power Company, Inc., and Wailuku River Hydroelectric Power Co., Inc.; and
- (4) A concerned citizen who participated in the Legislature's 1993 Energy and Environment Summit.

Testimony in opposition to the resolution was received from Hawaiian Electric Company, Inc. and its subsidiaries, Hawaii Electric Light Company and Maui Electric Company.

Testimony in support of the intent but expressing concerns was received from:

- (1) The Public Utilities Commission; and
- (2) The Department of Commerce and Consumer Affairs.

Upon consideration, your Committee finds that the utility should be required to file its petition within fourteen days and that the Commission should be required to act upon the petition within one hundred twenty days.

Your Committee has amended the resolution by:

- (1) Inserting the phrase ", within fourteen days," on page 2, line eight after "utility;" and
- (2) Replacing "seventy-five" with "one hundred twenty" on page 2, line 10.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 212, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 212, H.D. 2.

Signed by all members of the Committee except Representatives Bunda, Hiraki, Hirono, Menor, Oshiro and Peters.

**SCRep. 1638-94 Consumer Protection and Commerce on H.C.R. No. 32**

The purpose of this concurrent resolution is to request the Public Utilities Commission to initiate rulemaking proceedings to adopt rules to govern situations where electric utilities and qualifying facilities are unable to negotiate a power purchase agreement. At present, when an electric utility and an independent power producer ("qualifying facility") reach an impasse, whereby the impasse continues, or the utility files a petition, or the facility files a complaint with the Commission.

The concurrent resolution requests the Commission to adopt a rule requiring the utility (or permitting the qualifying facility) to file a petition to request a hearing on the matter with the Commission to act on the petition within seventy-five days.

Testimony in support of the concurrent resolution was received from:

- (1) The Department of Business, Economic Development, and Tourism;
- (2) The Hawaii Sugar Planters Association;
- (3) Waimana Enterprises, Inc., Kawaihae Cogeneration Partners, Mauna Kea Power Company, Inc., and Wailuku River Hydroelectric Power Co., Inc.; and
- (4) A concerned citizen who participated in the Legislature's 1993 Energy and Environment Summit.

Testimony in opposition to the concurrent resolution was received from Hawaiian Electric Company, Inc. and its subsidiaries, Hawaii Electric Light Company and Maui Electric Company.

Testimony in support of the intent but expressing concerns was received from:

- (1) The Public Utilities Commission; and
- (2) The Department of Commerce and Consumer Affairs.

Upon consideration, your Committee finds that the utility should be required to file its petition within fourteen days and that the Commission should be required to act upon the petition within one hundred twenty days.

Your Committee has amended the concurrent resolution by:

- (1) Inserting the phrase ", within fourteen days," on page 2, line eight after "utility;" and
- (2) Replacing "seventy-five" with "one hundred twenty" on page 2, line 10.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 32, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 32, H.D. 2.

Signed by all members of the Committee except Representatives Bunda, Hiraki, Hirono, Menor, Oshiro and Peters.

**SCRep. 1639-94 Consumer Protection and Commerce on H.C.R. No. 266**

The purpose of this concurrent resolution is to have the Office of the Legislative Auditor perform a sunrise review of the regulation of private schools.

Your Committee received testimony in support of this measure from the Department of Education and the Hawaii Association of Independent Schools.

Your Committee notes that the Hawaii Association of Independent Schools desires to create a new board of independent schools to transfer responsibility for private school licensing and supervision from the Department of Education to this independent board.

Your Committee has amended this concurrent resolution with nonsubstantive technical corrections.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 266, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 266, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Hiraki, Hirono, Menor, Oshiro and Peters.

**SCRep. 1640-94 Consumer Protection and Commerce on H.C.R. No. 66**

The purpose of this concurrent resolution is to request the Auditor for a study assessing the social and financial impact of mandatory health insurance coverage for naturopathic medicine and acupuncture services.

Your Committee received favorable testimony in support of this measure from the Hawaii Acupuncture Association. Your Committee also received testimony from the Hawaii Medical Service Association which had no objection to the proposed study.

Your Committee finds that this measure may be helpful to the public in providing acupuncture and naturopathic medicine under the coverage of health insurance plans after review of the social and financial effects of the proposed mandated coverage by the Auditor.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 66, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Bunda, Hiraki, Hirono, Menor, Oshiro and Peters.

**SCRep. 1641-94 Tourism on H.R. No. 324**

The purpose of this resolution is to request the executive committee of the Hawaii Visitors Bureau to consider reviewing the duties of the President and Senior Vice-President for Marketing, determining whether the bureau can derive any benefit from consolidation of the two positions.

Your Committee received testimony on this resolution from the Hawaii Visitors Bureau, ITT Sheraton Hotels, and Outrigger Hotels.

Your Committee finds that the primary mission of the Hawaii Visitors Bureau is tourism marketing. Its handling of the \$23-million state tourism promotion account is one of the greatest factors determining the economic performance of the visitor industry. Consequently, the HVB should consider the possibility of making the President responsible for tourism marketing and transferring some of the other duties of the President and Senior Vice-President for Marketing to other officers.

Your Committee revised this resolution by making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 324, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 324, H.D. 1.

Signed by all members of the Committee.

**SCRep. 1642-94 Tourism on H.C.R. No. 372**

The purpose of this concurrent resolution is to request the executive committee of the Hawaii Visitors Bureau to consider reviewing the duties of the President and Senior Vice-President for Marketing, determining whether the bureau can derive any benefit from consolidation of the two positions.

Your Committee received testimony on this concurrent resolution from the Hawaii Visitors Bureau, ITT Sheraton Hotels, and Outrigger Hotels.

Your Committee finds that the primary mission of the Hawaii Visitors Bureau is tourism marketing. Its handling of the \$23-million state tourism promotion account is one of the greatest factors determining the economic performance of the visitor industry. Consequently, the HVB should consider the possibility of making the President responsible for tourism marketing and transferring some of the other duties of the President and Senior Vice-President for Marketing to other officers.

Your Committee revised this concurrent resolution by making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 372, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 372, H.D. 1.

Signed by all members of the Committee.

**SCRep. 1643-94      Agriculture on H.R. No. 269**

The purpose of this resolution is to request the Office of the Auditor to conduct a management audit of the Department of Agriculture's Marketing Division on the Big Island to determine whether current personnel resources can be better allocated to support and assist the farming community.

In addition, this resolution also requests the Office of the Auditor to submit a report of its findings to the Legislature no fewer than twenty days before the convening of the 1995 Regular Session.

Your Committee received testimony in support of this resolution from the Kamuela Vacuum Cooling Coop, the Hamakua/North Hilo Agricultural Cooperative, the Kohala County Farm Bureau Federation, B.E.S.T. Farms, Inc., and a concerned farmer. The Hawaii Farm Bureau Federation submitted testimony in support of the intent of this resolution. Your Committee also received testimony from the Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 269 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Ishii-Morikami and Marumoto.

**SCRep. 1644-94      Agriculture on H.C.R. No. 292**

The purpose of this concurrent resolution is to request the Office of the Auditor to conduct a management audit of the Department of Agriculture's Marketing Division on the Big Island to determine whether current personnel resources can be better allocated to support and assist the farming community.

In addition, this concurrent resolution also requests the Office of the Auditor to submit a report of its findings to the Legislature no fewer than twenty days before the convening of the 1995 Regular Session.

Your Committee received testimony in support of this concurrent resolution from the Kamuela Vacuum Cooling Coop, the Hamakua/North Hilo Agricultural Cooperative, the Kohala County Farm Bureau Federation, B.E.S.T. Farms, Inc., and a concerned farmer. The Hawaii Farm Bureau Federation submitted testimony in support of the intent of this concurrent resolution. Your Committee also received testimony from the Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 292 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Ishii-Morikami and Marumoto.

**SCRep. 1645-94      Agriculture on H.R. No. 385**

The purpose of this resolution is to investigate ways to promote and encourage the cultivation and processing of taro to meet the growing demand for taro products in the local, domestic, and foreign markets.

Specifically, this resolution specifies that the Office of Hawaiian Affairs; the Department of Hawaiian Home Lands; the Board of Agriculture; the Department of Business, Economic Development, and Tourism (DBEDT); the Department of Hawaiian Home Lands (DHHL); the Water Resource Management Commission; and the University of Hawaii College of Tropical Agriculture and Human Resources, are to be participants in this resolution.

Your Committee recognizes that the cultivation and consumption of taro is firmly rooted in Hawaii's cultural heritage. While taro no longer is a common staple of the local diet, your Committee recognizes the healthful benefits of taro and the important role that the taro industry can play in helping to diversify the State's economy. In order to fulfill the growing demand for taro products, more effort must be exerted to promote, encourage, and assist persons who are interested in pursuing the farming, cultivation, and processing of taro.

The County of Kauai and the Office of Hawaiian Affairs testified in support of this measure. Your Committee also received testimony in support of the intent of this resolution from the Department of Agriculture, DBEDT, and DHHL. The University of Hawaii also submitted comments on this resolution.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 385, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ishii-Morikami and Marumoto.

**SCRep. 1646-94            Agriculture on H.C.R. No. 455**

The purpose of this concurrent resolution is to investigate ways to promote and encourage the cultivation and processing of taro to meet the growing demand for taro products in the local, domestic, and foreign markets.

Specifically, this concurrent resolution specifies that the Office of Hawaiian Affairs; the Department of Hawaiian Home Lands; the Board of Agriculture; the Department of Business, Economic Development, and Tourism (DBEDT); the Department of Hawaiian Home Lands (DHHL); the Water Resource Management Commission; and the University of Hawaii College of Tropical Agriculture and Human Resources, are to be participants in this concurrent resolution.

Your Committee recognizes that the cultivation and consumption of taro is firmly rooted in Hawaii's cultural heritage. While taro no longer is a common staple of the local diet, your Committee recognizes the healthful benefits of taro and the important role that the taro industry can play in helping to diversify the State's economy. In order to fulfill the growing demand for taro products, more effort must be exerted to promote, encourage, and assist persons who are interested in pursuing the farming, cultivation, and processing of taro.

The County of Kauai and the Office of Hawaiian Affairs testified in support of this measure. Your Committee also received testimony in support of the intent of this concurrent resolution from the Department of Agriculture, DBEDT, and DHHL. The University of Hawaii also submitted comments on this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 455, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ishii-Morikami and Marumoto.

**SCRep. 1647-94            Agriculture on H.C.R. No. 413**

The purpose of this concurrent resolution is to request the State Auditor to conduct a management audit of the Aquaculture Development Program of the Department of Land and Natural Resources (DLNR) to ensure that the program is fulfilling its intended mission.

Your Committee finds that the aquaculture industry is a viable component of the State's economic base and shows great potential in diversifying the local economy. Therefore, your Committee believes that it is in the best interests of the State to pursue avenues that will best develop and enhance the future growth of the aquaculture industry in Hawaii.

Your Committee received testimony on this concurrent resolution from DLNR.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 413 and recommends its adoption.

Signed by all members of the Committee except Representatives Ishii-Morikami and Marumoto.

**SCRep. 1648-94            Labor and Public Employment on H.R. No. 216**

The purpose of this resolution is to request the Legislative Auditor to audit the Department of Personnel Services (DPS) in its handling of claims for workers' compensation benefits filed against the State by executive branch employees.

Testimony supporting this measure was submitted by the Proactive Workers Task Group. The DPS submitted comments on this measure.

Your Committee finds that although the DPS serves as the workers' compensation claims adjuster for the executive branch, it is only responsible for the expenditures for 43 percent of the executive branch. The following are responsible for claims by their own employees: the Legislature, the Judiciary, the University of Hawaii, the Research Corporation of the University of Hawaii, the Department of Human Services, the Department of Health, the Department of Defense, and the Department of Education for employees on the neighbor islands.

Your Committee finds that this lack of accountability in a handful of departments has adversely affected the State in handling the workers' compensation claims of its workers.

The DPS indicated that three similar audits have already been conducted within the last six years. In 1988, the Department of Accounting and General Services commissioned an independent audit, which uncovered no evidence of irregularity, impropriety, or unsafe handling or expenditure of state funds. In 1991, the Legislative Auditor's audit resulted in similar findings. The third audit was completed in February 1993, and was conducted by a private consultant as part of a management study commissioned by the DPS, and this audit specifically examined the claims management process in the Workers' Compensation Division.

Rather than requesting another audit, the DPS recommended requesting the Auditor to study and develop recommendations for a more accountable and manageable funding mechanism for workers' compensation benefits for executive branch workers.

Upon further consideration, your Committee has amended this measure by:

- (1) Changing its focus so that the Auditor would be requested to study and make recommendations, including legislative proposals, to improve efficiency, cost effectiveness, and accountability in processing claims filed against the State for workers' compensation benefits by all state employees;
- (2) Requesting the Auditor to include in the study an assessment of the State's unfunded liability for workers' compensation and mechanisms for actuarially-sound reserving practices on incurred losses;
- (3) Amending its title to read: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY AND MAKE RECOMMENDATIONS TO IMPROVE EFFICIENCY, COST EFFECTIVENESS, AND ACCOUNTABILITY IN PROCESSING CLAIMS FILED AGAINST THE STATE FOR WORKERS' COMPENSATION BENEFITS TO ALL STATE WORKERS;"
- (4) Requesting the DPS, the Department of Labor and Industrial Relations, the Department of Education, the Department of Human Services, the Department of Health, the Department of Defense, the University of Hawaii, and the Research Corporation of the University of Hawaii to cooperate with the Auditor in preparing the study;
- (5) Providing that the Superintendent of Education, the Director of Human Services, the Director of Health, the President of the University of Hawaii, the Executive Director of the Research Corporation of the University of Hawaii, and the Adjutant General be sent copies of this measure; and
- (6) Making other technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Labor and Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 216, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 216, H.D. 1.

Signed by all members of the Committee except Representatives Taniguchi and Ward.

**SCRep. 1649-94 Labor and Public Employment on H.C.R. No. 223**

The purpose of this concurrent resolution is to request the Legislative Auditor to audit the Department of Personnel Services (DPS) in its handling of claims for workers' compensation benefits filed against the State by executive branch employees.

Testimony supporting this measure was submitted by the Proactive Workers Task Group. The DPS submitted comments on this measure.

Your Committee finds that although the DPS serves as the workers' compensation claims adjuster for the executive branch, it is only responsible for the expenditures for 43 percent of the executive branch. The following are responsible for claims by their own employees: the Legislature, the Judiciary, the University of Hawaii, the Research Corporation of the University of Hawaii, the Department of Human Services, the Department of Health, the Department of Defense, and the Department of Education for employees on the neighbor islands.

Your Committee finds that this lack of accountability in a handful of departments has adversely affected the State in handling the workers' compensation claims of its workers.

The DPS indicated that three similar audits have already been conducted within the last six years. In 1988, the Department of Accounting and General Services commissioned an independent audit, which uncovered no evidence of irregularity, impropriety, or unsafe handling or expenditure of state funds. In 1991, the Legislative Auditor's audit resulted in similar findings. The third audit was completed in February 1993, and was conducted by a private consultant as part of a management study commissioned by the DPS, and this audit specifically examined the claims management process in the Workers' Compensation Division.

Rather than requesting another audit, the DPS recommended requesting the Auditor to study and develop recommendations for a more accountable and manageable funding mechanism for workers' compensation benefits for executive branch workers.

Upon further consideration, your Committee has amended this measure by:

- (1) Changing its focus so that the Auditor would be requested to study and make recommendations, including legislative proposals, to improve efficiency, cost effectiveness, and accountability in processing claims filed against the State for workers' compensation benefits by all state employees;
- (2) Requesting the Auditor to include in the study an assessment of the State's unfunded liability for workers' compensation and mechanisms for actuarially-sound reserving practices on incurred losses;
- (3) Amending its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND MAKE RECOMMENDATIONS TO IMPROVE EFFICIENCY, COST EFFECTIVENESS, AND ACCOUNTABILITY IN PROCESSING CLAIMS FILED AGAINST THE STATE FOR WORKERS' COMPENSATION BENEFITS TO ALL STATE WORKERS;"

- (4) Requesting the DPS, the Department of Labor and Industrial Relations, the Department of Education, the Department of Human Services, the Department of Health, the Department of Defense, the University of Hawaii, and the Research Corporation of the University of Hawaii to cooperate with the Auditor in preparing the study;
- (5) Providing that the Superintendent of Education, the Director of Human Services, the Director of Health, the President of the University of Hawaii, the Executive Director of the Research Corporation of the University of Hawaii, and the Adjutant General be sent copies of this measure; and
- (6) Making other technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Labor and Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 223, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 223, H.D. 1.

Signed by all members of the Committee except Representatives Taniguchi and Ward.

**SCRep. 1650-94 Labor and Public Employment on H.R. No. 48**

The purpose of this resolution is to request that Hawaii's congressional delegation initiate and support legislation to ensure that all World War II Filipino veterans be granted benefits equal to all other veterans who served in the armed forces of the United States during that conflict.

Testimony in support of this measure was received from the Office of Veterans Services of the Department of Defense, the Filipino American Veterans, and a private citizen.

At present, because of the passage of the First and Second Supplemental Surplus Appropriation Rescission Act of 1946, only those Filipino servicemen who served either in the United States Armed Forces or in the Philippine Scouts are eligible for veterans' benefits. However, numerous other Philippine units served with distinction, enduring combat, internment, and other hardships.

Your Committee believes that these veterans should not be forgotten. Just as the United States has seen fit to restore their right to citizenship by the Immigration Act of 1990, their hard-earned veterans benefits should also be honored. This measure is an affirmation of Hawaii's support for their cause.

As affirmed by the record of votes of the members of your Committee on Labor and Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 48 and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Taniguchi and Ward.

**SCRep. 1651-94 Labor and Public Employment on H.C.R. No. 48**

The purpose of this concurrent resolution is to request that Hawaii's congressional delegation initiate and support legislation to ensure that all World War II Filipino veterans be granted benefits equal to all other veterans who served in the armed forces of the United States during that conflict.

Testimony in support of this measure was received from the Office of Veterans Services of the Department of Defense, the Filipino American Veterans, and a private citizen.

At present, because of the passage of the First and Second Supplemental Surplus Appropriation Rescission Act of 1946, only those Filipino servicemen who served either in the United States Armed Forces or in the Philippine Scouts are eligible for veterans' benefits. However, numerous other Philippine units served with distinction, enduring combat, internment, and other hardships.

Your Committee believes that these veterans should not be forgotten. Just as the United States has seen fit to restore their right to citizenship by the Immigration Act of 1990, their hard-earned veterans benefits should also be honored. This measure is an affirmation of Hawaii's support for their cause.

As affirmed by the record of votes of the members of your Committee on Labor and Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 48 and recommend its adoption.

Signed by all members of the Committee except Representatives Suzuki, Taniguchi and Ward.

**SCRep. 1652-94 Water and Land Use Planning on H.R. No. 352**

The purpose of this resolution is to request the Office of State Planning to undertake a cooperative regional planning program with the City and County of Honolulu; applicable State and Federal agencies; and area businesses, landowners, and residents, to respond to social, economic, and physical changes that are presently occurring, or that may occur, in the North Shore region of Oahu.

Testimony in support of the measure was received from the Office of State Planning and the Haleiwa Main Street organization.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 352, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho and Tajiri.

**SCRep. 1653-94 Water and Land Use Planning on H.C.R. No. 410**

The purpose of this concurrent resolution is to request the Office of State Planning to undertake a cooperative regional planning program with the City and County of Honolulu; applicable State and Federal agencies; and area businesses, landowners, and residents, to respond to social, economic, and physical changes that are presently occurring, or that may occur, in the North Shore region of Oahu.

Testimony in support of the measure was received from the Office of State Planning and the Haleiwa Main Street organization.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee is in accord with the intent and purpose of H.C.R. No. 410, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho and Tajiri.

**SCRep. 1654-94 Finance on H.R. No. 241**

The purpose of this resolution is to request the Department of Health to:

- (1) Describe the elements needed for a comprehensive system of residential treatment for mentally ill and substance abusing individuals;
- (2) Evaluate existing residential programs and provide an overview of the entire system to determine gaps in the service system and other possible alternatives to institutional settings; and
- (3) Identify licensing categories under which programs are currently licensed, and recommend new licensing categories as needed.

The Department of Health testified in support of the intent of the resolution.

Your Committee has amended the measure by making technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 241, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 241, H.D. 2.

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

**SCRep. 1655-94 Finance on H.C.R. No. 259**

The purpose of this concurrent resolution is to request the Department of Health to:

- (1) Describe the elements needed for a comprehensive system of residential treatment for mentally ill and substance abusing individuals;
- (2) Evaluate existing residential programs and provide an overview of the entire system to determine gaps in the service system and other possible alternatives to institutional settings; and
- (3) Identify licensing categories under which programs are currently licensed, and recommend new licensing categories as needed.

The Department of Health testified in support of the intent of the concurrent resolution.

Your Committee has amended the measure by making technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 259, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 259, H.D. 2.

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

**SCRep. 1656-94 Finance on H.R. No. 119**

The purpose of this resolution is to request the University of Hawaii (UH) College of Tropical Agriculture and Human Resources to develop a project proposal, including an estimate of the budget required, for a study to examine the nature of multiple-income farm family enterprises and the role these enterprises play in Hawaii's agricultural sector.

Your Committee received testimony on this resolution from the UH College of Tropical Agriculture and Human Resources.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 119, H.D. 1, and recommends its adoption.

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

**SCRep. 1657-94 Finance on H.C.R. No. 131**

The purpose of this concurrent resolution is to request the University of Hawaii (UH) College of Tropical Agriculture and Human Resources to develop a project proposal, including an estimate of the budget required, for a study to examine the nature of multiple-income farm family enterprises and the role these enterprises play in Hawaii's agricultural sector.

Your Committee received testimony on this concurrent resolution from the UH College of Tropical Agriculture and Human Resources.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 131, H.D. 1, and recommends its adoption.

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

**SCRep. 1658-94 Finance on H.R. No. 238**

The purpose of this resolution is to request the City and County of Honolulu to:

- (1) Expedite the construction of the Mokuleia wastewater treatment works;
- (2) Expedite the installation of sewers and sewage collections systems in the area between Kahaluu and Mokuleia, island of Oahu; and
- (3) Assess the feasibility of using the Kuilima wastewater treatment works to alleviate the wastewater treatment needs of the North Shore area of the island of Oahu.

Supportive testimony was submitted by the Department of Health and the Hawaii Association of Realtors.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 238, H.D. 1, and recommends its adoption.

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

**SCRep. 1659-94 Finance on H.C.R. No. 256**

The purpose of this concurrent resolution is to request the City and County of Honolulu to:

- (1) Expedite the construction of the Mokuleia wastewater treatment works;
- (2) Expedite the installation of sewers and sewage collections systems in the area between Kahaluu and Mokuleia, island of Oahu; and
- (3) Assess the feasibility of using the Kuilima wastewater treatment works to alleviate the wastewater treatment needs of the North Shore area of the island of Oahu.

Supportive testimony was submitted by the Department of Health and the Hawaii Association of Realtors.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 256, H.D. 1, and recommends its adoption.

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

**SCRep. 1660-94 Finance on H.R. No. 203**

The purpose of this resolution is to request the University of Hawaii Water Research Center to develop guidelines which may be adopted by county planning and building departments to control the construction of private water catchment facilities.

Supportive testimony was submitted by the Department of Health and a concerned citizen. The Water Resources Research Center of the University of Hawaii submitted testimony in support of the intent of this resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 203 and recommends its adoption.

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

**SCRep. 1661-94 Finance on H.C.R. No. 214**

The purpose of this concurrent resolution is to request the University of Hawaii Water Research Center to develop guidelines which may be adopted by county planning and building departments to control the construction of private water catchment facilities.

Supportive testimony was submitted by the Department of Health and a concerned citizen. The Water Resources Research Center of the University of Hawaii submitted testimony in support of the intent of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 214 and recommends its adoption.

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

**SCRep. 1662-94 Finance on H.R. No. 244**

The purpose of this resolution is to urge Hawaii's congressional delegation to pursue an amendment to the Social Security Act that would ensure adjustment to the calculation of the Federal Medical Assistance Percentage for Hawaii by factoring in the federal cost of living adjustment.

Testimony in support of this resolution was submitted by the Department of Human Services, the Committee on Welfare Concerns, and the Kokua Council for Senior Citizens.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 244, H.D. 1, and recommends its adoption.

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

**SCRep. 1663-94 Finance on H.C.R. No. 262**

The purpose of this concurrent resolution is to urge Hawaii's congressional delegation to pursue an amendment to the Social Security Act that would ensure adjustment to the calculation of the Federal Medical Assistance Percentage for Hawaii by factoring in the federal cost of living adjustment.

Testimony in support of this concurrent resolution was submitted by the Department of Human Services, the Committee on Welfare Concerns, and the Kokua Council for Senior Citizens.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 262, H.D. 1, and recommends its adoption.

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

**SCRep. 1664-94 Finance on H.R. No. 262**

The purpose of this resolution is to request the Convention Center Authority and the Hawaii Visitors Bureau (HVB), in consultation with the Department of Business, Economic Development, and Tourism (DBEDT), to develop a marketing program for the State's proposed convention center.

Your Committee received testimony in support of this resolution from the Convention Center Authority and HVB.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 262 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1665-94 Finance on H.C.R. No. 276**

The purpose of this concurrent resolution is to request the Convention Center Authority and the Hawaii Visitors Bureau (HVB), in consultation with the Department of Business, Economic Development, and Tourism (DBEDT), to develop a marketing program for the State's proposed convention center.

Your Committee received testimony in support of this concurrent resolution from the Convention Center Authority, HVB, and a private citizen.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 276 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1666-94 Finance on H.R. No. 264**

The purpose of this resolution is to request the Auditor to establish a program for following up on the status of implementation of significant recommendations from previous audits.

Supportive testimony was submitted by the State Auditor.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 264, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1667-94 Finance on H.C.R. No. 283**

The purpose of this concurrent resolution is to request the Auditor to establish a program for following up on the status of implementation of significant recommendations from previous audits.

Supportive testimony was submitted by the State Auditor.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 283, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1668-94 Finance on H.R. No. 394**

The purpose of this resolution is to urge the Department of Accounting and General Services to enter into a lease/purchase agreement for a new state office building in Kapolei, Oahu.

Supportive testimony was submitted by the Estate of James Campbell. The Department of Accounting and General Services submitted comments on this resolution.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Changed the title of this resolution to urge the Department of Accounting and General Services to enter into a lease back/purchase option agreement for a new state office building in Kapolei, Oahu; and
- (2) Made technical, nonsubstantive revisions for purposes of style, clarity, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 394, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 394, H.D. 1.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1669-94 Finance on H.C.R. No. 478**

The purpose of this concurrent resolution is to urge the Department of Accounting and General Services to enter into a lease/purchase agreement for a new state office building in Kapolei, Oahu.

Supportive testimony was submitted by the Estate of James Campbell. The Department of Accounting and General Services submitted comments on this concurrent resolution.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Changed the title of this concurrent resolution to urge the Department of Accounting and General Services to enter into a lease back/purchase option agreement for a new state office building in Kapolei, Oahu; and
- (2) Made technical, nonsubstantive revisions for purposes of style, clarity, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 478, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 478, H.D. 1.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1670-94 Finance on H.R. No. 273**

The purpose of this resolution is to request the Department of Health (DOH) to continue the operation of the school-based health centers at Kahuku High and Intermediate School and Kapaa High and Intermediate School. The measure also requests DOH to identify a permanent home for this program and a permanent means of funding through Chapter 42D, Hawaii Revised Statutes.

DOH and the Department of Education testified in support of the intent of the resolution.

Upon further consideration, your Committee has amended the resolution as follows:

- (1) Cited Mililani High School as one of the schools with a school-based health center, and included it as one of sites to be continued;
- (2) Revised the title to read:  
"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONTINUE THE OPERATION OF THE SCHOOL-BASED HEALTH CENTERS AT KAHUKU HIGH AND INTERMEDIATE SCHOOLS, KAPAA HIGH AND INTERMEDIATE SCHOOLS, AND MILILANI HIGH SCHOOL, AND TO IDENTIFY A PERMANENT HOME FOR THIS PROGRAM AND A PERMANENT MEANS OF FUNDING THROUGH CHAPTER 42D, HAWAII REVISED STATUTES"; and
- (3) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 273, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 273, H.D. 1.

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

**SCRep. 1671-94 Finance on H.C.R. No. 295**

The purpose of this concurrent resolution is to request the Department of Health (DOH) to continue the operation of the school-based health centers at Kahuku High and Intermediate School and Kapaa High and Intermediate School. The measure also requests DOH to identify a permanent home for this program and a permanent means of funding through Chapter 42D, Hawaii Revised Statutes.

DOH and the Department of Education testified in support of the intent of the concurrent resolution.

Upon further consideration, your Committee has amended the concurrent resolution as follows:

- (1) Cited Mililani High School as one of the schools with a school-based health center, and included it as one of sites to be continued;
- (2) Revised the title to read:  
"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONTINUE THE OPERATION OF THE SCHOOL-BASED HEALTH CENTERS AT KAHUKU HIGH AND INTERMEDIATE SCHOOLS, KAPAA HIGH AND INTERMEDIATE SCHOOLS, AND MILILANI HIGH SCHOOL, AND TO IDENTIFY A PERMANENT HOME FOR THIS PROGRAM AND A PERMANENT MEANS OF FUNDING THROUGH CHAPTER 42D, HAWAII REVISED STATUTES"; and
- (3) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 295, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 295, H.D. 1.

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

**SCRep. 1672-94 Finance on H.R. No. 334**

The purpose of this resolution is to request the Department of Personnel Services to develop and disseminate the principles of quality management to all state agencies.

The Department of Personnel Services submitted testimony recommending the adoption of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 334, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1673-94 Finance on H.C.R. No. 412**

The purpose of this concurrent resolution is to request the Department of Personnel Services to develop and disseminate the principles of quality management to all state agencies.

The Department of Personnel Services submitted testimony recommending the adoption of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 412, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1674-94 Finance on H.R. No. 351**

The purpose of this resolution is to request the Office of Community Services of the Department of Labor and Industrial Relations to study the feasibility of developing a program that will provide tuition waivers, summer work, and stipends to underrepresented immigrant and refugee groups.

The Office of Community Services of the Department of Labor and Industrial Relations, the University of Hawaii, and the Department of Health submitted testimony in support of the intent of this resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 351, H.D. 1, and recommends its adoption.

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

**SCRep. 1675-94 Finance on H.C.R. No. 408**

The purpose of this concurrent resolution is to request the Office of Community Services of the Department of Labor and Industrial Relations to study the feasibility of developing a program that will provide tuition waivers, summer work, and stipends to underrepresented immigrant and refugee groups.

The Office of Community Services of the Department of Labor and Industrial Relations, the University of Hawaii, and the Department of Health submitted testimony in support of the intent of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 408, H.D. 1, and recommends its adoption.

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

**SCRep. 1676-94 Finance on H.R. No. 315**

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to submit recommendations which would stimulate the arts community and revitalize Hawaii's economic climate.

The DBEDT testified in support of the intent of this resolution.

Your Committee has amended this resolution by making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 315, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 315, H.D. 2.

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

**SCRep. 1677-94 Finance on H.C.R. No. 361**

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to submit recommendations which would stimulate the arts community and revitalize Hawaii's economic climate.

The DBEDT testified in support of the intent of this concurrent resolution. Testimony on this measure was also submitted by the President of the Hawaii Watercolor Society.

Your Committee has amended this concurrent resolution by making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 361, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 361, H.D. 2.

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

**SCRep. 1678-94          Finance on H.R. No. 314**

The purpose of this resolution is to request the Department of Health to study funding possibilities for emergency air ambulance services for the island of Molokai, other rural areas, and the other Neighbor Islands so that residents of these areas are provided with emergency air ambulance services when needed.

Testimony in support of this resolution was submitted by the Department of Health. Mercy Air Hawaii, Inc., testified in support of the intent of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 314, H.D. 1, and recommends its adoption.

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

**SCRep. 1679-94          Finance on H.C.R. No. 356**

The purpose of this concurrent resolution is to request the Department of Health to study funding possibilities for emergency air ambulance services for the island of Molokai, other rural areas, and the other Neighbor Islands so that residents of these areas are provided with emergency air ambulance services when needed.

Testimony in support of this concurrent resolution was submitted by the Department of Health. Mercy Air Hawaii, Inc., testified in support of the intent of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 356, H.D. 1, and recommends its adoption.

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

**SCRep. 1680-94          Finance on H.C.R. No. 416**

The purpose of this concurrent resolution is to request the University of Hawaii to assess the feasibility of retaining its tuition and fee revenues.

Comments were submitted by the University of Hawaii.

Your Committee has made technical, nonsubstantive revisions for purposes of style, clarity, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee 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 Representatives Kanoho and Marumoto.

**SCRep. 1681-94          Finance on H.R. No. 356**

The purpose of this resolution is to request the University of Hawaii to assess the feasibility of retaining its tuition and fee revenues.

Comments were submitted by the University of Hawaii.

Your Committee has made technical, nonsubstantive revisions for purposes of style, clarity, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee 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 except Representatives Kanoho and Marumoto.

**SCRep. 1682-94          Finance on H.C.R. No. 436**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a survey of federally mandated government programs in the State.

Comments by the Department of Budget and Finance were submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 436, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1683-94 Finance on H.R. No. 370**

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a survey of federally mandated government programs in the State.

Comments by the Department of Budget and Finance were submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 370, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1684-94 Finance on H.C.R. No. 437**

The purpose of this concurrent resolution is to request the Department of Accounting and General Services to prepare a plan to reduce executive branch expenditures on the leasing of commercial office space.

Supportive testimony was submitted by Monroe and Friedlander, Inc. The Department of Accounting and General Services submitted testimony in support of the intent of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 437 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1685-94 Finance on H.R. No. 369**

The purpose of this resolution is to request the Department of Accounting and General Services to prepare a plan to reduce executive branch expenditures on the leasing of commercial office space.

Supportive testimony was submitted by Monroe and Friedlander, Inc. The Department of Accounting and General Services submitted testimony in support of the intent of this resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 369 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Nakasone, Tam and Marumoto.

**SCRep. 1686-94 Finance on H.C.R. No. 439**

The purpose of this concurrent resolution is to request the Department of Human Services to conduct a study of the JOBS Program and make recommendations for its continuance.

The Department of Human Services, the Committee on Welfare Concerns, and a concerned citizen submitted testimony supporting this measure.

It is the intent of your Committee that the Department of Human Services, in preparing its findings and recommendations as requested by this measure, solicit input from organizations such as the Committee on Welfare Concerns, which work directly with individuals who may be benefited by the JOBS Program, and other consumers.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 439, H.D. 1, and recommends its adoption.

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

**SCRep. 1687-94 Finance on H.R. No. 368**

The purpose of this resolution is to request the Department of Human Services to conduct a study of the JOBS Program and make recommendations for its continuance.

The Department of Human Services, the Committee on Welfare Concerns, and a concerned citizen submitted testimony supporting this measure.

It is the intent of your Committee that the Department of Human Services, in preparing its findings and recommendations as requested by this measure, solicit input from organizations such as the Committee on Welfare Concerns, which work directly with individuals who may be benefited by the JOBS Program, and other consumers.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 368, H.D. 1, and recommends its adoption.

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

**SCRep. 1688-94 Finance on H.C.R. No. 452**

The purpose of this concurrent resolution is to:

- (1) Request the President of the United States and the United States Department of State to immediately review and reverse the decision to postpone permanent approval of the Japan Air Lines air route between Sendai City, Japan, and Honolulu; and
- (2) Urge the President and the United States Department of State to approve the route.

The Department of Transportation and the Hawaii Visitors Bureau submitted testimony supporting this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 452, H.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanohe, Nakasone, Tam and Marumoto.

**SCRep. 1689-94 Finance on H.C.R. No. 368**

The purpose of this concurrent resolution is to request the Wastewater Branch of the Department of Health (DOH) to conduct workshops with community organizations situated between Kahaluu and Mokuleia, island of Oahu, to discuss issues related to:

- (1) The health problems associated with cesspools and sewage overflows;
- (2) The costs and benefits of septic tank systems;
- (3) The costs and benefits of regional wastewater treatment systems; and
- (4) The results of a financial and management audit of the DOH Wastewater Branch, to be conducted pursuant to a separate request concurrently being considered for adoption by the Legislature.

Comments were submitted by the DOH.

After careful consideration, your Committee has amended this concurrent resolution by making technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 368, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 368, H.D. 2.

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

**SCRep. 1690-94 Finance on H.C.R. No. 319**

The purpose of this concurrent resolution is to approve the proposed biennial compensation plans and the costs of the compensation adjustments, including the report published by the Public Employees Compensation Appeals Board, submitted to the Legislature by the personnel directors of the State, the Judiciary, and the counties.

Your Committee finds that the adoption of this measure is necessary to implement the biennial compensation plans pursuant to Sections 77-4 and 77-5, Hawaii Revised Statutes.

The Conference of Personnel Directors submitted testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 319 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanohe, Nakasone, Tam and Marumoto.

**SCRep. 1691-94 Finance on H.R. No. 258**

The purpose of this resolution, as received by your Committee, is to request the Board of Education (BOE) and the Department of Education (DOE) either to establish an immersion program for Hawaiian language and culture curriculum in the Windward District of Oahu with priority given to Hauula Elementary School, or to permit the school administration to establish such a program.

Your Committee received testimony in support of the measure from the Office of Hawaiian Affairs and the office of Representative D. Ululani Beirne. The DOE submitted testimony in support of the intent of this resolution.

Upon careful consideration, your Committee has amended this measure by retaining the essence of its contents but changing its purpose. Specifically, your Committee has amended this resolution by:

- (1) Deleting the reference that requests the BOE and DOE either to establish an immersion program for Hawaiian language and culture curriculum in the Windward District of Oahu, with priority given to Hauula Elementary School, or to permit the school administration to establish such a program;
- (2) Requesting the BOE and DOE either to establish a Hawaiian language and culture curriculum at Hauula Elementary School, Oahu, and Waimea High School, Kauai, or to permit the administration of the respective schools to establish such programs;
- (3) Changing the title of the resolution to read: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE AND CULTURE CURRICULUM AT HAUULA ELEMENTARY SCHOOL, OAHU, AND WAIMEA HIGH SCHOOL, KAUAI";
- (4) Adding two WHEREAS paragraphs that reflect the interest in Hawaiian language and culture at Waimea High School;
- (5) Designating Hauula Elementary School as one which would benefit from a Hawaiian immersion program;
- (6) Requesting that the principals of Hauula Elementary School, Oahu, and Waimea High School, Kauai, receive certified copies of this resolution; and
- (7) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 258, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 258, H.D. 2.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1692-94 Finance on H.C.R. No. 312**

The purpose of this concurrent resolution, as received by your Committee, is to request the Board of Education (BOE) and the Department of Education (DOE) either to establish an immersion program for Hawaiian language and culture curriculum in the Windward District of Oahu with priority given to Hauula Elementary School, or to permit the school administration to establish such a program.

Your Committee received testimony in support of the measure from the Office of Hawaiian Affairs and the office of Representative D. Ululani Beirne. The DOE submitted testimony in support of the intent of the concurrent resolution.

Upon careful consideration, your Committee has amended this measure by retaining the essence of its contents but changing its purpose. Specifically, your Committee has amended this concurrent resolution by:

- (1) Deleting the reference that requests the BOE and DOE either to establish an immersion program for Hawaiian language and culture curriculum in the Windward District of Oahu, with priority given to Hauula Elementary School, or to permit the school administration to establish such a program;
- (2) Requesting the BOE and DOE either to establish a Hawaiian language and culture curriculum at Hauula Elementary School, Oahu, and Waimea High School, Kauai, or to permit the administration of the respective schools to establish such programs;
- (3) Changing the title of the concurrent resolution to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE AND CULTURE CURRICULUM AT HAUULA ELEMENTARY SCHOOL, OAHU, AND WAIMEA HIGH SCHOOL, KAUAI";
- (4) Adding two WHEREAS paragraphs that reflect the interest in Hawaiian language and culture at Waimea High School;
- (5) Designating Hauula Elementary School as one which would benefit from a Hawaiian immersion program;
- (6) Requesting that the principals of Hauula Elementary School, Oahu, and Waimea High School, Kauai, receive certified copies of this concurrent resolution; and
- (7) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 312, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 312, H.D. 2.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1693-94 Finance on H.R. No. 310**

The purpose of this resolution, as received by your Committee, is to request the Legislative Reference Bureau (LRB) to contract the services of the Hawaii Real Estate Research and Education Center of the University of Hawaii's College of Business Administration (Center) to determine the effects on the housing market if a single residential real estate property that was the deceased's principal residence is excluded from "gross estate" for the purpose of filing state estate taxes.

Supportive testimony was submitted by the Center. The Department of Taxation and the LRB submitted comments.

After careful consideration, your Committee has amended this measure by deleting its substance and inserting the provisions of H.R. No. 51, which is entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE LEGISLATION THAT LOWERS THE ESTATE TAX EXEMPTION."

As amended, this measure urges Hawaii's congressional delegation to oppose legislation that would decrease the amount of the estate tax exemption under the Internal Revenue Code, which is currently set at \$600,000.

In addition, technical, nonsubstantive revisions were made for clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 310, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 310, H.D. 3.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1694-94 Finance on H.C.R. No. 347**

The purpose of this concurrent resolution, as received by your Committee, is to request the Legislative Reference Bureau (LRB) to contract the services of the Hawaii Real Estate Research and Education Center of the University of Hawaii's College of Business Administration (Center) to determine the effects on the housing market if a single residential real estate property that was the deceased's principal residence is excluded from "gross estate" for the purpose of filing state estate taxes.

Supportive testimony was submitted by the Center. The Department of Taxation and the LRB submitted comments.

After careful consideration, your Committee has amended this measure by deleting its substance and inserting the provisions of H.R. No. 51, which is entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE LEGISLATION THAT LOWERS THE ESTATE TAX EXEMPTION."

As amended, this measure urges Hawaii's congressional delegation to oppose legislation that would decrease the amount of the estate tax exemption under the Internal Revenue Code, which is currently set at \$600,000.

In addition, technical, nonsubstantive revisions were made for clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 347, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 347, H.D. 3.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1695-94 Finance on H.C.R. No. 371**

The purpose of this concurrent resolution, as received by your Committee, is to examine ways of enhancing the Department of Land and Natural Resources' Small Boat Harbors and Boat Ramps Program.

More specifically, this concurrent resolution requests the Department of Land and Natural Resources (DLNR) to:

- (1) Plan and design a marine authority to embrace the elective harbor boards at each small boat harbor in the State;
- (2) Consult with the elective harbor boards, the Hawaii Boaters Council, and other small boat harbor associations; and
- (3) Submit a report of the findings and recommendations to the 1995 Legislature.

Supportive testimony was submitted by the Goodwill Industries of Honolulu, Inc.; the BAR Task Force; the Hawaii Boaters Council; and concerned boat owners. Comments by DLNR were also submitted.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Deleted language that would have requested DLNR to consult with elective harbor boards, the Hawaii Boaters Council, and other small boat harbor associations;
- (2) Deleted the provision that requested DLNR to submit a report to the 1995 Legislature;
- (3) Clarified that DLNR is requested to work with elective advisory boards at each public small boat harbor in the State; and

- (4) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 371, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 371, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1696-94 Finance on H.R. No. 323**

The purpose of this resolution, as received by your Committee, is to examine ways of enhancing the Department of Land and Natural Resources' Small Boat Harbors and Boat Ramps Program.

More specifically, this resolution requests the Department of Land and Natural Resources (DLNR) to:

- (1) Plan and design a marine authority to embrace the elective harbor boards at each small boat harbor in the State;
- (2) Consult with the elective harbor boards, the Hawaii Boaters Council, and other small boat harbor associations; and
- (3) Submit a report of the findings and recommendations to the 1995 Legislature.

Supportive testimony was submitted by the Goodwill Industries of Honolulu, Inc.; the BAR Task Force; the Hawaii Boaters Council; and concerned boat owners. Comments by DLNR were also submitted.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Deleted language that would have requested DLNR to consult with elective harbor boards, the Hawaii Boaters Council, and other small boat harbor associations;
- (2) Deleted the provision that requested DLNR to submit a report to the 1995 Legislature;
- (3) Clarified that DLNR is requested to work with elective advisory boards at each public small boat harbor in the State; and
- (4) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 323, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 323, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1697-94 Finance on H.R. No. 365**

The purpose of this resolution is to request the Department of Education to submit a comprehensive report on all aspects of its current training program for security attendants to the Legislature no later than twenty days prior to the convening of the 1995 Regular Session.

Comments by the Department of Education were submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 365 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1698-94 Finance on H.C.R. No. 432**

The purpose of this concurrent resolution is to request the Department of Education to submit a comprehensive report on all aspects of its current training program for security attendants to the Legislature no later than twenty days prior to the convening of the 1995 Regular Session.

Comments by the Department of Education were submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 432 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto, Ward.

**SCRep. 1699-94 Finance on H.C.R. No. 428**

The purpose of this concurrent resolution is to determine ways of promoting equity in the marketplace.

More specifically, this concurrent resolution requests the Department of Business, Economic Development, and Tourism (DBEDT) to:

- (1) Investigate ways in which Hawaii companies are disadvantaged when competing with companies from other jurisdictions for State contracts and enumerate ways in which this uneven playing field can be corrected;
- (2) Evaluate the procurement laws and rules of other jurisdictions to determine what might be done to correct the unfairness that exists for local companies in Hawaii;
- (3) Examine the work contract provisions of various other state and county entities; and
- (4) Submit a report of the findings and recommendations to the 1995 Legislature.

Supportive testimony was submitted by Fisher Printing Co., Inc.

Comments by DBEDT were also submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 428, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1700-94 Finance on H.R. No. 396**

The purpose of this resolution is to request the Auditor to conduct a study of the reimbursement methodology and procedures of the Waimano Training School and Hospital, including recommendations to maximize federal reimbursements and other specific issues.

Testimony in support of this measure was submitted by the State Planning Council on Developmental Disabilities. The Commission on Persons with Disabilities testified that the proposed study is timely and necessary. The Department of Human Services, the Department of Health, and the Public Consulting Group, Inc. submitted comments on the resolution.

Your Committee expresses its disappointment that the Department of Health did not expend the \$75,000 that the Legislature appropriated for fiscal year 1993-1994 for the recovery of Medicaid funds which may be due to the State in payment for services since 1985 at Waimano Training School and Hospital.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 396, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1701-94 Finance on H.C.R. No. 477**

The purpose of this concurrent resolution is to request the Auditor to conduct a study of the reimbursement methodology and procedures of the Waimano Training School and Hospital, including recommendations to maximize federal reimbursements and other specific issues.

Testimony in support of this measure was submitted by the State Planning Council on Developmental Disabilities. The Commission on Persons with Disabilities testified that the proposed study is timely and necessary. The Department of Human Services, the Department of Health, and the Public Consulting Group, Inc. submitted comments on the concurrent resolution.

Your Committee expresses its disappointment that the Department of Health did not expend the \$75,000 that the Legislature appropriated for fiscal year 1993-1994 for the recovery of Medicaid funds which may be due to the State in payment for services since 1985 at Waimano Training School and Hospital.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 477, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1702-94 Finance on H.R. No. 384**

The purpose of this resolution is to urge the Department of Education to study ways of expanding the use of closed-captioning in educational and commercial programming.

The Department of Education submitted testimony in support of the resolution.

Your Committee has amended the resolution by:

- (1) Replacing "close-caption" with "closed-caption" wherever it appears; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 384, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 384, H.D. 1.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1703-94 Finance on H.C.R. No. 461**

The purpose of this concurrent resolution is to urge the Department of Education to study ways of expanding the use of closed-captioning in educational and commercial programming.

The Department of Education submitted testimony in support of the concurrent resolution.

Your Committee has amended the concurrent resolution by:

- (1) Replacing "close-caption" with "closed-caption" wherever it appears; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 461, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 461, H.D. 1.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1704-94 Finance on H.R. No. 377**

The purpose of this resolution is to urge the Hawaii Center for Peace to move forward with plans to increase Hawaii's prominence as a worldwide center for peace activities.

Your Committee received testimony supporting the intent of this measure from the Spark M. Matsunaga Institute for Peace, the Center for Primary Dispute Resolution, Inc., the Family Peace Center, the Hawaii Center for Peace, Earth Trust, and concerned individuals.

Upon further consideration, your Committee has amended this measure by narrowing its focus so that the Department of Business, Economic Development, and Tourism, in conjunction with the Hawaii Center for Peace, advocate Hawaii as a gathering place for peace. In addition, your Committee amended this measure to:

- (1) Amend its title to read: "HOUSE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, IN CONJUNCTION WITH THE HAWAII CENTER FOR PEACE, TO ADVOCATE HAWAII AS A GATHERING PLACE FOR PEACE;" and
- (2) Make various technical, nonsubstantive revisions for the purpose of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 377, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 377, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1705-94 Finance on H.C.R. No. 470**

The purpose of this concurrent resolution is to urge the Hawaii Center for Peace to move forward with plans to increase Hawaii's prominence as a worldwide center for peace activities.

Your Committee received testimony supporting the intent of this measure from the Spark M. Matsunaga Institute for Peace, the Center for Primary Dispute Resolution, Inc., the Family Peace Center, the Hawaii Center for Peace, Earth Trust, and concerned individuals.

Upon further consideration, your Committee has amended this measure by narrowing its focus so that the Department of Business, Economic Development, and Tourism, in conjunction with the Hawaii Center for Peace, advocate Hawaii as a gathering place for peace. In addition, your Committee amended this measure to:

- (1) Amend its title to read: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, IN CONJUNCTION WITH THE HAWAII CENTER FOR PEACE, TO ADVOCATE HAWAII AS A GATHERING PLACE FOR PEACE;" and
- (2) Make various technical, nonsubstantive revisions for the purpose of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 470, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 470, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1706-94            Finance on H.C.R. No. 443**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) to develop, with the assistance of the Office of Hawaiian Affairs and in consultation with Maunaloa residents, a plan that would enable those lessees who have not been able to build new homes to either improve their existing homes or to build new homes. Among other things, the measure also requires the plan to ensure that construction is done in an environmentally sensitive manner while conforming to existing health and safety requirements.

Testimony in support of this concurrent resolution was submitted by the Office of Hawaiian Affairs, the Office of Representative Beirne, and three individuals. The Department of Land and Natural Resources (DLNR) testified that it would be willing to support the measure subject to certain conditions.

Your Committee has amended the concurrent resolution as follows:

- (1) Directed DLNR to include a financial plan rather than an appropriation as part of the legislation to be considered by DLNR to implement the overall plan; and
- (2) Made technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 443, H.D. 2, and recommends its adoption in the form attached hereto as H.C.R. No. 443, H.D. 3.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1707-94            Legislative Management on H.R. No. 169**

The purpose of this resolution is to evaluate the need for establishing State regulatory authority of physical therapist assistants (PTAs).

More specifically, this resolution requests the Auditor to:

- (1) Perform a sunrise review of the regulation of PTAs as provided for in H.B. No. 3485, which was introduced during the 1994 Regular Session; and
- (2) Submit a report of the findings and recommendations to the Legislature at least twenty days prior to the convening of the 1995 Regular Session.

Supportive testimony was submitted by the Department of Commerce and Consumer Affairs (DCCA), and the Board of Physical Therapy.

The DCCA representative testified that PTAs are currently a non-licensed profession. However, PTAs are under the supervision and control of physical therapists who are regulated and licensed. Responsibility is placed on the Board of Physical Therapy to ensure that employed supportive personnel such as PTAs are qualified and that adequate supervision is provided.

Your Committee believes that if the current form of oversight by the Board of Physical Therapy is insufficient, the sunrise review conducted pursuant to this resolution will provide lawmakers with alternative regulatory legislation for future consideration to ensure the health and welfare of the general public.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 169 and recommends its adoption.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1708-94            Legislative Management on H.C.R. No. 180**

The purpose of this concurrent resolution is to evaluate the need for establishing State regulatory authority of physical therapist assistants (PTAs).

More specifically, this concurrent resolution requests the Auditor to:

- (1) Perform a sunrise review of the regulation of PTAs as provided for in H.B. No. 3485, which was introduced during the 1994 Regular Session; and
- (2) Submit a report of the findings and recommendations to the Legislature at least twenty days prior to the convening of the 1995 Regular Session.

Supportive testimony was submitted by the Department of Commerce and Consumer Affairs (DCCA), and the Board of Physical Therapy.

The DCCA representative testified that PTAs are currently a non-licensed profession. However, PTAs are under the supervision and control of physical therapists who are regulated and licensed. Responsibility is placed on the Board of Physical Therapy to ensure that employed supportive personnel such as PTAs are qualified and that adequate supervision is provided.

Your Committee believes that if the current form of oversight by the Board of Physical Therapy is insufficient, the sunrise review conducted pursuant to this concurrent resolution will provide lawmakers with alternative regulatory legislation for future consideration to ensure the health and welfare of the general public.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 180 and recommends its adoption.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1709-94            Legislative Management on H.R. No. 200**

The purpose of this resolution, as received, is to request the Auditor to study and report on competitive practices of health insurers, mutual benefit societies, and health maintenance organizations (HMOs).

Supportive testimony was submitted by the Department of Health. The Department of Commerce and Consumer Affairs and the Hawaii Medical Service Association submitted testimony in support of the intent of this resolution.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Changed the title of this resolution to request the Legislative Reference Bureau (LRB) to conduct a study of the competitive practices of health insurers, mutual benefit societies, and health maintenance organizations;
- (2) Clarified that Phase I of the study involving subjects 1, 2, and 3 be completed and submitted to the Legislature no later than twenty days prior to the convening of the 1995 Regular Session;
- (3) Clarified that Phase II of the study involving subjects 4, 5, and 6 be completed and submitted to the Legislature no later than twenty days prior to the convening of the 1996 Regular Session;
- (4) Stated that LRB conduct the study using to the extent feasible national standards of measurement, state experiences, or other data sets;
- (5) Added that a certified copy of this resolution be transmitted to the Hawaii Association of Health Underwriters; and
- (6) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 200, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 200, H.D. 3.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1710-94            Legislative Management on H.C.R. No. 211**

The purpose of this concurrent resolution, as received, is to request the Auditor to study and report on competitive practices of health insurers, mutual benefit societies, and health maintenance organizations (HMOs).

Supportive testimony was submitted by the Department of Health. The Department of Commerce and Consumer Affairs and the Hawaii Medical Service Association submitted testimony in support of the intent of this concurrent resolution.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Changed the title of this concurrent resolution to request the Legislative Reference Bureau (LRB) to conduct a study of the competitive practices of health insurers, mutual benefit societies, and health maintenance organizations;
- (2) Clarified that Phase I of the study involving subjects 1, 2, and 3 be completed and submitted to the Legislature no later than twenty days prior to the convening of the 1995 Regular Session;
- (3) Clarified that Phase II of the study involving subjects 4, 5, and 6 be completed and submitted to the Legislature no later than twenty days prior to the convening of the 1996 Regular Session;
- (4) Stated that LRB conduct the study using to the extent feasible national standards of measurement, state experiences, or other data sets;

- (5) Added that a certified copy of this concurrent resolution be transmitted to the Hawaii Association of Health Underwriters; and
- (6) Made technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 211, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 211, H.D. 3.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1711-94      Legislative Management on H.R. No. 278**

The purpose of this resolution is to request the Legislative Reference Bureau to study the feasibility of alternative transportation modes geared specifically towards senior citizens.

The Executive Office on Aging submitted testimony in support of the intent of the resolution.

Upon consideration, your Committee has amended the resolution by incorporating most of the provisions of H.C.R. No. 348, H.D. 1, into it. H.C.R. No. 348, H.D. 1, addresses the transportation needs of persons with disabilities. Your Committee believes that the issue of alternative transportation for both seniors and persons with disabilities can be combined effectively into one initiative. Specifically, your Committee:

- (1) Changed the title to "REQUESTING FACT-FINDING STUDIES TO DETERMINE THE FEASIBILITY OF ALTERNATIVE OR IMPROVED TRANSPORTATION MODES GEARED SPECIFICALLY TOWARDS SENIOR CITIZENS AND PERSONS WITH DISABILITIES," to reflect the broader topic of the amended resolution;
  - (2) Deleted two "WHEREAS" clauses regarding traffic congestion on the island of Oahu;
  - (3) Inserted the "WHEREAS" clauses of H.C.R. No. 348, H.D. 1, regarding the transportation needs and services of persons with disabilities;
  - (4) Deleted the "BE IT RESOLVED" clauses of H.C.R. No. 301, and replaced them with the "BE IT RESOLVED" clauses of H.C.R. No. 348, which:
    - (a) Specify that the Executive Office on Aging, instead of the Legislative Reference Bureau, is to perform the review of transportation services for seniors and disabled persons with the State Commission on Persons with Disabilities; and
    - (b) Set out the parameters for the review;
  - (5) Qualified that the review should be conducted pursuant to the availability of information and resources;
  - (6) Clarified that the Executive Office on Aging and the State Commission on Persons with Disabilities are requested to submit a report of their findings to the Legislature;
- and
- (7) Made a number of technical, nonsubstantive amendments to:
    - (a) Ensure that both seniors and persons with disabilities are covered by the clauses of the resolution;
    - (b) Promote greater clarity; and
    - (c) Conform to legislative drafting standards.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 278, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 278, H.D. 1.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1712-94      Legislative Management on H.C.R. No. 301**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the feasibility of alternative transportation modes geared specifically towards senior citizens.

The Executive Office on Aging submitted testimony in support of the intent of the concurrent resolution.

Upon consideration, your Committee has amended the concurrent resolution by incorporating most of the provisions of H.C.R. No. 348, H.D. 1, into it. H.C.R. No. 348, H.D. 1, addresses the transportation needs of persons with disabilities. Your Committee believes that the issue of alternative transportation for both seniors and persons with disabilities can be combined effectively into one initiative. Specifically, your Committee:

- (1) Changed the title to "REQUESTING FACT-FINDING STUDIES TO DETERMINE THE FEASIBILITY OF ALTERNATIVE OR IMPROVED TRANSPORTATION MODES GEARED SPECIFICALLY TOWARDS SENIOR CITIZENS AND PERSONS WITH DISABILITIES," to reflect the broader topic of the amended concurrent resolution;
  - (2) Deleted two "WHEREAS" clauses regarding traffic congestion on the island of Oahu;
  - (3) Inserted the "WHEREAS" clauses of H.C.R. No. 348, H.D. 1, regarding the transportation needs and services of persons with disabilities;
  - (4) Deleted the "BE IT RESOLVED" clauses of H.C.R. No. 301, and replaced them with the "BE IT RESOLVED" clauses of H.C.R. No. 348, which:
    - (a) Specify that the Executive Office on Aging, instead of the Legislative Reference Bureau, is to perform the review of transportation services for seniors and disabled persons with the State Commission on Persons with Disabilities; and
    - (b) Set out the parameters for the review;
  - (5) Qualified that the review should be conducted pursuant to the availability of information and resources;
  - (6) Clarified that the Executive Office on Aging and the State Commission on Persons with Disabilities are requested to submit a report of their findings to the Legislature;
- and
- (7) Made a number of technical, nonsubstantive amendments to:
    - (a) Ensure that both seniors and persons with disabilities are covered by the clauses of the concurrent resolution;
    - (b) Promote greater clarity; and
    - (c) Conform to legislative drafting standards.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 301, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 301, H.D. 1.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1713-94          Legislative Management on H.R. No. 335**

The purpose of this resolution, as received by your Committee, is to request the Legislative Reference Bureau to conduct a study, in consultation with the University of Hawaii at Manoa (University) and the Department of Transportation, on the impacts of University commuter traffic on morning peak hour congestion.

Morning traffic congestion is a major problem in Honolulu. Daily commuting in this traffic oftentimes negatively affects the work performance of the general public, as well as the academic environment of students. Therefore, it is imperative that this problem be addressed.

Testimony in support of this measure was submitted by a student at the University of Hawaii. The University of Hawaii submitted comments on this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Revising the title to read as follows:
 

**"HOUSE RESOLUTION RELATING TO THE ALLEVIATION OF TRAFFIC CONGESTION AT THE UNIVERSITY OF HAWAII";**
- (2) Clarifying that the University, in collaboration with student groups, is requested to conduct the study; and
- (3) Making technical, nonsubstantive revision for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 335, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 335, H.D. 3.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1714-94          Legislative Management on H.C.R. No. 387**

The purpose of this concurrent resolution, as received by your Committee, is to request the Legislative Reference Bureau to conduct a study, in consultation with the University of Hawaii at Manoa (University) and the Department of Transportation, on the impacts of University commuter traffic on morning peak hour congestion.

Morning traffic congestion is a major problem in Honolulu. Daily commuting in this traffic oftentimes negatively affects the work performance of the general public, as well as the academic environment of students. Therefore, it is imperative that this problem be addressed.

Testimony in support of this measure was submitted by a student at the University of Hawaii. The University of Hawaii submitted comments on this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Revising the title to read as follows:

"HOUSE CONCURRENT RESOLUTION RELATING TO THE ALLEVIATION OF TRAFFIC CONGESTION AT THE UNIVERSITY OF HAWAII";

- (2) Clarifying that the University, in collaboration with student groups, is requested to conduct the study; and
- (3) Making technical, nonsubstantive revision for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 387, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 387, H.D. 3.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1715-94                      Legislative Management on H.R. No. 366**

The purpose of this resolution, as received by your Committee, is to request the Legislative Reference Bureau (LRB) study the feasibility of establishing a Hawaii child, adolescent, and adult mental health public benefit corporation to manage the delivery of mental health services.

By way of a brief background, the 1994 LRB report entitled, "'Reinventing' Governance of Hawaii's Public Mental Health Delivery System -- Problems, Options, and Possibilities," found that Hawaii's mental health service delivery system has historically been considered "disgraceful" by certain national experts who have ranked it, for three consecutive reporting periods, the worst state in the country.

To address this, the report recommended that Hawaii's public mental health system, which is currently comprised of the Department of Health's Behavioral Health Administration and its component subdivisions, be substantially restructured.

Your Committee believes that in order to improve the delivery of mental health services, the recommendations of the LRB report should be implemented.

Testimony in support of this measure was submitted by the Hawaii State Alliance for the Mentally Ill, the Mental Health Association in Hawaii, and the Kokua Council.

The Department of Health submitted testimony in support of the intent of the measure, but deferred to the LRB report.

After free and open discussion, your Committee has amended this measure by changing its title to read as follows:

"REQUESTING THE CONVENING OF A TASK FORCE TO DESIGN AN APPROPRIATE MENTAL HEALTH GOVERNANCE STRUCTURE, AND TO PROPOSE ENABLING LEGISLATION,"

This would refocus its purpose to be consistent with the recommendations of the LRB report. As amended, this measure would among other things:

- (1) Request the Director of Health to convene a task force charged with designing an appropriate mental health governance structure that would provide for:
  - (A) Clear separation of the policy-making and regulatory functions from those functions related to the management and administration of direct provision of services;
  - (B) A substantial degree of decentralized, community-based control; and
  - (C) A service delivery structure which promotes competition between service providers;

and

- (2) Request the task force to propose enabling legislation necessary to establish the new structure that may consist of but not be limited to one of the proposed organizational models as described in the LRB report.

Technical, nonsubstantive amendments were also made for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 366, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 366, H.D. 1.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1716-94            Legislative Management on H.C.R. No. 433**

The purpose of this concurrent resolution, as received by your Committee, is to request the Legislative Reference Bureau (LRB) study the feasibility of establishing a Hawaii child, adolescent, and adult mental health public benefit corporation to manage the delivery of mental health services.

By way of a brief background, the 1994 LRB report entitled, "'Reinventing' Governance of Hawaii's Public Mental Health Delivery System -- Problems, Options, and Possibilities," found that Hawaii's mental health service delivery system has historically been considered "disgraceful" by certain national experts who have ranked it, for three consecutive reporting periods, the worst state in the country.

To address this, the report recommended that Hawaii's public mental health system, which is currently comprised of the Department of Health's Behavioral Health Administration and its component subdivisions, be substantially restructured.

Your Committee believes that in order to improve the delivery of mental health services, the recommendations of the LRB report should be implemented.

Testimony in support of this measure was submitted by the Hawaii State Alliance for the Mentally Ill, the Mental Health Association in Hawaii, and the Kokua Council.

The Department of Health submitted testimony in support of the intent of the measure, but deferred to the LRB report.

After free and open discussion, your Committee has amended this measure by changing its title to read as follows:

**"REQUESTING THE CONVENING OF A TASK FORCE TO DESIGN AN APPROPRIATE MENTAL HEALTH GOVERNANCE STRUCTURE, AND TO PROPOSE ENABLING LEGISLATION,"**

This would refocus its purpose to be consistent with the recommendations of the LRB report. As amended, this measure would among other things:

- (1) Request the Director of Health to convene a task force charged with designing an appropriate mental health governance structure that would provide for:
  - (A) Clear separation of the policy-making and regulatory functions from those functions related to the management and administration of direct provision of services;
  - (B) A substantial degree of decentralized, community-based control; and
  - (C) A service delivery structure which promotes competition between service providers;

and

- (2) Request the task force to propose enabling legislation necessary to establish the new structure that may consist of but not be limited to one of the proposed organizational models as described in the LRB report.

Technical, nonsubstantive amendments were also made for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 433, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 433, H.D. 1.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1717-94            Legislative Management on H.R. No. 376**

The purpose of this resolution is to request the Legislative Reference Bureau (LRB) to conduct a comprehensive study of cost-effective methods of reducing the amount of food packaging and decorative items for foods items processed and packaged in the State.

Your Committee received supporting testimony on this resolution from the Department of Health (DOH) and Trioid Promotions, Inc. The Hawaii Food Industry Association and the President of Hawaiian Steam also submitted testimony on this measure.

Upon careful consideration, your Committee has amended this resolution by:

- (1) Changing the title of the measure to read: **"HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF USING BIODEGRADABLE AND RECYCLED PACKAGING, AND THE DEPARTMENT OF HEALTH TO CONSULT WITH RETAIL FOOD INDUSTRY**

REPRESENTATIVES ON THE FEASIBILITY OF REDUCING THE OVERALL AMOUNT OF FOOD PACKAGING FOR FOOD ITEMS PRODUCED OR PROCESSED IN THE STATE";

- (2) Including recycled packaging in the LRB study;
- (3) Requesting DOH to:
  - (a) Convene a panel with representative members from various specified retail food establishments;
  - (b) Meet with LRB to provide input on the feasibility and cost to each type of retail food establishment on using the proposed biodegradable or recycled packaging alternatives;
  - (c) Devise practical methods of reducing the overall amount of packaging for foods processed or produced in the State; and
  - (d) Report its findings and proposed legislation, if any, to the Legislature no fewer than twenty days prior to the convening of the Regular Session of 1995;
- (4) Requesting LRB to:
  - (a) Consult with the Hawaii Food Industry Association as part of the LRB study;
  - (b) Contact state officials in the states of Washington and New York to determine the extent to which biodegradable and recycled packaging has been studied or placed in use in those states, and to the extent ascertainable, the impact of such use;
  - (c) Specify the means by which each biodegradable packaging material considered will degrade, the average length of time to degrade, and the type of facility that will promote or hinder degradation; and
  - (d) Assist DOH in drafting proposed legislation to implement proposals stemming from DOH's consultations with the retail food establishment panel;
- (5) Specifying that the problem of the disposal of food containers and the potential health hazards of harmful CFCs released during incineration could be alleviated by the reduction of food packaging, use of recycled food packaging, and use of biodegradable packaging, such as that required or proposed by the states of Washington and New York; and
- (6) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 376, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 376, H.D. 2.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1718-94                      Legislative Management on H.C.R. No. 469**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to conduct a comprehensive study of cost-effective methods of reducing the amount of food packaging and decorative items for foods items processed and packaged in the State.

Your Committee received supporting testimony on this concurrent resolution from the Department of Health (DOH) and Trioid Promotions, Inc. The Hawaii Food Industry Association and the President of Hawaiian Steam also submitted testimony on this measure.

Upon careful consideration, your Committee has amended this concurrent resolution by:

- (1) Changing the title of the measure to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF USING BIODEGRADABLE AND RECYCLED PACKAGING, AND THE DEPARTMENT OF HEALTH TO CONSULT WITH RETAIL FOOD INDUSTRY REPRESENTATIVES ON THE FEASIBILITY OF REDUCING THE OVERALL AMOUNT OF FOOD PACKAGING FOR FOOD ITEMS PRODUCED OR PROCESSED IN THE STATE";
- (2) Including recycled packaging in the LRB study;
- (3) Requesting DOH to:
  - (a) Convene a panel with representative members from various specified retail food establishments;
  - (b) Meet with LRB to provide input on the feasibility and cost to each type of retail food establishment on using the proposed biodegradable or recycled packaging alternatives;
  - (c) Devise practical methods of reducing the overall amount of packaging for foods processed or produced in the State; and

- (d) Report its findings and proposed legislation, if any, to the Legislature no fewer than twenty days prior to the convening of the Regular Session of 1995;
- (4) Requesting LRB to:
  - (a) Consult with the Hawaii Food Industry Association as part of the LRB study;
  - (b) Contact state officials in the states of Washington and New York to determine the extent to which biodegradable and recycled packaging has been studied or placed in use in those states, and to the extent ascertainable, the impact of such use;
  - (c) Specify the means by which each biodegradable packaging material considered will degrade, the average length of time to degrade, and the type of facility that will promote or hinder degradation; and
  - (d) Assist DOH in drafting proposed legislation to implement proposals stemming from DOH's consultations with the retail food establishment panel;
- (5) Specifying that the problem of the disposal of food containers and the potential health hazards of harmful CFCs released during incineration could be alleviated by the reduction of food packaging, use of recycled food packaging, and use of biodegradable packaging, such as that required or proposed by the states of Washington and New York; and
- (6) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 469, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 469, H.D. 2.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1719-94 Legislative Management on H.C.R. No. 190**

The purpose of this concurrent resolution is to request the Auditor to perform a sunrise review of the proposed regulation of respiratory care practitioners. The review would determine the probable effects of regulation proposed by House Bill No. 1519 and assess whether its enactment is consistent with the State's general policies regarding professional and vocational regulation set forth in Section 26H-2, Hawaii Revised Statutes.

Testimony in support of this measure was submitted by the Department of Commerce and Consumer Affairs, the Hawaii Society for Respiratory Care, and five individuals.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 190 and recommends its adoption.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1720-94 Legislative Management on H.C.R. No. 363**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study on an appropriate media literacy education program for the State.

Supportive testimony was submitted by the Department of Education, the Kamehameha Schools/Bernice Pauahi Bishop Estate, Kalaheo High School, the Executive Director of the Center for Media Literacy, the Harvard University Graduate School of Education, Strategies for Media Literacy, Inc., the Kaiser High Communication Arts and Technology Learning Center, the President of Hawaii Media Watch, and concerned citizens.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Clarified that the study include appropriate programs to educate the adult population of the State, adapted from programs successfully implemented for students in the United States, Great Britain, Australia, Canada, or other countries; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 363, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 363, H.D. 2.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1721-94 Legislative Management on H.C.R. No. 375**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to work in collaboration with public and private agencies to ensure the development of a child welfare reform blueprint funded by private donors such as trusts and foundations.

Testimony in support of this measure was submitted by the Department of Human Services, the American Academy of Pediatrics, the Junior League of Honolulu, Inc., the Hawaii Community Foundation, Parents Anonymous of Hawaii, and one individual. The Judiciary of the State of Hawaii testified in support of the concept of the concurrent resolution. Kapiolani Medical Center supported the development of a child welfare services reform blueprint as proposed by the measure. The Child Welfare Services State Advisory Council testified that it perceives the measure as an exciting opportunity for the State to lead the country in the area of child welfare.

Parents and Children Together (PACT) testified in strong support of the concurrent resolution, but corrected a statement attributed to PACT in House Standing Committee Report No. 1383-94 made at an earlier hearing on the same measure. According to this earlier report, PACT testified that commitments for the funding of a contractor have been secured from private sector agencies. In correcting this report, PACT stated that, instead, interest has been shown in the proposal by local and national funders and that these interests should be pursued after the concurrent resolution has been adopted.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 375, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1722-94            Legislative Management on H.C.R. No. 484**

The purpose of this concurrent resolution is to determine the economic contribution of the University of Hawaii and community colleges to the local economy. This measure requests the Legislative Reference Bureau (LRB) to conduct such a study based on an innovative methodology utilized by the University of Massachusetts at Boston (UMB). This methodology determines the significant economic value of a university by focusing on:

- (1) The increased potential earning power of a college graduate; and
- (2) The resultant rise in income and sales-tax revenues for local and state governments.

The following organizations testified on this measure: the Department of Business, Economic Development, and Tourism (DBEDT); the University of Hawaii; and the LRB. The LRB testified that because it does not conduct this type of technical, economic study, it is not the appropriate agency for a study of this nature.

Upon further consideration, your Committee has amended this concurrent resolution by:

- (1) Requesting the DBEDT to conduct the study with assistance from the LRB. Accordingly, the title has been amended to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE ECONOMIC IMPACT OF THE UNIVERSITY OF HAWAII AND COMMUNITY COLLEGES ON THE LOCAL ECONOMY." In addition, appropriate amendments have been made to the BE IT RESOLVED clause as well as to the last two BE IT FURTHER RESOLVED clauses;
- (2) Requesting in the BE IT RESOLVED clause that the study be based not only on the methodology utilized by the UMB but also on other credible methodologies utilized by other universities;
- (3) Inserting a BE IT FURTHER RESOLVED clause requesting the University of Hawaii, through its faculty and students, to assist the DBEDT in conducting the study; and
- (4) Making nonsubstantive, technical amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 484, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 484, H.D. 1.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1723-94            Judiciary on H.C.R. No. 80**

The purpose of this concurrent resolution is to request Hawaii's congressional delegation to urge the Immigration and Naturalization Service to reassess its processing practices for applications for non-immigrant visas for visitors from Asia.

The Department of Business, Economic Development, and Tourism (Department) submitted testimony in support of the concurrent resolution, citing the fact that current procedures make it difficult for potential tourists from Asia to plan vacations to Hawaii. Your Committee agrees with the Department that streamlining the visa procedures will help increase tourism from Asia to Hawaii.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 80, H.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Amaral, Herkes, Ishii-Morikami, Takamine and Thielen.

**SCRep. 1724-94          Judiciary on H.R. No. 75**

The purpose of this resolution is to request Hawaii's congressional delegation to urge the Immigration and Naturalization Service to reassess its processing practices for applications for non-immigrant visas for visitors from Asia.

The Department of Business, Economic Development, and Tourism (Department) submitted testimony in support of the resolution, citing the fact that current procedures make it difficult for potential tourists from Asia to plan vacations to Hawaii. Your Committee agrees with the Department that streamlining the visa procedures will help increase tourism from Asia to Hawaii.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 75, H.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Amaral, Herkes, Ishii-Morikami, Takamine and Thielen.

**SCRep. 1725-94          Judiciary on H.R. No. 189**

The purpose of this resolution is to request Hawaii's congressional delegation to propose and support legislation assisting Amerasian children of United States servicemembers in the Philippines.

Child and Family Service and a private citizen submitted testimony in support of the resolution. Your Committee agrees with those who submitted testimony that the United States should take responsibility for helping Amerasian children in the Philippines.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 189, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Amaral, Herkes, Ishii-Morikami, Takamine and Thielen.

**SCRep. 1726-94          Judiciary on H.C.R. No. 201**

The purpose of this concurrent resolution is to request Hawaii's congressional delegation to propose and support legislation assisting Amerasian children of United States servicemembers in the Philippines.

Child and Family Service and a private citizen submitted testimony in support of the concurrent resolution. Your Committee agrees with those who submitted testimony that the United States should take responsibility for helping Amerasian children in the Philippines.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee 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 except Representatives Amaral, Herkes, Ishii-Morikami, Takamine and Thielen.

**SCRep. 1727-94          Finance on H.R. No. 345**

The purpose of this resolution is to request that the University of Hawaii:

- (1) Implement a required course in Hawaiian studies;
- (2) Convene a panel of experts to determine course content; and
- (3) Establish a Department of Hawaiian Studies.

Supportive testimony was submitted by the University of Hawaii and the Office of Hawaiian Affairs.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 345, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1728-94          Finance on H.C.R. No. 399**

The purpose of this concurrent resolution is to request that the University of Hawaii:

- (1) Implement a required course in Hawaiian studies;
- (2) Convene a panel of experts to determine course content; and
- (3) Establish a Department of Hawaiian Studies.

Supportive testimony was submitted by the University of Hawaii and the Office of Hawaiian Affairs.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 399, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1729-94 Finance on H.R. No. 297**

The purpose of this resolution is to facilitate public participation in the land use planning and management process.

More specifically, this resolution:

- (1) Requests the Department of Land and Natural Resources (DLNR) to develop a process to include public groups, including those interested in hunting, hiking, traditional Hawaiian practices, and environmental concerns, in land use planning and management activities on state lands situated in Hamakua, island of Hawaii;
- (2) Requests DLNR to consult with community and interest groups in developing the public input and participation process;
- (3) Requests DLNR to work with community and interest groups to develop maps of public accessways and the various land uses in the Hamakua region, including game management areas, natural area reserves, and forest reserves; and
- (4) Requests DLNR to submit a report of its findings and recommendations, including recommendations on the establishment of Game Management Areas in Hamakua, to the 1995 Legislature.

Supportive testimony was submitted by DLNR; the Hawaii County Councilmember of the Hamakua District; the Nature Conservancy of Hawaii; and concerned citizens.

Comments by the Office of Hawaiian Affairs (OHA) and the Wildlife Conservation Association of Hawai'i were also submitted.

After careful consideration, your Committee has amended this resolution by making technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

It is the intent of your Committee that OHA be consulted during the development of public input and participation processes.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 297, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 297, H.D. 2.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1730-94 Finance on H.C.R. No. 330**

The purpose of this concurrent resolution is to facilitate public participation in the land use planning and management process.

More specifically, this concurrent resolution:

- (1) Requests the Department of Land and Natural Resources (DLNR) to develop a process to include public groups, including those interested in hunting, hiking, traditional Hawaiian practices, and environmental concerns, in land use planning and management activities on state lands situated in Hamakua, island of Hawaii;
- (2) Requests DLNR to consult with community and interest groups in developing the public input and participation process;
- (3) Requests DLNR to work with community and interest groups to develop maps of public accessways and the various land uses in the Hamakua region, including game management areas, natural area reserves, and forest reserves; and
- (4) Requests DLNR to submit a report of its findings and recommendations, including recommendations on the establishment of Game Management Areas in Hamakua, to the 1995 Legislature.

Supportive testimony was submitted by DLNR; the Hawaii County Councilmember of the Hamakua District; the Nature Conservancy of Hawaii; and concerned citizens.

Comments by the Office of Hawaiian Affairs (OHA) and the Wildlife Conservation Association of Hawai'i were also submitted.

After careful consideration, your Committee has amended this concurrent resolution by making technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

It is the intent of your Committee that OHA be consulted during the development of public input and participation processes.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 330, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 330, H.D. 2.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1731-94 Finance on H.C.R. No. 29**

The purpose of this concurrent resolution is to request the Departments of Health, Land and Natural Resources, Transportation, and Accounting and General Services, and the county Departments of Public Works and Parks and Recreation to develop a statewide action plan to implement a green waste ban and to facilitate the development of a local green waste recycling industry.

Testimony in support of this measure was submitted by the Department of Health, Hawaiian Earth Products, Ltd., Unisyn Biowaste Technology, and Recycle Hawaii. The Department of Transportation submitted testimony in support of the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 29 and recommends its adoption.

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

**SCRep. 1732-94 Finance on H.R. No. 142**

The purpose of this resolution is to request the Departments of Health, Land and Natural Resources, Transportation, and Accounting and General Services, and the county Departments of Public Works and Parks and Recreation to develop a statewide action plan to implement a green waste ban and to facilitate the development of a local green waste recycling industry.

Testimony in support of this measure was submitted by the Department of Health, Hawaiian Earth Products, Ltd., Unisyn Biowaste Technology, and Recycle Hawaii. The Department of Transportation submitted testimony in support of the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 142 and recommends its adoption.

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

**SCRep. 1733-94 Finance on H.R. No. 154**

The purpose of this resolution is to request the Department of Land and Natural Resources to determine the feasibility of establishing a hale kupuna in Kahana Valley State Park for residents qualified to participate in the park's interpretive program, including a survey of residents, cost analysis, and an analysis of legal issues.

Testimony in support of this measure was submitted by the Office of Hawaiian Affairs. The Department of Land and Natural Resources submitted comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 154, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1734-94 Finance on H.C.R. No. 164**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to determine the feasibility of establishing a hale kupuna in Kahana Valley State Park for residents qualified to participate in the park's interpretive program, including a survey of residents, cost analysis, and an analysis of legal issues.

Testimony in support of this measure was submitted by the Office of Hawaiian Affairs. The Department of Land and Natural Resources submitted comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 164, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1735-94 Finance on H.R. No. 361**

The purpose of this resolution is to urge the development of an overall strategy for protecting feral pigs and endangered plants and animals along Hamakua, island of Hawaii.

More specifically, this resolution:

- (1) Requests the Department of Land and Natural Resources (DLNR), and the United States Fish and Wildlife Service to brief subsistence pig hunters situated on the island of Hawaii on:
  - (A) The impacts of the Federal Endangered Species Act and Chapter 195D, Hawaii Revised Statutes, on the traditional lifestyles of pig hunters;
  - (B) The range of alternative strategies available to protect endangered species and their implications on pig hunting;
  - (C) The opportunities for public input available to pig hunters in responding to alternative strategy proposals; and
  - (D) The short-term and long-term plans relating to the establishment of sanctuaries or critical habitats for endangered species, permanent access routes through public and private lands to valued forest reserves, and game management areas;
- (2) Urges the above-mentioned parties to consider obtaining the expertise of various organizations that have demonstrated a dedication to protect and preserve the multiple uses of the forest, including the Nature Conservancy of Hawaii; and
- (3) Request DLNR to submit a status report to the 1995 Legislature and a final report to the 1996 Legislature that are to include a summary of its meetings, a description of unresolved issues, and recommendations for the establishment of an overall strategy.

Supportive testimony was submitted by the Department of Land and Natural Resources; the Hawaii County Councilmember representing the Hamakua District; and concerned citizens.

Comments by the Wildlife Conservation Association of Hawai'i were also submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 361, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1736-94 Finance on H.C.R. No. 424**

The purpose of this concurrent resolution is to urge the development of an overall strategy for protecting feral pigs and endangered plants and animals along Hamakua, island of Hawaii.

More specifically, this concurrent resolution:

- (1) Requests the Department of Land and Natural Resources (DLNR), and the United States Fish and Wildlife Service to brief subsistence pig hunters situated on the island of Hawaii on:
  - (A) The impacts of the Federal Endangered Species Act and Chapter 195D, Hawaii Revised Statutes, on the traditional lifestyles of pig hunters;
  - (B) The range of alternative strategies available to protect endangered species and their implications on pig hunting;
  - (C) The opportunities for public input available to pig hunters in responding to alternative strategy proposals; and
  - (D) The short-term and long-term plans relating to the establishment of sanctuaries or critical habitats for endangered species, permanent access routes through public and private lands to valued forest reserves, and game management areas;
- (2) Urges the above-mentioned parties to consider obtaining the expertise of various organizations that have demonstrated a dedication to protect and preserve the multiple uses of the forest, including the Nature Conservancy of Hawaii; and

- (3) Request DLNR to submit a status report to the 1995 Legislature and a final report to the 1996 Legislature that are to include a summary of its meetings, a description of unresolved issues, and recommendations for the establishment of an overall strategy.

Supportive testimony was submitted by the Department of Land and Natural Resources; the Hawaii County Councilmember representing the Hamakua District; and concerned citizens.

Comments by the Wildlife Conservation Association of Hawai'i were also submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 424, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1737-94 Finance on H.R. No. 163**

The purpose of this resolution is to facilitate the acquisition of privately-owned lands situated in Pahoia, island of Hawaii, for community uses.

More specifically, this resolution:

- (1) Requests the Department of Land and Natural Resources (DLNR) to enter into negotiations with AMFAC/JMB Hawaii Inc. to negotiate a value for land exchange for the lands identified as Tax Map Key 1-5-002:024;
- (2) Urges DLNR to work with the Office of Hawaiian Affairs (OHA) if negotiations for a land exchange involve ceded lands, to ensure that revenues from the public land trust are not significantly diminished; and
- (3) Requests DLNR to utilize lands acquired through the land exchange for community uses identified as necessary by the Pahoia community.

Supportive testimony was submitted by the Office of Hawaiian Affairs; the Mainstreet-Pahoia Association, Inc.; and the Puna Community Council, Inc.

Comments by DLNR were also submitted.

It is the intent of your Committee that OHA be consulted by DLNR during land exchange negotiations with AMFAC/JMB Hawaii Inc.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 163, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1738-94 Finance on H.C.R. No. 174**

The purpose of this concurrent resolution is to facilitate the acquisition of privately-owned lands situated in Pahoia, island of Hawaii, for community uses.

More specifically, this concurrent resolution:

- (1) Requests the Department of Land and Natural Resources (DLNR) to enter into negotiations with AMFAC/JMB Hawaii Inc. to negotiate a value for land exchange for the lands identified as Tax Map Key 1-5-002:024;
- (2) Urges DLNR to work with the Office of Hawaiian Affairs (OHA) if negotiations for a land exchange involve ceded lands, to ensure that revenues from the public land trust are not significantly diminished; and
- (3) Requests DLNR to utilize lands acquired through the land exchange for community uses identified as necessary by the Pahoia community.

Supportive testimony was submitted by the Office of Hawaiian Affairs; the Mainstreet-Pahoia Association, Inc.; and the Puna Community Council, Inc.

Comments by DLNR were also submitted.

It is the intent of your Committee that OHA be consulted by DLNR during land exchange negotiations with AMFAC/JMB Hawaii Inc.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 174, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1739-94 Finance on H.R. No. 392**

The purpose of this resolution is to obtain information on the social and economic impacts of legalized shipboard gaming.

More specifically, this resolution:

- (1) Requests the Legislative Reference Bureau (LRB) to study the social impacts of shipboard gaming within state-controlled waters, including the documented or perceived effects on crime rates and mental health incidence, as well as other social impacts of shipboard gaming in states where shipboard gaming has been legalized;
- (2) Requests the Department of Business, Economic Development, and Tourism (DBEDT) to study the economic aspects of shipboard gaming within state-controlled waters, including ship building and operation opportunities for state residents, and the attraction of gaming to mainland and overseas visitors;
- (3) Requests DBEDT to consult with local bank economists in conducting its study;
- (4) Requests LRB and DBEDT to review studies conducted by other states that have considered legislation providing for shipboard gaming, whether or not those states adopted some form of shipboard gaming;
- (5) Requests LRB and DBEDT to exchange information and data as necessary in conducting their respective studies; and
- (6) Requests LRB and DBEDT to submit their respective findings and recommendations to the 1995 Legislature.

Supportive testimony was submitted by The Chamber of Commerce of Hawaii.

Comments by DBEDT were also submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 392 and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.  
(Representatives Morihara and Ward voted no.)

**SCRep. 1740-94 Finance on H.C.R. No. 450**

The purpose of this concurrent resolution is to obtain information on the social and economic impacts of legalized shipboard gaming.

More specifically, this concurrent resolution:

- (1) Requests the Legislative Reference Bureau (LRB) to study the social impacts of shipboard gaming within state-controlled waters, including the documented or perceived effects on crime rates and mental health incidence, as well as other social impacts of shipboard gaming in states where shipboard gaming has been legalized;
- (2) Requests the Department of Business, Economic Development, and Tourism (DBEDT) to study the economic aspects of shipboard gaming within state-controlled waters, including ship building and operation opportunities for state residents, and the attraction of gaming to mainland and overseas visitors;
- (3) Requests DBEDT to consult with local bank economists in conducting its study;
- (4) Requests LRB and DBEDT to review studies conducted by other states that have considered legislation providing for shipboard gaming, whether or not those states adopted some form of shipboard gaming;
- (5) Requests LRB and DBEDT to exchange information and data as necessary in conducting their respective studies; and
- (6) Requests LRB and DBEDT to submit their respective findings and recommendations to the 1995 Legislature.

Supportive testimony was submitted by The Chamber of Commerce of Hawaii.

Comments by DBEDT were also submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 450 and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.  
(Representatives Morihara and Ward voted no.)

**SCRep. 1741-94 Finance on H.R. No. 184**

The purpose of this resolution is to request the Office of Hawaiian Affairs to convene a conference of early childhood education and child care agencies and other organizations and agencies that serve native Hawaiians and Hawaiians.

Supportive testimony was submitted by the office of Representative D. Ululani Beirne, the Department of Human Services, and the Office of Children and Youth. The Office of Hawaiian Affairs and the Department of Education submitted testimony in support of the intent of this resolution.

After careful consideration, your Committee has amended this resolution as follows:

- (1) Added that the Hawaiian Service Institutions and Agencies (HSIA) also fully support the Office of Hawaiian Affairs in its efforts to carry out the purposes of this resolution; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 184, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 184, H.D. 2.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1742-94 Finance on H.C.R. No. 196**

The purpose of this concurrent resolution is to request the Office of Hawaiian Affairs to convene a conference of early childhood education and child care agencies and other organizations and agencies that serve native Hawaiians and Hawaiians.

Supportive testimony was submitted by the office of Representative D. Ululani Beirne, the Department of Human Services, and the Office of Children and Youth. The Office of Hawaiian Affairs and the Department of Education submitted testimony in support of the intent of this concurrent resolution.

After careful consideration, your Committee has amended this concurrent resolution as follows:

- (1) Added that the Hawaiian Service Institutions and Agencies (HSIA) also fully support the Office of Hawaiian Affairs in its efforts to carry out the purposes of this concurrent resolution; and
- (2) Made technical, nonsubstantive revisions for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 196, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 196, H.D. 2.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1743-94 Finance on H.R. No. 274**

The purpose of this resolution is to request the Department of Education and the Department of Transportation to develop a policy statement explaining how each department intends to erect and maintain voluntary drug-free zone signs in and around the State's public schools.

Testimony in support of this measure was submitted by the Waialua High and Intermediate School's Student Assistance Program, the Principal of Waialua High and Intermediate School, the North Shore Task Force on Substance Abuse, and concerned citizens. The Department of Education submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 274, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1744-94 Finance on H.C.R. No. 296**

The purpose of this concurrent resolution is to request the Department of Education and the Department of Transportation to develop a policy statement explaining how each department intends to erect and maintain voluntary drug-free zone signs in and around the State's public schools.

Testimony in support of this measure was submitted by the Waialua High and Intermediate School's Student Assistance Program, the Principal of Waialua High and Intermediate School, the North Shore Task Force on Substance Abuse, and concerned citizens. The Department of Education submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 296, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1745-94 Finance on H.R. No. 286**

The purpose of this resolution is to request the Board of Land and Natural Resources to study and explore the factors involved with the development of a tropical/ornamental fish aquacultural park.

Supportive testimony was submitted by the Department of Land and Natural Resources (DLNR); the Sea Grant College Program, and the College of Tropical Agriculture and Human Resources of the University of Hawaii; the College of Agriculture of University of Hawaii at Hilo; the DLNR Aquaculture Development Program; and concerned tropical fish breeders and growout farmers.

Comments by a concerned professor of the College of Tropical Agriculture and Human Resources of the University of Hawaii were also submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 286 and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1746-94 Finance on H.C.R. No. 320**

The purpose of this concurrent resolution is to request the Board of Land and Natural Resources to study and explore the factors involved with the development of a tropical/ornamental fish aquacultural park.

Supportive testimony was submitted by the Department of Land and Natural Resources (DLNR); the Sea Grant College Program, and the College of Tropical Agriculture and Human Resources of the University of Hawaii; the College of Agriculture of University of Hawaii at Hilo; the DLNR Aquaculture Development Program; and concerned tropical fish breeders and growout farmers.

Comments by a concerned professor of the College of Tropical Agriculture and Human Resources of the University of Hawaii were also submitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 320 and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1747-94 Finance on H.R. No. 288**

The purposes of this resolution are to:

- (1) Request the Department of Land and Natural Resources (DLNR) to effectuate the intent of Act 348, Session Laws of Hawaii 1993, which recognizes the historical significance of Mount Olomana and authorizes the acquisition of lands necessary for its protection; and
- (2) Continue negotiations with the private land owners for the acquisition of land necessary for the preservation and conservation of Mount Olomana.

In addition, this resolution also requests DLNR to submit a report of its progress to the Legislature no later than twenty days before the convening of the Regular Session of 1995.

It is your Committee's intent that the Office of Hawaiian Affairs (OHA) be included in any discussions that involve the exchange of ceded lands.

Your Committee received testimony in support of the intent of this resolution from OHA. Testimony on this resolution was also submitted by DLNR.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 288 and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1748-94 Finance on H.C.R. No. 321**

The purposes of this concurrent resolution are to:

- (1) Request the Department of Land and Natural Resources (DLNR) to effectuate the intent of Act 348, Session Laws of Hawaii 1993, which recognizes the historical significance of Mount Olomana and authorizes the acquisition of lands necessary for its protection; and
- (2) Continue negotiations with the private land owners for the acquisition of land necessary for the preservation and conservation of Mount Olomana.

In addition, this concurrent resolution also requests DLNR to submit a report of its progress to the Legislature no later than twenty days before the convening of the Regular Session of 1995.

It is your Committee's intent that the Office of Hawaiian Affairs (OHA) be included in any discussions that involve the exchange of ceded lands.

Your Committee received testimony in support of the intent of this concurrent resolution from OHA. Testimony on this concurrent resolution was also submitted by DLNR.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 321 and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1749-94      Finance on H.R. No. 88**

The purpose of this resolution is to request an evaluation of current physical education activities in the public schools prior to the development of a comprehensive physical education program.

Supportive testimony was submitted by a volunteer physical education teacher. The Department of Education submitted comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 88, H.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1750-94      Finance on H.C.R. No. 97**

The purpose of this concurrent resolution is to request an evaluation of current physical education activities in the public schools prior to the development of a comprehensive physical education program.

Supportive testimony was submitted by a volunteer physical education teacher. The Department of Education submitted comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 97, H.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1751-94      Finance on H.R. No. 234**

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to develop a comprehensive statewide boating program.

In addition, this resolution requests DLNR to submit a draft of the comprehensive statewide boating plan to the Legislature twenty days before the convening of the Regular Session of 1995.

Your Committee received testimony in support of the resolution from the Hawaii Boaters Council, Representative Duke Bainum, and several private citizens.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 234 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1752-94      Finance on H.C.R. No. 252**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) to develop a comprehensive statewide boating program.

In addition, this concurrent resolution requests DLNR to submit a draft of the comprehensive statewide boating plan to the Legislature twenty days before the convening of the Regular Session of 1995.

Your Committee received testimony in support of the concurrent resolution from the Hawaii Boaters Council, Representative Duke Bainum, and several private citizens.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 252 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1753-94 Finance on H.R. No. 228**

The purpose of this resolution is to request the adoption of the Hawaii Ocean Marine Resources Management Plan as the guiding document to shape the State's management of marine and coastal resources.

Supportive testimony was submitted by the University of Hawaii; the Maui County Council; the Sierra Club, Hawaii Chapter; the Ocean Recreation Council of Hawaii; and Creative Environmental Communications.

The Department of Business, Economic Development, and Tourism, submitted comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 228 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1754-94 Finance on H.C.R. No. 246**

The purpose of this concurrent resolution is to request the adoption of the Hawaii Ocean Marine Resources Management Plan as the guiding document to shape the State's management of marine and coastal resources.

Supportive testimony was submitted by the University of Hawaii; the Maui County Council; the Sierra Club, Hawaii Chapter; the Ocean Recreation Council of Hawaii; and Creative Environmental Communications.

The Department of Business, Economic Development, and Tourism, submitted comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 246 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1755-94 Finance on S.C.R. No. 28**

The purpose of this concurrent resolution is to request the University of Hawaii to expand its outreach efforts on the neighbor islands.

The University of Hawaii submitted comments on this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 28, S.D. 1, and recommends its adoption.

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

**SCRep. 1756-94 Finance on H.R. No. 248**

The purpose of this resolution is to request the Auditor to evaluate the licensure requirements for private detectives and guards under Chapter 463, Hawaii Revised Statutes, and Chapter 97, Hawaii Administrative Rules.

Comments by the Board of Private Detectives and Guards were submitted.

After careful consideration, your Committee has amended this resolution by making technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 248, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 248, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1757-94 Finance on H.C.R. No. 231**

The purpose of this concurrent resolution is to request the Auditor to evaluate the licensure requirements for private detectives and guards under Chapter 463, Hawaii Revised Statutes, and Chapter 97, Hawaii Administrative Rules.

Comments by the Board of Private Detectives and Guards were submitted.

After careful consideration, your Committee has amended this concurrent resolution by making technical, nonsubstantive revisions for purposes of clarity, style, and conformity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 231, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 231, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1758-94 Finance on H.R. No. 202**

The purpose of this resolution is to request the Office of Tourism of the Department of Business, Economic Development, and Tourism and the Hawaii Visitors Bureau to develop long-term programs and strategies to preserve, nurture, and spread knowledge of Hawaiian culture, and to develop and foster one of its most common manifestations, the expression of the spirit of Aloha.

The Department of Business, Economic Development, and Tourism and the Office of Hawaiian Affairs submitted testimony in support of the resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 202, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1759-94 Finance on H.C.R. No. 213**

The purpose of this concurrent resolution is to request the Office of Tourism of the Department of Business, Economic Development, and Tourism and the Hawaii Visitors Bureau to develop long-term programs and strategies to preserve, nurture, and spread knowledge of Hawaiian culture, and to develop and foster one of its most common manifestations, the expression of the spirit of Aloha.

The Department of Business, Economic Development, and Tourism and the Office of Hawaiian Affairs submitted testimony in support of the concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 213, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1760-94 Finance on H.R. No. 179**

The purpose of this resolution is to urge Hawaii's congressional delegation to support legislation that would provide an income tax credit for action taken by a taxpayer that may mitigate damage from future natural disasters.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 179 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1761-94 Finance on H.C.R. No. 191**

The purpose of this concurrent resolution is to urge Hawaii's congressional delegation to support legislation that would provide an income tax credit for action taken by a taxpayer that may mitigate damage from future natural disasters.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 191 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1762-94 Finance on H.R. No. 140**

The purpose of this resolution is to request the Department of Health, the Department of Business, Economic Development, and Tourism, and the Mayor and Council of each county to identify and obtain consensus on a full cost analysis methodology that can be used to assess solid waste management and source reduction programs under their respective jurisdictions.

Testimony in support of this measure was submitted by the Office of Solid Waste Management of the Department of Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 140, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1763-94 Finance on H.C.R. No. 31**

The purpose of this concurrent resolution is to request the Department of Health, the Department of Business, Economic Development, and Tourism, and the Mayor and Council of each county to identify and obtain consensus on a full cost analysis methodology that can be used to assess solid waste management and source reduction programs under their respective jurisdictions.

Testimony in support of this measure was submitted by the Office of Solid Waste Management of the Department of Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 31, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1764-94 Finance on H.R. No. 122**

The purpose of this resolution is to request the Board of Directors of the Hawaii Hurricane Relief Fund (Fund) to:

- (1) Review H.B. No. 2441, (Relating to Property Insurance), as introduced during the 1994 Regular Session, to determine whether it should be enacted with any amendments; and
- (2) Discuss the advantages and disadvantages of expanding the authority of the Fund to provide property insurance against other types of catastrophes such as volcanic eruptions, earthquakes, tsunamis, and floods.

The Executive Director of the Fund and Legislative Committee of the Hawaii Association of Realtors testified on this resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 122 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1765-94 Finance on H.C.R. No. 130**

The purpose of this concurrent resolution is to request the Board of Directors of the Hawaii Hurricane Relief Fund (Fund) to:

- (1) Review H.B. No. 2441, (Relating to Property Insurance), as introduced during the 1994 Regular Session, to determine whether it should be enacted with any amendments; and
- (2) Discuss the advantages and disadvantages of expanding the authority of the Fund to provide property insurance against other types of catastrophes such as volcanic eruptions, earthquakes, tsunamis, and floods.

The Executive Director of the Fund and Legislative Committee of the Hawaii Association of Realtors testified on this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 130 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1766-94 Finance on H.R. No. 358**

The purpose of this resolution is to request the Legislative Reference Bureau to determine the value of the property that currently supports the Oahu Community Correctional Center Facility.

The Kalihi Business Association, the Honolulu Neighborhood Housing Services, Inc., Kalihi-Palama Community Council, and several residents of Kalihi submitted testimony in support of the resolution.

Your Committee has amended the resolution by:

- (1) Requesting the Legislative Reference Bureau to determine the cost-benefits of relocating the Oahu Community Correctional Center facility, instead of determining the value of the property on which it sits;
- (2) Deleting the first two "WHEREAS" clauses in reference to determining and improving the value of state lands;
- (3) Changing the title from "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE VALUE OF THE PROPERTY THAT CURRENTLY SUPPORTS THE OAHU COMMUNITY CORRECTIONAL CENTER FACILITY" to "REQUESTING THE LEGISLATIVE REFERENCE BUREAU

TO DETERMINE THE COST-BENEFITS OF RELOCATING THE OAHU COMMUNITY CORRECTIONAL CENTER FACILITY;" and

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 358, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 358, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1767-94 Finance on H.C.R. No. 418**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to determine the value of the property that currently supports the Oahu Community Correctional Center Facility.

The Kalihi Business Association, the Honolulu Neighborhood Housing Services, Inc., Kalihi-Palama Community Council, and several residents of Kalihi submitted testimony in support of the concurrent resolution.

Your Committee has amended the concurrent resolution by:

- (1) Requesting the Legislative Reference Bureau to determine the cost-benefits of relocating the Oahu Community Correctional Center facility, instead of determining the value of the property on which it sits;
- (2) Deleting the first two "WHEREAS" clauses in reference to determining and improving the value of state lands;
- (3) Changing the title from "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE VALUE OF THE PROPERTY THAT CURRENTLY SUPPORTS THE OAHU COMMUNITY CORRECTIONAL CENTER FACILITY" to "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE COST-BENEFITS OF RELOCATING THE OAHU COMMUNITY CORRECTIONAL CENTER FACILITY;" and
- (4) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 418, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 418, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1768-94 Finance on H.R. No. 146**

The purpose of this resolution is to request the Department of Education to enter into a real estate transaction for a new elementary school in Kihei, Maui.

The Department of Education submitted comments on this resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 146, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1769-94 Finance on H.C.R. No. 156**

The purpose of this concurrent resolution is to request the Department of Education to enter into a real estate transaction for a new elementary school in Kihei, Maui.

The Department of Education submitted comments on this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 156, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1770-94 Finance on H.R. No. 149**

The purpose of this resolution is to request the Department of Land and Natural Resources to convene a Shark Research Committee to undertake a comprehensive study of sharks found in Hawaiian waters.

Testimony in support of this measure was submitted by the University of Hawaii and an employee of the Waikiki Aquarium. The Department of Land and Natural Resources submitted comments on this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Charging the University of Hawaii, with support from the Department of Land and Natural Resources, with the responsibility of convening the Shark Research Committee; and
- (2) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 149, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 149, H.D. 1.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1771-94 Finance on H.C.R. No. 21**

The purpose of this concurrent resolution is to direct the Hawaii Early Childhood Education and Care Coordinating Committee to utilize the vision, principles, and goals delineated in the measure in developing a Hawaii State Plan for Early Childhood Education and Care.

The Office of Children and Youth urged support for the measure, and the Hawaii Community Foundation urged its adoption. The Hawaii Association for the Education of Young Children testified in favor of the concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 21, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Nakasone, Marumoto and Ward.

**SCRep. 1772-94 Finance on H.C.R. No. 68**

The purpose of this concurrent resolution is to request the Governor and the Mayor of Kauai to build upon the Kauai Sugar Alliance and to expand its responsibilities into a state-county task force to, among other things:

- (1) Promote the viability of the sugar industry on Kauai;
- (2) Explore career options for workers; and
- (3) Plan for alternate uses of vacated lands.

Your Committee received testimony in support of this concurrent resolution from the Department of Agriculture and the Commission on Employment & Human Resources of the Department of Labor and Industrial Relations.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 68, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1773-94 Finance on H.C.R. No. 107**

The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a study of the potential advantages and disadvantages of establishing a Department of Housing incorporating the various State housing functions in a single agency having cabinet status.

Testimony in support of this measure was submitted by the Hawaii Association of Realtors and the Hawaii Developers' Council.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 107 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Chang, Suzuki, Tajiri, Marumoto and Ward.

**SCRep. 1774-94 Finance on H.C.R. No. 158**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to convene a Shark Research Committee to undertake a comprehensive study of sharks found in Hawaiian waters.

Testimony in support of this measure was submitted by the University of Hawaii and an employee of the Waikiki Aquarium. The Department of Land and Natural Resources submitted comments on this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Charging the University of Hawaii, with support from the Department of Land and Natural Resources, with the responsibility of convening the Shark Research Committee; and
- (2) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 158, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 158, H.D. 1.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1775-94 Finance on H.C.R. No. 287**

The purpose of this concurrent resolution is to obtain information on the impacts of legalized pari-mutuel horse racing in Hawaii;

More specifically, this concurrent resolution:

- (1) Requests the Legislative Reference Bureau to study, inter alia, the feasibility of developing and promoting a private pari-mutuel horse racing industry and off-track wagering in Hawaii;
- (2) Requests the Departments of Agriculture, the Attorney General, Business, Economic Development, and Tourism, Commerce and Consumer Affairs, and Taxation, the University of Hawaii, the Hawaii Equine Racing Foundation, and other interested parties to provide full cooperation and support to LRB; and
- (3) Requests LRB to submit a report of its findings and recommendations at least twenty days prior to the convening of the 1995 Legislature.

Supportive testimony was submitted by Winners Circle Hawaii; Profit People, Inc; the Big Island Equestrian Committee; Hawaii Teamsters Local 996 PAC; and a concerned citizen.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 287, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.  
(Representative Ward voted no.)

**SCRep. 1776-94 Finance on H.C.R. No. 366**

The purpose of this concurrent resolution is to request the Office of Hawaiian Affairs (OHA), along with the Department of Land and Natural Resources (DLNR), to:

- (1) Review the proposed solutions to the problems facing the 999-year homestead lessees;
- (2) Establish a determination of successor arbitration program to aid individuals with an interest in homestead lands in determining their genealogy to support their legal claims to the land;
- (3) Determine the ramifications of allowing the remaining homestead lessees to purchase their leases for \$1 and the obligation of the State to reimburse those lessees who exercised their purchase option at fair market value;
- (4) Determine the feasibility of an option to purchase at 50 percent of fair market value or other discounted rate with a requirement for blood lineage successorship;
- (5) Explore financing arrangements to enable lessees to renovate and repair existing structures or to build on their leasehold properties; and
- (6) Work with the City and County of Honolulu to examine the feasibility of exempting the 999-year homestead leases on public lands from real property taxes.

Testimony supporting this measure was submitted by OHA, DLNR, the Office of Representative Beirne, and concerned individuals.

Because the 999-year homestead leases are located throughout the State, and not just within the City and County of Honolulu, your Committee has amended this measure to request all of the counties of the State of Hawaii to work with OHA and DLNR to examine the feasibility of exempting the leases from real property taxes.

At the same time, this measure has been further amended to designate the Chairpersons and Mayors of all of the counties of the State of Hawaii as recipients of certified copies of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 366, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 366, H.D. 2.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.

**SCRep. 1777-94 Finance on H.C.R. No. 454**

The purpose of this concurrent resolution is to request the Governor, the President of the Senate, and the Speaker of the House to convene a steering committee to develop "benchmarks" for a strategic vision for the State of Hawaii.

The Office of Children and Youth, The Chamber of Commerce of Hawaii, the Hawaii Community Foundation, Aloha United Way, and the Hawaii Community Services Council submitted testimony in support of the intent of the concurrent resolution, with suggested amendments. The Administrative Director of the Office of the Governor submitted comments on the concurrent resolution.

After considering the testimony submitted, your Committee has amended the concurrent resolution by:

- (1) Adding language to reflect the work already under way in developing a strategic vision and benchmarks for Hawaii; and
- (2) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 454, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 454, H.D. 2.

Signed by all members of the Committee except Representatives Suzuki, Tajiri and Marumoto.  
(Representative Alcon voted no.)

**SCRep. 1778-94 Legislative Management on H.R. No. 363**

The purpose of this resolution is to urge the media industry of the State to adopt policies and practices demonstrating awareness and sensitivity toward Hawaii's native people and their culture.

Your Committee concurs that native Hawaiians and their culture have long been inaccurately and unfairly represented by the media. It is the hope of your Committee that this measure will be instrumental in making the media of the State more aware of this situation, and put an end to this insensitive perpetuation of offensive representations.

Your Committee received testimony from the Legislative Reference Bureau and a concerned citizen.

Upon further consideration, your Committee has amended this measure to:

- (1) Delete reference to the Legislative Reference Bureau's study, and delete the LRB from the list of recipients to receive certified copies of this measure; and
- (2) Make technical, nonsubstantive amendments for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 363, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 363, H.D. 2.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1779-94 Legislative Management on H.C.R. No. 426**

The purpose of this concurrent resolution is to urge the media industry of the State to adopt policies and practices demonstrating awareness and sensitivity toward Hawaii's native people and their culture.

Your Committee concurs that native Hawaiians and their culture have long been inaccurately and unfairly represented by the media. It is the hope of your Committee that this measure will be instrumental in making the media of the State more aware of this situation, and put an end to this insensitive perpetuation of offensive representations.

Your Committee received testimony from the Legislative Reference Bureau and a concerned citizen.

Upon further consideration, your Committee has amended this measure to:

- (1) Delete reference to the Legislative Reference Bureau's study, and delete the LRB from the list of recipients to receive certified copies of this measure; and
- (2) Make technical, nonsubstantive amendments for purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 426, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 426, H.D. 1.

Signed by all members of the Committee except Representatives Say, Young, Thielen and Ward.

**SCRep. 1780-94            Judiciary and Consumer Protection and Commerce on H.R. No. 245**

The purpose of the resolution, as received by your Committees, was to request the counties to develop ordinances to prohibit the sale and rental of sexually explicit films or other materials in residential neighborhoods.

Your Committees received testimony in support of the measure from several concerned citizens.

Your Committees find that the evil sought to be prevented by this resolution consists of the secondary effects which flow from businesses whose primary purpose is the sale, rental or showing of sexually explicit materials. Such business have been linked to an increase in crime, prostitution and other undesirable activities, and can be excluded from residential neighborhoods by properly drafted local ordinances.

In order to clarify the purpose of the resolution, so it is not construed to impinge upon either the right to free expression or the right to privacy as guaranteed by constitutional provisions, your Committee has amended the measure by rewording the title of the measure so that the focus is not upon explicit material but rather upon the secondary effects caused by businesses whose primary purpose is the sale, rental or showing of sexually explicit materials.

Your Committee has further amended the body of the resolution to reflect this focus and to recognize the requirements of the State Constitution as construed by the Hawaii Supreme Court.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection and Commerce that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 245, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 245, H.D. 1.

Signed by all members of the Committees except Representatives Amaral, Bainum, Hiraki, Ishii-Morikami, Takamine and Thielen.

**SCRep. 1781-94            Judiciary and Consumer Protection and Commerce on H.C.R. No. 263**

The purpose of the concurrent resolution, as received by your Committees, was to request the counties to develop ordinances to prohibit the sale and rental of sexually explicit films or other materials in residential neighborhoods.

Your Committees received testimony in support of the measure from several concerned citizens.

Your Committees find that the evil sought to be prevented by this concurrent resolution consists of the secondary effects which flow from businesses whose primary purpose is the sale, rental or showing of sexually explicit materials. Such business have been linked to an increase in crime, prostitution and other undesirable activities, and can be excluded from residential neighborhoods by properly drafted local ordinances.

In order to clarify the purpose of the concurrent resolution, so it is not construed to impinge upon either the right to free expression or the right to privacy as guaranteed by constitutional provisions, your Committee has amended the measure by rewording the title of the measure so that the focus is not upon explicit material but rather upon the secondary effects caused by businesses whose primary purpose is the sale, rental or showing of sexually explicit materials.

Your Committee has further amended the body of the concurrent resolution to reflect this focus and to recognize the requirements of the State Constitution as construed by the Hawaii Supreme Court.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection and Commerce that are attached to this report, your Committees 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 Amaral, Bainum, Hiraki, Ishii-Morikami, Takamine and Thielen.

**SCRep. 1782-94            Labor and Public Employment on H.R. No. 373**

The purpose of this resolution is to request the Department of Labor and Industrial Relations, the Labor and Industrial Relations Appeals Board, and the Department of Personnel Services to:

- (1) Report on the status of the workers' compensation program based on statistical data for fiscal year 1993-1994;
- (2) Make changes to the administration of the workers' compensation system in a manner consistent with the spirit of the law with a presumption in favor of the worker;
- (3) Report any proposed statutory amendments and additional resource requirements necessary to improve their administration of the workers' compensation system; and
- (4) Report on any changes made to the administration of the workers' compensation system and any impacts of these changes on eliminating any backlog of claims.

The Department of Labor and Industrial Relations (DLIR) testified generally in support of this measure, but suggested that the report be for data collected in calendar year 1993 rather than fiscal year 1993. DLIR also notes that the impact of new administrative rules being promulgated cannot be assessed until the end of 1995 and 1996.

The Department of Personnel Services (DPS) questioned the propriety of including the department since it is a self-insured employer, and is not charged with the administration, enforcement, and adjudication of Chapter 386, Hawaii Revised Statutes.

The Hawaii Nurses' Association testified in qualified support of the intent of this measure. The Proactive Workers' Task Group and a private citizen testified in strong support of this measure.

Your Committee finds that DLIR and DPS are working earnestly to improve implementation of the workers' compensation law. However, no single department can resolve all of the concerns of employees, employers, insurers, and health care providers.

It is the Legislature that must provide direction so that workers' compensation can once again serve the workers and employers of the State. To do so, data relevant to the problems with workers' compensation must be compiled and organized. Accordingly, this measure has been amended by:

- (1) Requesting DLIR, DPS, and the Labor and Industrial Relations Appeal Board to collect statistical data requested by the proposed Advisory Commission on Workers' Compensation;
- (2) Amending the title of this measure to reflect the purpose; and
- (3) Making technical, nonsubstantive amendments for the purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Labor and Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 373, as amended herein, and recommends that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as H.R. No. 373, H.D. 1.

Signed by all members of the Committee except Representatives Taniguchi and Ward.

**SCRep. 1783-94 Labor and Public Employment on H.C.R. No. 438**

The purpose of this concurrent resolution is to request the Department of Labor and Industrial Relations, the Labor and Industrial Relations Appeals Board, and the Department of Personnel Services to:

- (1) Report on the status of the workers' compensation program based on statistical data for fiscal year 1993-1994;
- (2) Make changes to the administration of the workers' compensation system in a manner consistent with the spirit of the law with a presumption in favor of the worker;
- (3) Report any proposed statutory amendments and additional resource requirements necessary to improve their administration of the workers' compensation system; and
- (4) Report on any changes made to the administration of the workers' compensation system and any impacts of these changes on eliminating any backlog of claims.

The Department of Labor and Industrial Relations (DLIR) testified generally in support of this measure, but suggested that the report be for data collected in calendar year 1993 rather than fiscal year 1993. DLIR also notes that the impact of new administrative rules being promulgated cannot be assessed until the end of 1995 and 1996.

The Department of Personnel Services (DPS) questioned the propriety of including the department since it is a self-insured employer, and is not charged with the administration, enforcement, and adjudication of Chapter 386, Hawaii Revised Statutes.

The Hawaii Nurses' Association testified in qualified support of the intent of this measure. The Proactive Workers' Task Group and a private citizen testified in strong support of this measure.

Your Committee finds that DLIR and DPS are working earnestly to improve implementation of the workers' compensation law. However, no single department can resolve all of the concerns of employees, employers, insurers, and health care providers.

It is the Legislature that must provide direction so that workers' compensation can once again serve the workers and employers of the State. To do so, data relevant to the problems with workers' compensation must be compiled and organized. Accordingly, this measure has been amended by:

- (1) Requesting DLIR, DPS, and the Labor and Industrial Relations Appeal Board to collect statistical data requested by the proposed Advisory Commission on Workers' Compensation;
- (2) Amending the title of this measure to reflect the purpose; and
- (3) Making technical, nonsubstantive amendments for the purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Labor and Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 438, as amended herein, and recommends that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as H.C.R. No. 438, H.D. 1.

Signed by all members of the Committee except Representatives Taniguchi and Ward.

**SCRep. 1784-94 Water and Land Use Planning on H.R. No. 162**

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to establish a Hawaiian "loko i'a" (Hawaiian fishpond) permitting and extension service program within the jurisdiction of DLNR.

Your Committee recognizes the historical, cultural, and economic importance of preserving the loko i'a and putting it to productive use. Efforts are currently underway to restore the loko i'a, such as streamlining the lengthy and costly permit process. Laws and regulations also impede restoration of the loko i'a.

Besides being a valuable cultural and historical resource, your Committee recognizes that the loko i'a is highly beneficial to the State's aquaculture industry and a valuable economic development resource.

Your Committee received testimony in support of the resolution from the Oceanic Institute and two private individuals. The Office of Hawaiian Affairs (OHA) and DLNR testified in support of the intent of this measure. The Native Hawaiian Historic Preservation Council and the Hawaiian Fishpond Revitalization Project also submitted testimony on this measure.

Upon further consideration, your Committee has amended this resolution by:

- (1) Requesting the DLNR to prepare legislation, with regard to establishing a Hawaiian loko i'a permitting and extension service program, with OHA and other Hawaiian organizations concerned with the Hawaiian loko i'a;
- (2) Specifying that any commitments of OHA or other Hawaiian organizations for financial or other assistance in implementing the proposed legislation be by Memorandum of Understanding or Memorandum of Agreement;
- (3) Requesting that OHA also receive a certified copy of the resolution; and
- (4) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 162, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 162, H.D. 2.

Signed by all members of the Committee except Representatives Kanoho and Tajiri.

**SCRep. 1785-94 Water and Land Use Planning on H.R. No. 292**

The purpose of this resolution is to educate residents as well as tourists about our natural resources through the establishment of ecotourism programs. This measure requests the Department of Land and Natural Resources (DLNR) to cooperate with the private sector in developing ecotourism activities in the vicinity of Akaka Falls State Park on the Big Island.

The DLNR expressed concerns about the ecotourism proposal that includes a tram system that would traverse State lands. It also pointed out that it generally limits commercial activities within the State Parks System in order to ensure that park visitors not be distracted by such activities. DLNR indicated that it would be willing to discuss this proposal with the private sector; however, unless it is satisfied that the public and the park benefit from the activity, implementation of the proposal should not be assumed.

In opposing this measure, the Sierra Club, Hawaii Chapter, testified that the proposal is contrary to the concepts of ecotourism which encourages small scale, low-impact tourism.

In light of these concerns, your Committee has added safeguards to provide that any agreement ensure the protection of the park's resources and be responsive to any community concerns. Specifically, your Committee has:

- (1) Deleted all references to the proposed tram system as well as to the potential income that the State may derive from such a proposal (6th through 12th WHEREAS clauses);
- (2) Inserted a WHEREAS clause that supports consideration of the proposal, provided that the plans can ensure that the proposed activity will not detract park visitors from full enjoyment of the park's resources; and
- (3) Inserted three BE IT FURTHER RESOLVED clauses that call for:
  - (a) The protection of the park's resources from any impacts from the proposed activity;

- (b) Negotiations to: be sensitive to the natural resources; and include the active involvement of the neighboring community as an essential part in the process so that all of their concerns will be fully addressed; and
- (c) A report back to the 1995 Legislature.

Recognizing the sensitive nature of this proposed undertaking, it is your Committee's intent that:

- (1) Community residents be given the opportunity to play an active role in this matter, and not merely be consulted; and
- (2) If the proposed undertaking is likely to have a negative impact on the park's resources, the project should not continue, regardless of whether the undertaking has a high potential to generate income.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 292, as amended herein, and recommends that it be referred to the Committee on Tourism in the form attached hereto as H.R. No. 292, H.D. 1.

Signed by all members of the Committee except Representatives Kanohe and Tajiri.  
(Representative Thielen voted no.)

**SCRep. 1786-94 Intergovernmental Relations and International Affairs on H.R. No. 49**

The purpose of this measure is to urge the United States Congress to pass H.R. 97, or a similar measure, which would allow for prompt parole of aliens into the United States to attend the funeral of an immediate blood relative.

Your Committee received testimony in support of this measure from the Filipino Coalition for Solidarity, the San Antonio Club of Hawaii, and a private citizen.

Your Committee finds that the current Immigration and Nationality Act does not allow for prompt parole of aliens into the United States for the purposes of attending the funeral of a blood relative. However, H.R. 97 as introduced by U.S. Representatives Abercrombie and Mink, will address this situation and assist in alleviating the suffering of alien relatives.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 49 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Hagino and Ward.

**SCRep. 1787-94 Transportation on S.C.R. No. 213**

The purpose of this concurrent resolution is to request the Department of Transportation to examine ways that the land between and surrounding highway interchanges and intersections can be beautified.

Your Committee finds that the landscaping between and surrounding highway interchanges and intersections is often minimal. Your Committee finds that improving the visual landscape will enhance the travel of commuters during peak periods, and will benefit the general public.

Your Committee received testimony from the Department of Transportation.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 213, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hagino, Shon and Ward.

**SCRep. 1788-94 Transportation on S.C.R. No. 275**

The purpose of this concurrent resolution is to request the Department of Transportation to evaluate the "design and build" concept for selected highways projects.

Your Committee finds that the concept of "design and build" entails a single contractor handling all aspects of a construction project, from design to completed construction. Your Committee finds that the "design and build" concept has been used successfully nationally and internationally. Your Committee finds that use of the "design and build" concept may result in efficient and focused highway projects with reduced costs.

Your Committee received testimony from the Department of Transportation and Construction Industry Legislative Organization, Inc.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 275, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hagino, Shon and Ward.

**SCRep. 1789-94            Transportation on S.C.R. No. 276**

The purpose of this concurrent resolution is to request the Department of Transportation to study the feasibility of demolishing the Old Anahola Stream Bridge.

Your Committee finds that the Governor's Task Force on the December 13 and 14, 1991 flooding disaster on Kauai determined the Anahola Stream Bridge to be a safety hazard and recommended it be removed. Your Committee finds that the Anahola Stream Bridge is being utilized by pedestrians to access Department of Hawaiian Home Lands (DHHL) property. Your Committee finds that access to DHHL property will be affected with the demolition of the bridge.

Your Committee received testimony from the Department of Transportation and the Department of Hawaiian Home Lands.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 276, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hagino, Shon and Ward.

**SCRep. 1790-94            Human Services on S.C.R. No. 83**

The purpose of this concurrent resolution is to request the establishment of a mediation process to address the issue of long-standing problems in the relationship between the Department of Human Services and foster parents as it relates to the quality of care provided to foster children.

It is noted by your Committee that in mid-February, 1994, the department initiated efforts to schedule ongoing, regular meetings between representatives of the Child Welfare Program Office and representatives from the Foster Parent Association. The department requested these meetings to begin to identify specific areas of concern and begin the process of addressing issues. The department believes these meetings will ensure open communication and mutual cooperation in addressing foster parents' concerns.

It is also noted by your Committee that there is not an adversarial problem between the Department of Human Services and the Hawaii State Foster Parent Association. Both organizations want to improve communications in order to provide the best care for the foster children under their care and are willing to participate in discussions mediated by the Judiciary's Center for Alternative Dispute Resolution.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 83 and recommends that it be referred to the Committee on Finance.

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

**SCRep. 1791-94            Human Services on S.C.R. No. 195**

The purpose of this concurrent resolution is to express legislative support for collaboration among state agencies and for public-private partnerships between the state and providers of human services in furthering family preservation and support.

Testimony from the Office of Youth Services, Department of Health, Families Together Initiative, Department of Personnel Services, Parents and Children Together, Catholic Services to Families, Child and Family Services (Oahu and Maui), and the National Association of Social Workers was received in support of this concurrent resolution.

It is noted by your Committee that the Families Together Initiative (FTI) is designed to enhance the state's ability to systematically prevent the unnecessary out-of-home placement of children and to keep families together. FTI brings state agencies and private service providers together to ensure that intensive, home-based family preservation services are offered to families who are in immediate risk of having a child removed from the home for protective, mental health or legal reasons and to families who have a child returning home from residential placement.

Your Committee is in full support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 195, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Duldulao, Peters and White.

**SCRep. 1792-94            Human Services on S.C.R. No. 238**

The purpose of this concurrent resolution is to request the Department of Human Services to defer until June 15, 1995, proposed policy changes to their chore service for the elderly and disabled that would prohibit new applicants after June 15, 1994, so that other avenues of funding such services can be explored and service delivery can be continued.

Testimony from the Department of Human Services and the Kokua Council for Senior Citizens was received in support of this concurrent resolution.

It is noted by your Committee that the Department of Human Services has met with members of the community and representatives of agencies providing services to the elderly and disabled and has determined that the department has no alternative but to limit the availability of chore services effective June 15, 1994. The department plans to continue working with other agencies in efforts to provide home and community-based long-term care.

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

- (1) Changing the word "senior citizens" to "elderly and disabled" on page 1, line 9, to keep consistent with the wording throughout the resolution; and
- (2) Stating that the report be submitted to the Legislature no less than twenty days prior to the commencement of the Regular Session of 1995.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 238, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 238, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and White.

**SCRep. 1793-94 Human Services on S.C.R. No. 251**

The purpose of this concurrent resolution is to request the Governor's Task Force on Makaala be reconvened in order to find ways and means to keep Makaala and its valuable programs for the disabled viable in our State.

Testimony from Makaala Inc. was received in support of this concurrent resolution. The Department of Human Services submitted testimony expressing their involvement, along with the Department of Transportation and representatives of Makaala Inc., to relocate Makaala employees and their business endeavors within the Honolulu International Airport complex. The department will continue to assist Makaala and are continuing discussions with the Blind Vendors Ohana, Inc. to consider the hiring of employees with disabilities from Makaala. The department also welcomes the addition of the Governor's Task Force, as they will expand the scope of potential opportunities to relocate Makaala Inc.

Your Committee is in full support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 251 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Duldulao, Peters and White.

**SCRep. 1794-94 Economic Development and Business Concerns on S.C.R. No. 47**

The purpose of this concurrent resolution is to request the Department of Education (DOE), School Food Services Program to purchase food, supplies, and equipment that are locally grown, manufactured, or constructed, whenever possible.

Your Committee finds that businesses in Hawaii including farmers, producers, and manufacturers would benefit greatly by the purchasing of local goods by the DOE. Your Committee further finds that it would be in the best interest of the DOE to purchase local goods since there is a relationship between the purchasing of school food, supplies and equipment and state funding for the department.

Testimony in support of this concurrent resolution was submitted by the Department of Education, Hawaii Cattlemen's Council, Inc., Hawaii Food Products, Inc., Hawaii Food Manufacturers Association, and Hawaii Farm Bureau Federation. Oral testimony was also provided by the Hawaii Food Industry Association.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 47, S.D. 1, and recommends that it be referred to the Committee on Education.

Signed by all members of the Committee except Representatives Cachola and M. Ige.

**SCRep. 1795-94 Economic Development and Business Concerns on S.C.R. No. 197**

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to study future space industry opportunities for the State.

Your Committee recognizes that the Office of Space Industry, established in 1988, was created to help expand and diversify the State's economy through the development of space-related activities. Your Committee also finds that a number of new national high technology resources and initiatives which can provide innovative, space-related opportunities to enhance employment, revenues, and resource networking hold tremendous potential and should be pursued.

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

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 197 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola and M. Ige.

**SCRep. 1796-94 Economic Development and Business Concerns on S.C.R. No. 198**

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to study the feasibility of expanding the Future Flight Hawaii program to a year-round statewide initiative.

The concurrent resolution also requests the DBEDT to submit a report of the study to the Legislature no fewer than twenty days prior to the convening of the Regular Session of 1995.

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

Your Committee recognizes that Future Flight Hawaii has successfully provided education in aerospace, science, and technology to numerous students and teachers throughout the State and has the potential to bring valuable economic and employment opportunities to the State if it is expanded to a year-round program.

As affirmed by the records of votes of the members of your Committees on Economic Development and Business Concerns that are attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 198 and recommends that it be referred to the Committees on Education and Higher Education and the Arts.

Signed by all members of the Committee except Representatives Cachola and M. Ige.

**SCRep. 1797-94 Economic Development and Business Concerns on S.C.R. No. 247**

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to assist Hawaii small businesses in participating in various county fairs on the continental United States.

The Chamber of Commerce of Hawaii and concerned individuals submitted testimony supporting the intent of this measure. DBEDT expressed reservations.

After careful consideration, your Committee has amended this measure to:

- (1) Request the Department of Agriculture and industry associations to assist the DBEDT in studying the feasibility of supporting the redevelopment of Hawaii's economy by assisting small businesses in their participation in as many state and county fairs on the mainland United States;
- (2) If DBEDT determines that it would be feasible to support small businesses in their participation in state and county fairs on the mainland, that it provide the support necessary based on its findings;
- (3) Require DBEDT to report its findings, as well as a report of any promotional activities ventures thereby, to the Legislature before the 1995 legislative session; and
- (4) Transmit a certified copy of this measure to the Chairperson of the Board of Agriculture.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 247, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 247, H.D. 1.

Signed by all members of the Committee except Representatives Cachola and M. Ige.

**SCRep. 1798-94 Economic Development and Business Concerns on S.C.R. No. 271**

The purpose of this concurrent resolution, as received by your Committee, is to request the convening of a Ka'u coordinating committee to address the various problems faced by Ka'u residents with the closure of the sugar operations of Ka'u Agribusiness Co., Inc.

Your Committee received testimony from the Ka'u Community Development Corporation, Inc. and the Hawaii Green Party.

Based on the recommendations of the Hawaii Green Party, your Committee has amended this measure by deleting its substance and instead inserting the contents of H.C.R. No. 474, H.D. 1. Specifically, this measure has been amended by:

- (1) Changing its title to read: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO FACILITATE THE CREATION OF A KA'U COORDINATING COMMITTEE;"
- (2) Requesting representatives of the following government officials to act as advisors to the Ka'u Coordinating Committee: the State Senator from the Third Senatorial District, the State Representative from the Fourth Representative District, Hawaii's U.S. Senators, the U.S. Representative from the Second Congressional District, the County of Hawaii Mayor, and the Hawaii County member from the Ka'u District; and
- (3) Making technical, nonsubstantive amendments for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Economic Development and Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 271, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 271, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Cachola and M. Ige.

**SCRep. 1799-94          Agriculture on S.C.R. No. 219**

The purpose of this concurrent resolution is to request the counties to promote certain uses of agricultural land by initiating property tax relief and other incentives.

The Chairperson of the Board of Agriculture submitted testimony in support of the concurrent resolution, and the Estate of James Campbell submitted comments on the concurrent resolution.

Your Committee has amended this concurrent resolution by making technical, nonsubstantive amendments for purposes of style and clarity, and to correct a typographical error.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 219, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance 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 Ishii-Morikami, Tam and Marumoto.

**SCRep. 1800-94          Agriculture on S.C.R. No. 220**

The purpose of this concurrent resolution is to request the Auditor to conduct a management audit of the Aquaculture Development Program (Program) of the Department of Land and Natural Resources (DLNR).

Comments were submitted by DLNR.

The DLNR representative testified that a budget review and analysis was conducted on the Program in 1985. In that audit, the Auditor recommended that no changes were needed in program organization or operations at that time.

However, your Committee finds that:

- (1) The Program was established to assist in the development of aquaculture in the State;
- (2) Over the past nine years, the aquaculture industry has experienced significant expansion in the State; and
- (3) There may be a need to clarify the Program's role in the development of aquaculture to ensure that the Program is fulfilling its intended mission, as well and ensure that the industry will continue to expand in the future.

In light of this, your Committee believes that the audit requested in this concurrent resolution is in the public interest.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 220 and recommends its adoption.

Signed by all members of the Committee except Representatives Ishii-Morikami, Tam and Marumoto.

**SCRep. 1801-94          Human Services and Health on S.C.R. No. 24**

The purpose of this concurrent resolution is to develop a plan for the coordination of early childhood education and care programs and services and to design a permanent coordinating mechanism for the early childhood education and care system.

Testimony from the Governor's Office of Children and Youth, Hawaii Association for the Education of Youth Children, Hawaii Business Roundtable, and Hawaii Community Foundation was received in support of this concurrent resolution.

Upon consideration, your Committees have amended this concurrent resolution by stating that the temporary committee shall submit a progress report to the Governor and to the Legislature no less than twenty days prior to the convening of the Regular Session of 1995 and a final report to the respective bodies prior to the convening of the Regular Session of 1996.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 24, S.D. 1, as amended herein, and recommend that it be referred to the Committee on Education in the form attached hereto as S.C.R. No. 24, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Isbell, Kawakami, Peters and Santiago.

**SCRep. 1802-94 Hawaiian Affairs on S.C.R. No. 156**

The purpose of this concurrent resolution is to request that the Department of Land and Natural Resources conduct a feasibility study on carrying out the recommendation of the Main Hawaiian Islands Marine Resources Investigation Planning Workshop to establish community-based fisheries demonstration projects in select areas of the State.

Testimony in support of this concurrent resolution was presented by the Hawaiian Home Lands Action Network and other concerned citizens.

Testimony in opposition to this concurrent resolution was presented by the Department of Hawaiian Home Lands (DHHL).

Upon consideration, your Committee has amended this Senate concurrent resolution by replacing its entire contents. Specifically, the concurrent resolution was amended by:

- (1) Changing the intent of the concurrent resolution to: Requesting the Legislative Auditor to audit all aspects of the Panaewa Residential Lots, Units 3 and 4, including but not limited to, the Joint Venture agreement between DHHL and HFDC, and the role of the Housing Finance and Development Corporation, the construction contract and inspection requirements, the substitution and poor workmanship noted and the inspection documents of consultant, Milton Smith, who was hired by DHHL to inspect the homes for defects; and
- (2) Changing the title to read as follows: "REQUESTING A FINANCIAL AND MANAGEMENT AUDIT BY THE LEGISLATIVE AUDITOR OF THE CONTRACT, INSPECTION AND CONSTRUCTION OF THE HOMES ON PANAWEA RESIDENTIAL LOTS, UNITS 3 AND 4, BUILT ON HAWAIIAN HOME LANDS IN A JOINT VENTURE BETWEEN DEPARTMENT OF HAWAIIAN HOME LANDS AND THE HOUSING FINANCE AND DEVELOPMENT CORPORATION."

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 156, as amended herein, and recommends that it be referred to the Committee on Ocean Recreation and Marine Resources in the form attached hereto as S.C.R. 156, H.D. 1.

Signed by all members of the Committee except Representatives Ihara, D. Ige and Okamura.

**SCRep. 1803-94 Intergovernmental Relations and International Affairs on S.C.R. No. 108**

The purpose of this measure is to call for a cessation of unfunded federal mandates, and to request assistance from legislative associations in protecting the rights of states.

Your Committee received testimony in strong support of this measure from concerned individuals and members of the Phoenix Project/Committee of 50 States.

Your Committee finds that the increasing number of unfunded federal mandates have put a severe hardship on all of the States of the Union. It is your Committee's desire to curb this hardship by urging the federal government to cease further preemption of state and local powers that are derived from the Tenth Amendment.

An amendment has been made to this measure to reflect the correct name of the Phoenix Project/Committee of 50 States. In addition, technical, non-substantive amendments were made for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 108, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 108, S.D. 1, H.D. 1.

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

**SCRep. 1804-94 Intergovernmental Relations and International Affairs on S.C.R. No. 240**

The purpose of this concurrent resolution is to request the Office of International Relations (OIR) and the Department of Business, Economic Development and Tourism (DBED&T) to recommend ways to encourage economic activities between Hawaii and the Philippines, with the possibility of establishing a branch office in the Philippines to facilitate trade and other commercial activities.

Your Committee received testimony in support of this measure from OIR, DBED&T, the Filipino Chamber of Commerce of Hawaii and the Committee on Political Education.

Due to current budgetary constraints, DBED&T raised concerns on studying the feasibility of a branch office at the present time. To allay this concern, your Committee has amended this measure to allow for the consideration of more creative alternatives to the establishing of a branch office, including possible combinations with private initiatives and private sources of funding.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 240, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 240, H.D. 1.

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

**SCRep. 1805-94            Education on S.C.R. No. 190**

The purpose of this concurrent resolution, as received by your Committee, is to request the Public Utilities Commission (PUC) to establish and review discounted rates for telecommunications services used for distance learning as part of its current telecommunications docket.

Testimony in support of this concurrent resolution was received from the Department of Education, the PUC, the University of Hawaii, the Hawaii State Teachers Association, and GTE Hawaiian Tel.

This measure has been amended by:

- (1) Amending the title by deleting the word "DISTANCE LEARNING" and inserting the word "EDUCATIONAL INSTITUTIONS" in its place;
- (2) Inserting "and the University of Hawaii's Distance Education and Instructional Technology" in lines 8-9 of page 1;
- (3) Adding "No. 7702" after all references to the "telecommunications docket"; and
- (4) Making technical and nonsubstantive amendments for the purposes of consistency, style, and clarity.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 190, as amended herein, and recommends that it be referred to the Committee on Consumer Protection and Commerce in the form attached hereto as S.C.R. No. 190, H.D. 1.

Signed by all members of the Committee except Representatives Hagino, M. Ige, Shon, Stegmaier, Taniguchi and Yonamine.

**SCRep. 1806-94            Tourism on H.R. No. 292**

The purpose of this resolution is to request the Department of Land and Natural Resources to undertake an ecotourism development project in Akaka Falls State Park.

Your Committee received testimony in support of this resolution from the Department of Business, Economic Development and Tourism, the Department of Land and Natural Resources, the Hawaii Visitors Bureau, the Hawaii Hotel Association, and Outrigger Hotels.

Your Committee finds that Hawaii needs to expand its presence in tourism market niches, such as the ecotourism or nature-based tourism sector, in order to rejuvenate the visitor industry, its primary source of private sector income. The proposal in this resolution has tremendous potential for stimulating meaningful economic activity, but the project should have the flexibility to consider transportation access to its scenic vistas and supporting visitor facilities.

If the development agreement includes a tram and visitor facilities such as those one proposed, the safeguards in the resolution will ensure that they will not jeopardize the resources of the park.

Your Committee revised this resolution by:

- (1) Amending the title and request paragraphs to more accurately reflect the scope of the suggested project, which includes surrounding areas, in addition to the park;
- (2) Adding provisions for the possibility of including a tram and supporting facilities on nearby private land; and
- (3) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 292, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 292, H.D. 2.

Signed by all members of the Committee except Representatives Chumbley and Lee.

**SCRep. 1807-94          Tourism on S.C.R. No. 76**

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to study the market potential and determine appropriate sites for satellite convention facilities on the neighbor islands, with the assistance of the Convention Center Authority.

Your Committee received testimony in support of this concurrent resolution from the Convention Center Authority and the Kohala Coast Resort Association.

Your Committee finds that conventioners have a relatively high tendency to visit the neighbor islands. Many sites on the neighbor islands are suitable for convention facilities, and the development of a small convention center will stimulate needed economic activity on the neighbor islands.

In conducting the study, the department should also consider the possibility of improving and expanding existing facilities.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 76, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, Stegmaier and Marumoto.

**SCRep. 1808-94          Tourism on S.C.R. No. 134**

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism and the Hawaii Visitors Bureau to comply with the recommendations of the Auditor as published in Report No. 93-25.

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

Your Committee finds that this resolution sends a clear, unambiguous message of legislative intent to the Hawaii Visitors Bureau and the Department of Business, Economic Development and Tourism of the need to implement the Auditor's recommendations.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 134, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, Stegmaier and Marumoto.

**SCRep. 1809-94          Tourism on S.C.R. No. 182**

The purpose of this concurrent resolution is to request:

- (1) The Hawaii Visitors Bureau to work with the tourism industry to develop and promote Hawaiian vacation packages associated with the 1998 Nagano Winter Olympic Games and the 2000 Sydney Olympic Games; and
- (2) The Department of Business, Economic Development, and Tourism to establish a commission consisting of past Olympians from Hawaii to serve as the official liaison between the State of Hawaii, the International Olympic Committee and the various national Olympic committees in the United States and countries of the Asia-Pacific region.

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

Your Committee finds that the selection of sites for the 1998 Winter Games and the 2000 Summer Games in the Pacific region will provide an excellent opportunity for Hawaii to host travelers going to or from the Olympics. Promotions associated with the Olympic games will also expand Hawaii's presence in the health and fitness tourism niche.

Representatives of the Department of Business, Economic Development and Tourism's Sports Promotion unit and other organizations are currently working together to place an official bid to host the 1998 Olympic Congress, and receive official sanctioning for the Hawaii Pacific Games. The project commissioned by this concurrent resolution will reinforce these efforts already underway.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 182 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, Stegmaier and Marumoto.

**SCRep. 1810-94          Tourism on S.C.R. No. 231**

The purpose of this concurrent resolution is to request the Department of Business, Economic Development, and Tourism to:

- (1) Terminate its practice of subcontracting through the HVB for the marketing programs of the destination organizations and administer the contracts itself;
- (2) Reexamine its entire marketing program, including its contract with the HVB, and identify subprograms or elements that can be competitively bid or implemented through a request-for-proposal process; and
- (3) Report to the Legislature on:
  - (a) The contracts that it administers directly;
  - (b) Any new contracts it has bid out or executed through the request-for-proposal mechanism;
  - (c) The elements of the HVB contract that will be obtained more competitively in the 1995-1997 biennium; and
  - (d) The subcontracts entered into by the HVB's current advertising agency.

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

Your Committee finds that the Department of Business, Economic Development and Tourism is in the process of re-examining its tourism program and should give serious consideration to the proposal contained in the concurrent resolution, in light of the importance of the tourism industry to Hawaii's economy.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 231 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chumbley, Stegmaier and Marumoto.

**SCRep. 1811-94          Tourism on S.C.R. No. 248**

The purpose of this concurrent resolution is to request the Office of the Auditor to conduct a financial audit of the Hawaii Visitors Bureau's neighbor island affiliate organizations and any other visitor bureau organizations that receive state funding.

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

Your Committee finds that a great need remains for clarification of the Hawaii Visitors Bureau's relationship with its island chapters and the other destination marketing organizations.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 248 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Chumbley, Stegmaier and Marumoto.

**SCRep. 1812-94          Tourism on S.C.R. No. 253**

The purpose of this concurrent resolution is to request the Attorney General, with the assistance of the Department of Business, Economic Development, and Tourism, Hawaii's Congressional Delegation, the United States Department of State, and other relevant state and federal entities and private organizations to work toward establishing a visa waiver program for Hawaii similar to that which pertains to aliens entering Guam.

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

Your Committee finds that only Japan has a visa waiver agreement with the United States, and that Hawaii could reap great benefits from the granting of greater leniency in immigration rules. Expanding the availability of visa waivers, however, could find considerable opposition from officials concerned about recidivism from visitors from certain countries,

and broader language in the concurrent resolution requesting reassessment of non-immigrant visa processing practices may be more appropriate.

Your Committee revised this concurrent resolution by replacing its contents with the following:

- (1) Introductory paragraphs reflecting the need for greater leniency in visa policy for Asia travelers and the tremendous benefits that Hawaii's visitor industry would reap in the event of the implementation of such policy;
- (2) A title and request paragraphs asking Hawaii's congressional delegation to encourage the Immigration and Naturalization Service to re-assess its processing practices for applications for non-immigrant visas for tourists from Asia;
- (3) A provision directing the transmission of certified copies to Hawaii's congressional delegation, the Secretary of State and the Commissioner of Immigration and Naturalization; and
- (4) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 253, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as S.C.R. No. 253, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Chumbley, Stegmaier and Marumoto.

**SCRep. 1813-94          Tourism and Economic Development and Business Concerns on S.C.R. No. 187**

The purpose of this concurrent resolution is to urge Hawaii businesses to make purchases and other transactions with other Hawaii businesses, particularly in tourism-related matters, and to urge state agencies to give the same preference beyond current statutory requirements.

Your Committees received testimony in support of this concurrent resolution from the Department of Business, Economic Development and Tourism, the Hawaii Visitors Bureau, and the Graphic Communications International Union Local 501-M.

Your Committees find that businesses in Hawaii can help each other weather the effects of the prolonged decline in the tourism industry by making purchases from other local companies, rather than out-of-state companies.

Your Committees revised this concurrent resolution by:

- (1) Adding a public/private campaign by the Department of Business, Economic Development, and Tourism, to the provision urging Hawaii businesses to "buy local";
- (2) Amending the title to reflect the new provisions; and
- (3) Making technical, non-substantive changes for the purposes of style and clarity.

As affirmed by the records of votes of the members of your Committees on Tourism and Economic Development and Business Concerns that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 187, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 187, H.D. 1.

Signed by all members of the Committees except Representatives D. Ige, M. Ige, Lee and Tam.

**SCRep. 1814-94          Intergovernmental Relations and International Affairs on S.C.R. No. 153**

The purpose of this concurrent resolution is to make plain to the federal government that mandated federal programs are placing a strain on already overburdened state budgets; the resolution requests assistance from various federal sources to reduce the burden of the mandates.

Testimony in support of the intent of this concurrent resolution was received from a concerned individual.

Your Committee finds that in a time of shrinking fiscal revenues, state governments are facing difficulties in funding federal mandates; and that, because federal funding for joint federal-state programs is diminishing, the burden upon the states is becoming more severe. Additional unfunded federal mandates at this time would serve to worsen this situation.

Your Committee believes that restraint upon and funding for federal mandates would help to alleviate this problem and would offer state governments some reduction in the fiscal burden they face.

Your Committee has amended the concurrent resolution by deleting references to the creation of a Task Force.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 153, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 153, H.D. 1.

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

**SCRep. 1815-94 Intergovernmental Relations and International Affairs on S.C.R. No. 257**

The purpose of this concurrent resolution is to recognize the achievements and contributions of the Republic of China on Taiwan.

Testimony in favor of this concurrent resolution was received from the Office of International Relations, Representative Rod Tam and the Coordination Council for North American Affairs.

Your Committee recognizes that Hawaii enjoys a sister-state relationship with the Republic of China on Taiwan. Your Committee also notes that the Republic of China on Taiwan is the fourteenth largest trading nation in the world, and ranks twentieth in gross national product and twenty-fifth in per capita income, and is the leading holder of foreign exchange reserves.

In addition, your Committee finds that the Republic of China on Taiwan has demonstrated its support for international cooperation and development, and has been aligned with our nation's effort for humanitarian relief and world peace.

As such, your Committee concurs with the intent of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Relations and International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 257, S.D. 1, and recommends its adoption.

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

**SCRep. 1816-94 Water and Land Use Planning on H.R. No. 124**

The purpose of this resolution is to improve resource management efforts by urging Federal, State, and County agencies to adopt a policy that utilizes the ahupua'a as a model for the integrated resource management of water and other resources.

The following organizations testified on this measure: the Department of Land and Natural Resources; the Association of Hawaiian Civic Clubs; and the Native Hawaiian Advisory Council.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 124, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1817-94 Water and Land Use Planning on H.R. No. 155**

The purpose of this resolution is to support efforts of the Department of Hawaiian Home Lands (DHHL) to provide affordable housing to its beneficiaries. This measure requests the Department of Land and Natural Resources (DLNR), the Hawaiian Homes Commission, and the Office of State Planning (OSP) to:

- (1) Identify public trust lands currently held by the DLNR; and
- (2) Develop procedures to obtain gubernatorial approval to transfer title to these lands to the DHHL for the construction of affordable housing for native Hawaiians.

The following organizations testified on this measure: the DLNR; the OSP; the Office of Hawaiian Affairs; Ka Lahui Hawaii; and the Ka Lahui Hawaii Political Action Committee.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 155, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1818-94 Water and Land Use Planning on H.R. No. 389**

The purpose of this House resolution is to request the Governor and Mayor of the County of Hawaii to develop an overall strategy that would maintain the agricultural and rural character of the Hilo-Hamakua community and assist in the transition of that community from a plantation economy.

Your Committee shares the concerns of the Hilo-Hamakua region, which is in the midst of severe social and economic upheaval due to the phase-out of the sugar industry. Your Committee finds that the Legislature can assist the region by organizing a transition plan for the Hilo-Hamakua communities. Such a plan would provide overall direction and pave the way for future economic stability.

Testimony in support of this measure was received from the Hamakua Diversified Agricultural Task Force, the Rural South Hilo Community Association, the Hamakua/North Hilo Agricultural Cooperative, the Hilo-Hamakua Economic Development Task Force, the ILWU Local 142, and several interested citizens.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee is in accord with the intent and purpose of H.R. No. 389 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1819-94 Water and Land Use Planning on S.C.R. No. 116**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to assess the resources of the leeward North Kohala coastline, including historic parks and various conservation and recreational areas, for possible public acquisition prior to construction of additional infrastructure.

Your Committee finds that it is important to preserve the historic, cultural, and pristine ecology of the North Kohala area. The twenty-nine miles of Kohala coastline is a scenic area characterized by several archaeological sites and mainly used for public recreation.

Testimony was received from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Save Our Surf, Chalon International of Hawaii Inc., and Hui Lihikai.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 116, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1820-94 Water and Land Use Planning on S.C.R. No. 206**

The purpose of this concurrent resolution is to restore one of our precious natural resources for the benefit of future generations. This measure requests the Department of Land and Natural Resources (DLNR) and the City and County of Honolulu to jointly develop and implement a plan to rehabilitate Nuuanu Stream. This measure also requests both parties to resolve any jurisdictional disputes in an expeditious manner, so that rehabilitation activities can commence.

The following testified on this measure: the DLNR; the Downtown Neighborhood Board #13; Representative Rod Tam; and two concerned citizens.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 206, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1821-94 Water and Land Use Planning on S.C.R. No. 233**

The purpose of this concurrent resolution is to continue the Task Force to preserve Waipio Valley.

Your Committee finds that the Task Force is an essential part of preserving the cultural, economic, and recreational integrity of Waipio Valley.

Testimony in support of this concurrent resolution was received from the Office of Hawaiian Affairs and the Bishop Museum.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 233, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tajiri.

**SCRep. 1822-94 Water and Land Use Planning on S.C.R. No. 239**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to acquire through land exchange, lands in Pahoia, Hawaii, for community uses.

Your Committee received testimony from the Department of Land and Natural Resources, Hawaii Electric Light Company, Inc., Representative Virginia Isbell, and several concerned citizens.

The House companion measure to Senate Concurrent Resolution No. 239 has been designated as the vehicle for this session, therefore, your Committee has amended this concurrent resolution by deleting the substance and inserting the provisions of House Concurrent Resolution No. 170, H.D. 2.

Your Committee has further amended this concurrent resolution by changing the title to read: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE CONCEPT OF EXCHANGING STATE LANDS AT PUUANAHULU WITH LAND AT KEAHOLE OWNED BY HAWAII ELECTRIC LIGHT COMPANY."

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 239, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 239, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tajiri.  
(Representative Kanohe voted no.)

**SCRep. 1823-94 Human Services on S.C.R. No. 89**

The purpose of this concurrent resolution is to establish a Child Welfare Service Reform Task Force and to develop a blueprint for reform in child protective services.

Testimony from the Department of Human Services, the Judiciary and Parents and Children Together was received in support of the intent of this concurrent resolution.

It is noted by your Committee that the Department of Human Services had requested that the Child Justice Grant Task Force be included as a member of the Child Welfare Services Reform Task Force.

Upon further consideration, your Committee has amended this concurrent resolution by:

- (1) Deleting the substantive portion of the third "WHEREAS" clause and inserting language from House Concurrent Resolution 375, H.D. 1, stating that currently, there is a statewide vacancy rate of approximately seventeen percent within the child protective services system and is currently authorized at seventy percent staffing to carry out State and Federal mandates;
- (2) Inserting the Child Justice Grant Task Force as a member of the Child Welfare Services Reform Task Force;
- (3) Inserting the Child Justice Grant Task Force as an entity to receive a certified copy of this concurrent resolution; and
- (4) Stating that the Legislative Reference Bureau shall submit the Task Force's findings and recommendations to the Legislature.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 89, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. 89, H.D. 1.

Signed by all members of the Committee except Representatives Duldulao, Peters and White.

**SCRep. 1824-94 Human Services and Health on S.C.R. No. 226**

The purpose of this concurrent resolution is to request the Auditor to conduct a performance audit of the statewide interdepartmental cluster for services to children.

Testimony from the Governor's Office of Children and Youth, State Planning Council on Developmental Disabilities, Department of Human Services, Department of Health, Mental Health Association in Hawaii, and two private individuals was received in support of the intent of this concurrent resolution.

It is noted by your Committees that the Cluster System has had a critical role in providing workable models for collaboration between agencies for effective service delivery to children with severe emotional and developmental problems.

Upon consideration, your Committees have amended this concurrent resolution by deleting the title and substantive portion of S.C.R. 226, S.D. 1, and inserting the title and language from House Concurrent Resolution 476, H.D. 1, entitled, "REQUESTING THAT THE INTERDEPARTMENTAL CLUSTER FOR SERVICES TO CHILDREN SUBMIT A REPORT TO THE LEGISLATURE ON ITS ACTIVITIES."

It is also noted that the Governor's Office of Children and Youth will consult with the Mental Health Association and the State Planning Council on Developmental Disability in the development of the scope of services of the consultant and will request their participation in the proposed survey, interviews with the consultant and in aiding the consultant in accessing private input such that objective outcomes are ensured.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 226, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. 226, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Isbell, Kawakami, Peters and Santiago.

**SCRep. 1825-94 Energy and Environmental Protection on S.C.R. No. 6**

The purpose of this Concurrent Resolution is to request the Department of Health to establish groundwater monitoring and reporting programs in each county of the State.

Testimony supporting S.C.R. No. 6, S.D. 1, was presented to the Committee by a concerned citizen.

Testimony in opposition to the concurrent resolution was received from:

- (1) The Department of Health; and
- (2) The Hawaiian Sugar Planters' Association.

Although the Department supported the intent of the concurrent resolution, it opposed the concurrent resolution as written, because, in its view, the Department cannot fulfill the purpose of the concurrent resolution without substantial funding. The Hawaiian Sugar Planters' Association, likewise, opposed the concurrent resolution, in part, because it placed a great burden on the Department's resources.

Your Committee noted the need to support clean drinking water efforts and establish groundwater monitoring programs for the various islands and consequently agreed to pass the concurrent resolution unamended.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 6, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1826-94 Energy and Environmental Protection on S.C.R. No. 62**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to study the feasibility of establishing a Hawaii Energy Resources Conservation and Development Commission (Commission).

Testimony supporting S.C.R. No. 62, S.D. 1, was received from the Hawaii Green Party, and testimony opposing the concurrent resolution was received from the Department of Business, Economic Development, and Tourism.

Although the Department testified that it supports raising the profile of energy issues and programs in the State, it does not support the current resolution or the creation of the commission proposed by the concurrent resolution. The Hawaii Green Party, on the other hand, cited various examples of how such a commission could better serve Hawaii's increasing energy concerns, which it testified, are not being adequately addressed by the governmental organizations now charged with energy planning and program implementation.

Your Committee agreed to pass the concurrent resolution unamended.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 62, S.D. 1, and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1827-94 Energy and Environmental Protection on S.C.R. No. 133**

The purpose of this concurrent resolution is to request the Department of Health to implement the recommendations listed in the Auditor's report entitled, "Audit of the Hazardous Waste Program of the Department of Health."

The Department of Health testified in support of the concurrent resolution, while noting its concerns about item 4 of the concurrent resolution. Specifically, the Department testified that it will review and update its procedures relating to infectious waste.

Your Committee agreed to pass the concurrent resolution unamended and noted that they appreciated the Department of Health's support of the concurrent resolution and desires to implement it.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 133, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1828-94 Energy and Environmental Protection and Transportation on S.C.R. No. 115**

The purpose of this concurrent resolution is to request the State Department of Transportation to support the Sierra Club Legal Defense Fund's petition with the Federal Aviation Administration (FAA) to control low-flying tour aircraft in the State of Hawaii and that the Department report to the Legislature on the FAA's response.

Testimony in support of this concurrent resolution was received from:

- (1) The Department of Transportation;
- (2) The Sierra Club Legal Defense Fund, Inc.; and
- (3) Citizens Against Noise.

After free and open discussion, your Committee agreed to pass S.C.R. 115, S.D. 1, unamended.

As affirmed by the record of votes of the members of your Committees on Energy and Environmental Protection and Transportation that is attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 115, S.D. 1, and recommends its adoption.

Signed by all members of the Committees except Representatives Hiraki, Hirono, Nekoba, Yonamine and Ward.

**SCRep. 1829-94 Energy and Environmental Protection on S.C.R. No. 183**

The purpose of this concurrent resolution is to urge the county governments and state Departments of Land and Natural Resources, Transportation, and Accounting and General Services to promote the use of xeriscape landscaping.

The Department of Transportation submitted testimony supporting the intent of the concurrent resolution.

Your Committee agreed to pass the concurrent resolution unamended.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 183 and recommends its adoption.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1830-94 Tourism and Economic Development and Business Concerns on S.C.R. No. 252**

The purpose of this concurrent resolution is to request the Governor to enter into discussions with the Walt Disney Company concerning development of a Hawaii History Theme Park on the Big Island of Hawaii.

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

Your Committees find that the development of a Hawaii History Theme Park would bring needed economic activity and would help to build Hawaii's presence in the vital cultural/historical tourism niche market. When initiating negotiations, the Governor should use the assistance of the Department of Business, Economic Development and Tourism, which can offer considerable expertise on this matter.

In working on this matter, the Governor should also consider other companies, in addition to Disney, other types of theme parks, in addition to historical, and other islands, in addition to the Big Island of Hawaii.

As affirmed by the records of votes of the members of your Committees on Tourism and Economic Development and Business Concerns that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 252 and recommend its adoption.

Signed by all members of the Committees except Representatives Chumbley, D. Ige, M. Ige, Lee and Tam.  
(Representative Marumoto voted no.)

**SCRep. 1831-94 Judiciary on S.C.R. No. 250**

The purpose of this concurrent resolution is to recognize the outstanding work of Hawaii's police officers, and to request the Chiefs of Police in each county to review their system of internal discipline in light of recent amendments to the Uniform Information Practices Act.

The State of Hawaii Organization of Police Officers and the Hawaii Rifle Association submitted testimony in support of the concurrent resolution. The Society of Professional Journalists, University of Hawaii at Manoa Chapter; the Office of Information Practices; and Common Cause Hawaii submitted testimony in opposition to the concurrent resolution.

Your Committee believes that police officers, like other government employees, must be accountable to the public. The environment within which police officers work, however, is unique. Because they are subject to unpredictable and potentially dangerous situations every day, police officers operate within a para-military structure that stresses discipline and regulation.

Your Committee believes that the internal disciplinary structure of the state police must be studied further before any decisions are made regarding the disclosure of names of disciplined officers to the public. Accordingly, your Committee has amended the concurrent resolution by:

- (1) Changing the title to "RECOGNIZING THE OUTSTANDING WORK OF HAWAII'S POLICE OFFICERS AND REQUESTING THAT THE LEGISLATURE BE PROVIDED WITH A COPY OF GENERAL ORDERS;"
- (2) Deleting the third "WHEREAS" clause concerning the nature of the police force's interaction with the public, and replacing it with a "WHEREAS" clause noting that the police force operates like a para-military organization;
- (3) Adding six "WHEREAS" clauses before the "BE IT RESOLVED" clauses describing the internal system of discipline in the police department, and noting that the Legislature currently has no access to the document in which the disciplinary system is set out, known as General Orders;
- (4) Deleting the "BE IT FURTHER RESOLVED" clause asking that the chiefs of police in each county review the system of internal discipline to ensure that only officers committing the most serious infractions have their names released to the public;
- (5) Adding a "BE IT FURTHER RESOLVED" clause asking that the Legislature be provided with a copy of the police department's General Orders, so the Legislature can assess the level of public disclosure that will keep police officers accountable while also protecting them from unreasonable public sanction; and
- (6) Making technical, nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 250, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 250, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Bunda, Cachola, Hirono, Peters and Takamine.

**SCRep. 1832-94 Health and Human Services on S.C.R. No. 88**

The purpose of this concurrent resolution is to request the formation of a task force to recommend more effective ways to deal with Hawaii's drug problems.

Testimonies in support of the intent of this measure were received from the Department of Health, the Governor's Committee on HIV/AIDS, the Department of Public Safety, the Hawaii Advisory Commission on Drug Abuse and Controlled Substances, and the Hawaii Drug Policy Options Group.

Your Committees have noted that Hawaii has an increasing substance abuse problem. Further, it is the wish of your Committees that Hawaii look at various options and means which may be used to help control and deal with the drug problems now facing Hawai'i.

After further consideration, your Committees have decided to pass this measure unamended for the benefit of the people of Hawaii. However, the Committees would like to request that the Hawaii Advisory Commission on Drug Abuse and Controlled Substances work with a broader group of departments and agencies, other than those mentioned in the concurrent resolution, who have an interest in the subject matter contained in this measure.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 88, S.D. 1, and recommend that it be referred to the Committee on Judiciary.

Signed by all members of the Committees except Representatives Duldulao, Kawakami and Peters.

**SCRep. 1833-94 Health and Human Services on S.C.R. No. 99**

The purpose of this legislation is to request the Departments of Health and Human Services to report on plans to respond to the health and social problems on the Island of Hawai'i.

Testimonies in support of this measure were received from the Department of Health, the State Health Planning and Development Agency (SHIPDA), and the Mental Health Association of Hawaii.

It was understood by your Committees that many factors that indicate that the Island of Hawaii suffers from various socio-economic and health woes have been adequately documented. Further, it was reported that many of these factors have been largely overlooked by the state health agencies. Moreover, it was noted that mechanisms that should be responding to populations that require community based assistance and care do not appear to be in place.

Furthermore, it was realized by your Committees that statistics show the Big Island having the highest rate of elder abuse, as well as child abuse, domestic violence, and attempted and successful suicide, in the state.

Accordingly, your Committees have passed this concurrent resolution unamended. However, your Committees would like it noted that they have requested SHIPDA to involve groups such as the Office of Youth Services, the Office of State Planning, and the Department of Education, as well as various other groups that are interested in working with them, in the plans which they will be reporting on to the Legislature.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 99, S.D. 1, and recommend its adoption in the form attached hereto as S.C.R. No. 99, S.D. 1.

Signed by all members of the Committees except Representatives Arakaki, Duldulao, Kawakami and Peters.

**SCRep. 1834-94 Consumer Protection and Commerce on S.C.R. No. 40**

The purpose of this concurrent resolution is to request the Public Utilities Commission (PUC) to initiate and establish an informational docket on the facilitation of renewable energy resources utilization within sixty days of the adoption of this concurrent resolution.

More specifically, this concurrent resolution:

- (1) Requests the PUC to conduct a comprehensive review, inter alia, on:
  - (A) Establishing regulatory or statutory incentives for utilities to develop renewable energy resources;
  - (B) Utilizing wind systems to satisfy a greater proportion of Hawaii's energy needs; and
  - (C) Adopting of "green pricing" by the utilities and other administrative and technological options that facilitate the use of renewal energy systems;

and

- (2) Requests the PUC to submit a status report to the 1995 Legislature, and a final report to the 1996 Legislature to include:
  - (A) A summary of the activities, policies, and regulations of programs examined;
  - (B) The identification of "elements" that may be applicable to Hawaii and will or may be examined by the PUC; and
  - (C) Recommendations for statutory or policy changes that could be implemented by the Legislature.

Supportive testimony was submitted by the Pacific International Center for High Technology Research and a concerned participant of the 1993 Energy and Environmental Summit.

Comments by the PUC and the Department of Business, Economic Development, and Tourism were also submitted.

Your Committee believes that the informational docket requested in this concurrent resolution will provide the public a forum to voice their concerns regarding the use of renewable energy resources, as well as facilitate further discussion by policymakers on this matter.

The PUC representative testified that the PUC is willing to open the aforementioned informational docket. However, should H.B. No. 3451, H.D. 2, S.D. 2, which would establish the PUC Special Fund, fail to be enacted during this legislative session, the PUC indicated that it would not have the financial or staff resources to conduct a review of renewable energy resources to the extent contemplated in this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 40, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Hiraki, Hirono, Oshiro, Peters and Takamine.

**SCRep. 1835-94 Consumer Protection and Commerce on S.C.R. No. 68**

The purpose of this concurrent resolution is to request a study by the Auditor of the need for licensing of air conditioning and refrigeration mechanics.

Under current law, engineers who design air conditioning and refrigeration systems must be licensed pursuant to Chapter 464, but mechanics who install and service them do not.

The risk of danger to consumers through improper installation, servicing, or maintenance has increased since air conditioning and refrigeration systems are increasingly ubiquitous and complex mechanisms.

Testimony was received from:

- (1) Plumbers and Fitters Local 675 United Association;
- (2) Honolulu Joint Apprenticeship and Training Committee for the Plumbing and Pipefitting Industry; and,
- (3) Plumbing and Mechanical Contractors Association of Hawaii.

To assure that only competent qualified persons carry out these activities, minimum license requirements should be analyzed prior to their establishment.

The information to assist in this determination can be provided in the study requested by the concurrent resolution.

In addition, Section 26H-6, Hawaii Revised Statutes, requires that new regulatory measures being considered for unregulated professions or vocations be referred to the Auditor for analysis of the probable effects of the proposed regulatory measure.

The Auditor must also assess whether the enactment is consistent with the policies set forth in section 26H-2, Hawaii Revised Statutes, and also assess alternative forms of regulation.

Moreover, at a public hearing held on February 14, 1994, this Committee considered H.B. No. 2661, which would mandate licensing of air conditioning and refrigeration mechanics.

However, the measure was held because of a lack of the kind of study called for in this concurrent resolution.

Upon consideration, your Committee has made the following amendments to the concurrent resolution:

- (1) Adding an additional whereas clause to provide further guidance to the Auditor as to a proposed licensing bill, as required by §26H-6; and,
- (2) Amending the now therefore clause by making a technical, nonsubstantive change to correct a reference to §26H-2 and replaced it by the correct citation to §26H-6.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 68, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 68, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Hiraki, Hirono, Oshiro, Peters and Takamine.

**SCRep. 1836-94 Consumer Protection and Commerce on S.C.R. No. 79**

The purpose of this concurrent resolution to request the assistance of the Department of Health in defining the qualifications of nutritionists.

Testimony was received from:

- (1) the Department of Health;
- (2) the University of Hawaii, College of Tropical Agriculture, Department of Food Science and Human Nutrition;
- (3) the Hawaii Dietetic Association; and,
- (4) other concerned members of the public.

In particular, your Committee was informed that:

- (1) Since the 1980's, more than 28 states have enacted legislation to regulate nutrition professionals;
- (2) A Hawaii woman suffered from extreme shortness of breath and swelling all over her body after taking food supplements containing substances to which she was allergic and after informing the nutrition store of her allergies; and,
- (3) Another Hawaii resident was advised that improving her health required ingesting excessive amounts of protein.

Your Committee agrees that unfounded claims and half-truths regarding nutrition may be adversely affecting members of the general public.

Moreover, your Committee recognizes that extensive academic education and professional experience are required to serve as a registered dietician or to be a professionally qualified nutritionist. However, individuals lacking this background are said to be providing erroneous information.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 79 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Hiraki, Hirono, Oshiro, Peters and Takamine.

**SCRep. 1837-94 Consumer Protection and Commerce on S.C.R. No. 191**

The purpose of this concurrent resolution is to request the Public Utilities Commission and the Department of Commerce and Consumer Affairs' Cable Television Division to do the following:

- (1) review and assess the current regulatory processes with a view toward ascertaining how best to regulate all communications technologies at the State level, consistent with federal legislation adopted in 1994;
- (2) determine the appropriate range of state regulation, including wireless and other technologies not currently regulated by the State; and
- (3) report their findings and recommendations to the Legislature no later than twenty days prior to the convening of the 1995 Regular Session.

Testimony was received in support of this concurrent resolution from the Public Utilities Commission, the Cable Television Division of the Department of Commerce and Consumer Affairs, GTE Hawaiian Telephone Company, Oceanic Cablevision, and Ikaika Video.

There was no testimony in opposition to the intent of this measure.

Your Committee believes that this review by the Public Utilities and the Department of Commerce and Consumer Affairs' Cable Television Division provides a proactive approach for dealing with the potential federal legislation which will impact Hawaii's future regulation of this important industry.

Your Committee has amended this concurrent resolution by requesting that the Public Utilities Commission and the Department of Commerce and Consumer Affairs' Cable Television Division ascertain the requirements for consolidated regulation of all communications technologies in this State.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 191, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 191, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Hiraki, Hirono, Oshiro, Peters and Takamine.

**SCRep. 1838-94 Energy and Environmental Protection on S.C.R. No. 2**

The purpose of this concurrent resolution is to request the Public Utilities Commission (PUC) to amend its rules to provide that a nonfossil fuel supplier may, and an electric utility shall, petition it for a hearing if the supplier and the utility cannot agree on the purchase price of energy.

Testimony supporting the intent of S.C.R. No. 2, S.D. 1, was received from:

- (1) The Consumer Advocate of the Department of Commerce and Consumer Affairs;
- (2) The Department of Business, Economic Development and Tourism;
- (3) The Public Utilities Commission;
- (4) A representative of electrical power producers on the islands of Maui and Hawaii:
  - (a) Waimana Enterprises, Inc.;
  - (b) Kawaihae Cogeneration Partners;
  - (c) Mauna Kea Power Company, Inc.; and
  - (d) Wailuku River Hydroelectric Power Company, Inc.;

and

- (5) Interisland Solar Supply.

Testimony opposing the concurrent resolution was received from the Hawaiian Electric Company who claimed that the concurrent resolution, as written, is unnecessary.

Your Committee agreed to pass S.C.R. No. 2, S.D. 1 unamended.

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 2, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1839-94 Energy and Environmental Protection on S.C.R. No. 9**

The purpose of this concurrent resolution, as received by your Committee, is to request the Department of Health and the mayors and councils of each county to identify and obtain consensus on a full cost analysis methodology that can be used to assess solid waste management and source reduction programs under their respective jurisdictions.

No testimony was received in support or opposition of this measure.

Your Committee believes that other legislative measures have directed the Department of Accounting and General Services to develop a new procurement policy office and include a specific focus on the encouragement of products made from recycled materials, and also notes that the Department has recently promulgated rules amending the chapter relating to procurement policies providing preferences for products made from recycled materials. Your Committee thus believes that a study and report upon these efforts is now necessary to monitor the effectiveness of such programs and efforts.

Your Committee therefore amended this concurrent resolution to request for the Department of Accounting and General Services, in cooperation with the Department of Health and the Department of Business, Economic Development and Tourism, to prepare a report to (1) research the quantities of recycled products purchased during the previous fiscal year, (2) evaluate the effects of these policy changes, and (3) recommend future program modifications to expand these efforts.

Specifically, your Committee agreed to amend the concurrent resolution by replacing the original language with language to incorporate the request a report be conducted investigating the afore mentioned recycled products, policies and programs. The title of the concurrent resolution was also changed to read, "REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REPORT TO THE LEGISLATURE REGARDING RESULTS OF THE POLICY TO PROMOTE THE PURCHASE OF PRODUCTS MADE FROM RECYCLED MATERIALS."

As affirmed by the record of votes of the members of your Committee on Energy and Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 9, as amended herein, and recommends its adoption.

Signed by all members of the Committee except Representatives Hiraki, Hirono and Takamine.

**SCRep. 1840-94 Legislative Management on H.R. No. 105**

The purpose of this resolution, as received by your Committee, is to request the Legislative Reference Bureau to conduct a study of emergency medical services for the homeless mentally ill on Oahu.

Testimony in support of this measure was submitted by the Mental Health Association in Hawaii and the Kokua Council for Senior Citizens. The Department of Health submitted comments on this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Deleting language that would have had the study include:
  - (a) A review of Section 334-59, Hawaii Revised Statutes, regarding the uncertainty about the constitutionality of the criteria for emergency examination;
  - (b) A consideration of enabling a judge to consider the appointing of a guardian who will be responsible for the mentally ill person;
  - (c) A review of the use of the MH-2 form, especially the procedure of using the phone to commit someone involuntarily without the direct observation of a mental health professional;
  - (d) A review of other states' experiencing similar problems with their mental health system; and
  - (e) A proposal for legislation to amend Hawaii's existing mental health statutes;
- (2) Requesting the Department of Health to perform the study instead of the Legislative Reference Bureau;
- (3) Requesting the Department of Health to capitalize on the ongoing work of the Task Force on Individuals with Mental Illness and the Criminal Justice System;
- (4) Including the Task Force on Individuals with Mental Illness and the Criminal Justice System as one of the organizations that is to assist the Department of Health in the study; and
- (5) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 105, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 105, H.D. 2.

Signed by all members of the Committee except Representatives Ihara, Say, Souki and Ward.

**SCRep. 1841-94      Legislative Management on S.C.R. No. 269**

The purpose of this concurrent resolution is to request the State Auditor to conduct an analysis of the Department of Health's policy concerning the approval of individual wastewater systems in the Kahaluu to Waialua sewerage subdistricts on the island of Oahu.

Testimony in support of this measure was submitted by the Office of Representative Beirne. The Department of Health submitted testimony in support of the intent of this measure.

After free and open discussion, your Committee has amended this measure by:

- (1) Changing the title to read as follows:  

"SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RE-EVALUATE ITS POLICIES CONCERNING THE APPROVAL OF INDIVIDUAL WASTEWATER SYSTEMS IN LOW-LYING AND SEA-LEVEL COMMUNITIES," to expand the measure's scope;
- (2) Changing the focus of the measure by requesting the Department of Health to re-evaluate its policies concerning the approval of individual wastewater systems in low-lying and sea-level communities;
- (3) Deleting language that would have had the analysis include a determination of:
  - (a) Whether the Department of Health's policy of prohibiting the construction of new cesspools in areas where percolation rates are acceptable is sound public policy;
  - (b) How much money the Department of Health has spent to implement its policy of requiring the upgrading of cesspools to septic tanks;
  - (c) The dollar value of all building permits denied because of the Department of Health's policy of requiring the upgrading of cesspools to septic tanks; and
  - (d) The advisability of waiving the requirement for sewer line hook ups in areas with no gravity flow;
- (4) Inserting language requesting the Department of Health to determine the costs and priority of constructing regional wastewater treatment plants, effluent disposal systems, pump stations, and sewer lines for unsewered communities where individual wastewater systems are failing; and
- (5) Making technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 269, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 269, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Ihara, Say, Souki and Ward.

**SCRep. 1842-94      Public Safety and Corrections on S.C.R. No. 158**

The purpose of this concurrent resolution is to request the Department of Public Safety (Department) to:

- (1) Take appropriate action to comply with recommendations issued by the Auditor in Report No. 92-26; and
- (2) Submit a report to the 1995 Legislature on all actions taken on this matter.

Comments were submitted by the Department.

The Department representative testified that the Department is currently undertaking various steps to strengthen its internal controls and procedures at State correctional facilities. With the help of the accounting firm that conducted the above-mentioned audit, and in conjunction with the Department of Personnel Services and the Office of Collective Bargaining, the Department has taken steps to reduce overtime, correct sick leave abuses, and improve record-keeping and supervision.

The Department representative also noted that the Department intends to vigorously pursue all of the Auditor's recommendations as well as report its progress to the Legislature prior to the start of next year's session.

As affirmed by the record of votes of the members of your Committee on Public Safety and Corrections that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 158 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Herkes, Tom and Thielen.

**SCRep. 1843-94      Transportation on S.C.R. No. 21**

The purpose of this concurrent resolution is to request the Auditor to conduct a management and financial audit of the Airports Division of the Department of Transportation (DOT).

Your Committee received testimony from the Department of Transportation.

Your Committee has amended this concurrent resolution by:

- (1) Deleting various whereas provisions; and
- (2) Incorporating various technical and non-substantive amendments for the purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 21, 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. 21, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Yonamine.

**SCRep. 1844-94            Transportation on S.C.R. No. 22**

The purpose of this concurrent resolution is to request the Auditor to conduct a management and financial audit of the Department of Transportation's Highways Division.

Your Committee received testimony from the Department of Transportation.

Your Committee has amended this concurrent resolution by:

- (1) Deleting various whereas provisions; and
- (2) Incorporating various technical and non-substantive changes for the purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 22, 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. 22, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Yonamine.

**SCRep. 1845-94            Transportation on S.C.R. No. 33**

The purpose of this concurrent resolution is to request the Department of Transportation to form a temporary Hawaii airports cultural development committee for the purpose of developing a master plan that incorporates Hawaii's rich native heritage and multi-cultural influences into the physical structure and operations of the State's airport facilities.

Your Committee finds that the State's airport facilities are the first impressions visitors arriving to the islands experience. Your Committee finds that providing visitors with cultural displays and events will help promote the visitor industry in our State. Your Committee finds that every effort to promote the uniqueness of Hawaii's cultural diversity and native heritage should be zealously pursued.

Your Committee received testimony from the Department of Transportation.

Your Committee has amended this concurrent resolution by:

- (1) Renaming the Hawaii airports cultural development committee to the Hawaii airports cultural advisory committee;
- (2) Amending the committee's purpose from the development of a master plan to the development of recommendations to the Department of Transportation;
- (3) Deleting the provision that the representative of each respective group be appointed by the corresponding administrator;
- (4) Adding various community groups, businesses, and agencies to the list of committee participants; and
- (5) Various technical and non-substantive changes for the purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 33, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Tourism in the form attached hereto as S.C.R. No. 33, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Yonamine.

**SCRep. 1846-94            Transportation on S.C.R. No. 281**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study on the advisability and feasibility of establishing a Hawaii Port Authority and Hawaii Port Authority Fund.

Your Committee finds that Hawaii's airports and commercial harbors are the State's vital links to the continental United States and the rest of the world. Your Committee finds that efficient operation of the State's ports are vital to the economic and physical survival of our islands.

Your Committee received testimony from the Department of Transportation and from a concerned citizen.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 281 and recommends that it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representative Yonamine.

**SCRep. 1847-94            Transportation on S.C.R. No. 25**

The purpose of this concurrent resolution is to request the Department of Transportation to desist the installation of any variable message signs in the Windward area until the concerns of the impacted community are addressed.

Your Committee finds that the Windward community has expressed concerns regarding the Department of Transportation's installation of variable message signs and the impact such signs may have on the area's scenery.

Your Committee received testimony from the Department of Transportation, the Outdoor Circle, and the Kailua Neighborhood Board.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 25, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Yonamine.

**SCRep. 1848-94            Transportation on S.C.R. No. 282**

The purpose of this concurrent resolution is to name the Interstate H-3 tunnel The Tetsuo Harano Tunnel.

Your Committee finds that Tetsuo Harano has faithfully and diligently completed 52 years of service to the State of Hawaii -- the last 25 years as the Department of Transportation's Highways Chief Engineer. Your Committee finds that Tetsuo Harano has had a part in the construction of almost every mile of highway improvements in the State, which covers 2,163 lane miles of highway. Your Committee finds that Tetsuo Harano's service has included a variety of unique situations ranging from the utilization of advanced engineering techniques to the emergency reconstruction of highway segments destroyed by volcanic and tsunami activity. Your Committee finds that Tetsuo Harano was instrumental in obtaining the necessary authorization to finance, construct, and complete the Interstate H-3 highway and accompanying tunnel.

Your Committee received testimony from the Department of Transportation.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 282 and recommends its adoption.

Signed by all members of the Committee except Representative Yonamine.  
(Representative Shon voted no.)

**SCRep. 1849-94            Consumer Protection and Commerce on S.C.R. No. 38**

The purpose of this concurrent resolution is to request the County of Kauai to disburse grants-in-aid to victims of Hurricane Iniki who were adversely affected by the failure of licensed contractors to complete the terms of the contracts to repair or rebuild their homes.

Testimony in support of the concurrent resolution was received from the Department of Commerce and Consumer Affairs.

Your Committee finds that:

- (1) More than 50 complaints have been submitted to the Regulated Industries Complaints Office;
- (2) At least four contractors have gone out of business or declared bankruptcy;
- (3) Homeowners on Kauai have suffered approximately \$1,000,000 in unfulfilled contracts and out-of-pocket expenses;
- (4) The Regulated Industries Complaints Office is aggressively handling the license disciplinary aspects of these complaints; and

- (5) Nonetheless, collection of any restitution orders or judgments resulting from RICO actions is questionable, inasmuch as it is dependent on the solvency of the licensee.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 38, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Bainum, Hiraki, Oshiro, Peters and Takamine.

**SCRep. 1850-94 Water and Land Use Planning on S.C.R. No. 230**

The purpose of this concurrent resolution is to request the Governor and the Mayor of the County of Hawaii to establish a Hilo-Hamakua Strategic Development Alliance.

Testimony in support of this measure was received from the Office of State Planning.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 230 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Bainum, Beirne and Thielen.

**SCRep. 1851-94 Water and Land Use Planning on H.R. No. 268**

The purpose of this resolution is to request the Federal Mahukona Historical site in North Kohala, County of Hawaii, as National Historic Landmarks.

Your Committee received testimony in support of this measure from Mo'okini Luakini.

Your Committee has amended this resolution by:

- (1) Inserting a "WHEREAS" provision stating "over the years, community groups and other residents of Kohala and the Big Island have worked collectively to ensure that these culturally and historically significant sites will be preserved for the benefit of all future generations;"
- (2) Inserting a "BE IT RESOLVED" provision stating "that Kohala as well as Big Island residents are encouraged to continue to participate and support efforts to formally recognize these sites as culturally and historically significant;" and
- (3) Making technical, non-substantive amendments for purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 268, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 268, H.D. 2.

Signed by all members of the Committee except Representatives Bainum, Beirne and Thielen.

**SCRep. 1852-94 Water and Land Use Planning on H.R. No. 379**

The purpose of this resolution is to urge the National Park Service to include Kukuipahu Heiau and Mahukona Historical site in North Kohala, County of Hawaii, in the National Register of Historic Places.

Your Committee received testimony from the Department of Land and Natural Resources, the Office of Hawaiian Affairs, and Mo'okini Luakini.

Your Committee has amended this resolution by:

- (1) Inserting a "WHEREAS" provision stating "over the years, community groups and other residents of Kohala and the Big Island have worked collectively to ensure that these culturally and historically significant sites will be preserved for the benefit of all future generations;"
- (2) Inserting a "BE IT RESOLVED" provision stating "that Kohala as well as Big Island residents are encouraged to continue to participate and support efforts to formally recognize these sites as culturally and historically significant;" and
- (3) Making technical, non-substantive amendments for purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Water and Land Use Planning that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 379, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 379, H.D. 1.

Signed by all members of the Committee except Representatives Bainum, Beirne and Thielen.

**SCRep. 1853-94 Finance on S.C.R. No. 108**

The purpose of this concurrent resolution is to call for a cessation of unfunded federal mandates, and to request assistance from legislative associations to protect the rights of the states.

Your Committee finds that the imposition of unfunded federal mandates upon the states not only infringes upon the powers granted to the states by the Tenth Amendment but also places a severe hardship upon all of the States of the Union; therefore action must be taken to curb unfunded federal mandates.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 108, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho and Pepper.

**SCRep. 1854-94 Finance on S.C.R. No. 35**

The purpose of this concurrent resolution, as received, is to request the Department of Budget and Finance to enforce its collateral requirements consistently and perform periodic checks for accuracy of collateral data.

The Department of Budget and Finance submitted comments on this measure.

Upon consideration, your Committee has amended the concurrent resolution by deleting the substance, and inserting the substance of H.C.R. No. 93, H.D. 1, a concurrent resolution which confirms that the Homes Revolving Fund may provide a portion of the State's equity contribution for the Pawaa mixed-use development project. Your Committee notes that H.C.R. No. 93 was passed as amended earlier this session after a public hearing before the House Committee on Housing.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 35, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 35, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Tajiri, Marumoto and Ward.

**SCRep. 1855-94 Finance on S.C.R. No. 50**

The purpose of this concurrent resolution is to approve the biennial review of the compensation plans for civil service employees, and costs thereof, submitted by the Conference of Personnel Directors to take effect on July 1, 1994.

Your Committee has studied and reviewed the "Report of Findings on Adjustments to the Compensation Plans," the compensation plans, and costs thereof as required by law.

The Conference of Personnel Directors and the Hawaii Government Employees Association submitted testimony recommending the adoption of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 50 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.

**SCRep. 1856-94 Finance on S.C.R. No. 54**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to review its administrative rules and revise, simplify, and consolidate those rules relating to small boat harbors and boating to make them user-friendly, and prepare a rule book for lay people which would be available to registered vessel owners.

Supportive testimony was submitted by the Department of Land and Natural Resources, the Boater's Audit Reports Task Force, and concerned citizens.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 54, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.

**SCRep. 1857-94 Finance on S.C.R. No. 184**

The purpose of this concurrent resolution is to request the Department of Human Services to conduct a study of the JOBS program and make recommendations for its continuance.

Supportive testimony was submitted by the Department of Human Services.

Your Committee has amended the concurrent resolution by:

- (1) Directing the Department of Human services to report on the JOBS program in accordance with Act 321, Session Laws of Hawaii, Regular Session of 1990, rather than as part of its annual report on the JOBS program; and
- (2) Making technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 184, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 184, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Tajiri, Marumoto and Ward.

**SCRep. 1858-94 Finance on S.C.R. No. 202**

The purpose of this concurrent resolution is to request the Auditor to retain the services of a consultant to:

- (1) Determine whether or not pay inequity exists among specific public employee job classes that are dominated by one sex;
- (2) Determine what factors or conditions contribute to such inequity if such inequity exists; and
- (3) Determine what changes in law or practice could optimally achieve fairness in job evaluation.

The Department of Personnel Services submitted comments on this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 202 and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.

**SCRep. 1859-94 Finance on S.C.R. No. 213**

The purpose of this concurrent resolution is to request the Department of Transportation to examine the feasibility of allowing the land between, under, and surrounding highway interchanges to be used by private parties, the University of Hawaii, or other state agencies for plant nursery or botanical research purposes.

Your Committee received testimony from the Department of Transportation supporting the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee 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 except Representatives Alcon, Kanoho, Tajiri, Marumoto and Ward.

**SCRep. 1860-94 Finance on S.C.R. No. 242**

The purpose of this concurrent resolution is to request the Governor to assist the coordinating committee established to plan Hawaii's commemoration of the 50th anniversary of the end of World War II.

The Department of Business, Economic Development, and Tourism submitted testimony supporting the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 242, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.

**SCRep. 1861-94 Finance on S.C.R. No. 256**

The purpose of this concurrent resolution is to request the President of the Senate and the Speaker of the House of Representatives to establish a joint legislative interim committee to study the effectiveness of the State's planning-programming-budgeting system.

Supportive testimony was submitted by the Administrative Director of the Office of the Governor. The Department of Budget and Finance submitted testimony in support of the intent of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 256, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Tajiri, Marumoto and Ward.

**SCRep. 1862-94 Finance on S.C.R. No. 273**

The purpose of this concurrent resolution is to urge the Department of Accounting and General Services to enter into a lease/purchase agreement for a new state office building in Kapolei, Oahu.

Supportive testimony was submitted by the Estate of James Campbell. The Department of Accounting and General Services submitted comments on this concurrent resolution.

Your Committee has amended this concurrent resolution as follows:

- (1) Changed the title of the concurrent resolution to urge the Department of Accounting and General Services to enter into a lease back/purchase option agreement for a new state office building in Kapolei, Oahu; and
- (2) Made technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 273, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 273, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.

**SCRep. 1863-94 Finance on S.C.R. No. 275**

The purpose of this concurrent resolution is to request the Department of Transportation to evaluate the "design and build" concept for highway construction in Hawaii.

The Department of Transportation submitted testimony supporting the intent of this measure. The Construction Industry Legislature Organization submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 275, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Tajiri, Marumoto and Ward.

**SCRep. 1864-94 Finance on H.R. No. 136**

The purpose of this resolution is to request the Department of Health to change its policies and programs in regard to children with cancer and their families.

This resolution further provides that the Department of Health, in consultation with the Kapiolani Medical Center for Women and Children, the Hawaii Children's Cancer Foundation, and the Department of Human Services, is requested to:

- (1) Review its Children with Special Needs Program eligibility criteria;
- (2) Strengthen its information and referral activities to serve all who inquire about special support, without regard to income or specific medical condition;
- (3) Monitor the Health QUEST program; and
- (4) Survey health plan providers to determine if their policies regarding coverage are leaving families uninsured and uninsurable.

The Department of Health, Kapiolani Medical Center for Women and Children, and a concerned citizen submitted comments on this resolution.

Your Committee has amended this resolution as follows:

- (1) Clarified that the Department of Health monitor the Health QUEST program with respect to children with cancer to ensure uniform coverage and access to health care for all residents in this area;
- (2) Clarified that the Department of Health survey health plan providers to determine if their policies regarding coverage with respect to children with cancer are leaving families uninsured and uninsurable; and
- (3) Made technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 136, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 136, H.D. 2.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.

**SCRep. 1865-94 Finance on H.R. No. 325**

The purpose of this resolution is to request the Department of Land and Natural Resources, along with the Western Pacific Regional Fishery Management Council and National Marine Fisheries Service, to form a task force with the purpose of developing effective management measures that will restore and protect Hawaii's bottomfish resources.

The Department of Land and Natural Resources (DLNR) and the Western Pacific Regional Fishery Management Council submitted comments on this resolution.

Upon careful consideration, your Committee has amended this resolution as follows:

- (1) Specified that the Task Force to develop effective management measures that will restore and protect Hawaii's bottomfish resources should be formed only if resources permit;
- (2) Stated that DLNR shall provide the Task Force recommendations to the Committee on Ocean Recreation and Marine Resources every six months; and
- (3) Made technical, nonsubstantive revisions for purposes of style, clarity, and consistency.

Your Committee encourages financial support from the federal government for the establishment of a task force to develop effective management measures to protect Hawaii's bottomfish resources.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 325, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 325, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.

**SCRep. 1866-94 Finance on H.R. No. 385**

The purpose of this resolution is to request the Office of Hawaiian Affairs, the Department of Hawaiian Home Lands, the Board of Agriculture, the Department of Business, Economic Development, and Tourism, the Department of Land and Natural Resources, the Water Resource Management Commission, and the University of Hawaii College of Tropical Agriculture to investigate ways to promote and encourage the cultivation and processing of taro to meet the growing demand for taro products in the local, domestic, and foreign markets.

Supportive testimony was submitted by the Office of Hawaiian Affairs. The Board of Agriculture and the University of Hawaii College of Tropical Agriculture and Human Resources submitted comments on this resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 385, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.

**SCRep. 1867-94 Finance on S.C.R. No. 259**

The purpose of this concurrent resolution, as received, is to request the Auditor to conduct a comprehensive management audit of the civil service personnel system of the Judiciary.

The Office of the Administrative Director of the Courts submitted comments on this concurrent resolution.

Your Committee finds that it is timely to review the Judiciary's budgeting practices and procedures in addition to its personnel system. Accordingly, your Committee has amended this measure by expanding the scope of the audit to include a review of the Judiciary's budget office. Specifically, this measure was amended by:

- (1) Re-phrasing the title to read: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE MANAGEMENT AUDIT OF THE JUDICIARY'S CIVIL SERVICE SYSTEM AND BUDGET OFFICE";
- (2) Amending the 2nd, 3rd, and 4th WHEREAS clauses to describe the historical development of the co-equal status of the Judiciary;
- (3) Inserting a new WHEREAS clause that describes the deficiencies that the Auditor found with respect to the Judiciary's budget preparation process (page 2, 4th WHEREAS clause in the H.D. 1);
- (4) Adding that the Judiciary's budget management system is in need of extensive improvement, and stating that the Judiciary has continued to show a purposeful disregard for established budgetary and management practices (page 3, 1st WHEREAS clause in the H.D. 1);
- (5) Inserting two WHEREAS clauses that describe some of the shortcomings of the Judiciary's budget planning and implementation processes (page 3, 2nd and 3rd WHEREAS clauses in the H.D. 1);
- (6) Specifying three points that the audit should examine (BE IT RESOLVED clause); and
- (7) Making other minor amendments for purposes of style and clarity.

---

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 259, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 259, H.D. 1.

Signed by all members of the Committee except Representatives Alcon, Kanoho, Marumoto and Ward.