

SCRep. 1648 Labor and Public Employment on H.R. No. 228

The purpose of this resolution is to support the goal of securing a "living wage" for the workers of the State of Hawaii, although the time is not yet ripe to legislate an increase in the minimum wage that is tied to the cost-of-living differential percentage between Hawaii and the entire United States.

The Hawaii Lawyers Care, the Hawaii State Commission on the Status of Women, the Hawaii Area Program of the American Friends Service Committee, and a member of the public testified in support of this resolution.

Upon further consideration, your Committee has amended this resolution to make technical, nonsubstantive changes for clarity and consistency.

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. 228, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 228, H.D. 1.

Signed by all members of the Committee except Representatives Yoshinaga and Okamura.

SCRep. 1649 Labor and Public Employment on H.C.R. No. 259

The purpose of this concurrent resolution is to support the goal of securing a "living wage" for the workers of the State of Hawaii, although the time is not yet ripe to legislate an increase in the minimum wage that is tied to the cost-of-living differential percentage between Hawaii and the entire United States.

The Hawaii Lawyers Care, the Hawaii State Commission on the Status of Women, the Hawaii Area Program of the American Friends Service Committee, and a member of the public testified in support of this concurrent resolution.

Upon further consideration, your Committee has amended this concurrent resolution to make technical, nonsubstantive changes for clarity and consistency.

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. 259, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 259, H.D. 1.

Signed by all members of the Committee except Representatives Yoshinaga and Okamura.

SCRep. 1650 Labor and Public Employment and Human Services and Housing on H.C.R. No. 54

The purpose of this concurrent resolution is to examine state law with regard to the employment of severely handicapped persons by requesting the Commission on Persons with Disabilities, the Department of Human Services' Vocational Rehabilitation and Services for the Blind Division, and the Department of Human Resources Development (DHRD) to convene to:

- (1) Conduct a comprehensive review of state law on this matter; and
- (2) Submit their findings, recommendations, and any proposed legislation to the Legislature prior to the 2000 Regular Session.

The Department of Human Services, the State Planning Council on Developmental Disabilities, the Commission on Persons with Disabilities, the Hawaii State Coordinating Council on Deafness, and an individual testified in support of this measure. The Department of Health testified in support of the intent of this measure. DHRD and an individual commented on this measure.

Due to the broadness of this issue, your Committees respectfully request that the Committee on Finance examine this measure by replacing the term "handicapped" with the term "disability" or "people with disabilities".

Related to this matter, your Committees also request that DHRD examine the issue of "exempt status" as part of general civil service reform review and other related issues. In addition, your Committees recommend that the review participants in the measure examine other states, Maryland in particular, and how these states deal with the issue of providing exempt or special status for people with disabilities.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment and Human Services and Housing that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 54, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Goodenow, Lee, Nakasone, Okamura, Stegmaier, Yoshinaga and McDermott.

SCRep. 1651 Consumer Protection and Commerce on H.R. No. 55

The purpose of this resolution is to request that the Department of Commerce and Consumer Affairs (DCCA), in conjunction with the Legislative Reference Bureau (LRB), conduct a study of discriminatory pricing practices by entities engaged in business within the State, and take action to prohibit these practices.

DCCA, Hawaii State Commission on the Status of Women (HSCSW) and the Hawai'i Civil Rights Commission (HCRC) supported the intent of the resolution, and suggested amendments.

DCCA requested that LRB be substituted as the most appropriate lead agency for the study.

Your Committee heard testimony by HSCSW that gender discrimination in pricing is already prohibited under section 489-3, Hawaii Revised Statutes (HRS). HSCSW's suggested amendments include:

- (1) Substituting the Civil Rights Commission for DCCA as enforcement agency, to reflect the Commission's current responsibilities under the law;
- (2) Requesting that the Legislative Auditor rather than LRB conduct the study; and
- (3) Including HSCSW in the list of those to be sent a certified copy of this resolution.

HCRC testified that they had accepted and investigated complaints of gender-based discrimination under the discriminatory pricing provisions of the Public Accommodations law, Chapter 489, HRS, which fall under the scope of the HCRC's jurisdiction.

Upon reflection, your Committee has amended this resolution as suggested by HSCSW. Your Committee has also amended this resolution to restrict the study to discriminatory pricing practices in the provision of services, for practical reasons.

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. 55, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 55, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Chang, Herkes, Kaho'ohalahala, Rath and Thielen.

SCRep. 1652 Consumer Protection and Commerce on H.R. No. 95

The purpose of this resolution is to request the task force established by Act 178, Session Laws of Hawaii 1998, to study the advisability and feasibility of creating a data bank with provider information for access by health care consumers.

The Hawaii Medical Service Association (HMSA) and the Hawaii Nurses' Association (HNA) testified in support of this resolution. The Insurance Commissioner of the Department of Commerce and Consumer Affairs stated a willingness to participate in the study requested by this resolution. The Hawaii Medical Association opposed this resolution, indicating its serious reservations about the kinds of information that would be included in a data bank, which could be extremely misleading as to a physician's degree of competency or skill.

HMSA testified that the selection of a health care provider is an important decision for a consumer, but that in Hawaii, there is no easily accessible source of information about the level of skill, education, experiences, and other relevant qualifications of health care providers. HMSA stated that Hawaii is one of only ten states that does not have some type of public distribution of provider performance data. HNA testified that the resolution would allow the systematic review and development of a bank of pertinent data for consumers that would reflect privacy concerns.

Your Committee has amended this resolution by making technical, nonsubstantive amendments 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 concurs with the intent and purpose of H.R. No. 95, 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. 95, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, chang, Herkes, Kaho'ohalahala, Rath and Thielen.

SCRep. 1653 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on H.R. No. 180

The purpose of this resolution is to lay the groundwork for the establishment of legal protections for private, personal information, collected and disseminated by businesses, which protections will implement the constitutional right to privacy and are necessary to satisfy requirements for free exchange of information with the European Union. This resolution requests that the Office of Information Practices (OIP) study current and proposed privacy protections and make recommendations for future privacy legislation that will recognize and address the concerns of consumers, law enforcement professionals, businesses, and others.

Your Committees received testimony fully supporting this resolution from OIP. OIP testified that many businesses today rely heavily on personal information profiles. As a result, rapidly developing methods increasing the ability to collect and compile electronically stored personal information currently outpace the average consumer's ability to track and examine the information for accuracy, and protect their privacy. OIP testified that a proper balance must be found between the right of privacy and the needs of businesses, and that a survey among concerned citizens and interested groups regarding participation in this undertaking yielded a positive response.

Testimony stating concerns and comments and requesting involvement in the task force established by this resolution, was submitted by Associated Credit Bureaus, Inc., a trade association representing credit and mortgage reporting companies as well as collection and residential and employment screening companies.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.R. No. 180 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Cachola, Chang, Herkes, Yoshinaga, Rath, Thielen and Whalen.

SCRep. 1654 Ocean Recreation and Marine Resources on H.R. No. 194

The purpose of this resolution is to request that the Department of Land and Natural Resources (DLNR), the Military, and other organizations utilizing our marine resources establish a task force with the purpose of creating additional near-shore reef habitats, as desired by the community, in Hawaii.

Testimony was received from the Department of Business, Economic Development and Tourism (DBEDT), the Office of Hawaiian Affairs, DLNR, the Hawaii Audubon Society, the Hawaii Fishermen's Foundation, and Atlantis Adventures in support of this measure.

Your Committee finds that Hawaii's natural reefs and fisheries are among our most valuable natural resources and that they are of significant cultural, recreational and commercial value to the people of Hawaii.

Your Committee further finds that our near-shore fisheries are in a state of decline and that efforts to conserve these resources are imperative to prevent the irreversible effects of overfishing.

Your Committee further finds that a task force of marine specialists and recreational users could make significant progress in restoring our fisheries by encouraging the creation of artificial reef habitats. Your Committee further finds artificial reef habitats to be effective in the restoration of fish populations and marine ecosystems.

Your Committee has amended this measure by:

- (1) Removing the adopt-a-reef program from its provisions and by specifying that no artificial reef habitat should be created for the exclusive use of any party; and
- (2) Adding three members to the task force; a representative from the University of Hawaii Sea Grant Extension service, from DBEDT's Ocean Resources Branch, and the environmental community.

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. 194, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 194, H.D. 1.

Signed by all members of the Committee except Representative Auwae.

SCRep. 1655 Ocean Recreation and Marine Resources on H.C.R. No. 216

The purpose of this concurrent resolution is to request that the Department of Land and Natural Resources (DLNR), the Military, and other organizations utilizing our marine resources establish a task force with the purpose of creating additional near-shore reef habitats, as desired by the community, in Hawaii.

Testimony was received from the Department of Business, Economic Development and Tourism (DBEDT), the Office of Hawaiian Affairs, DLNR, the Hawaii Audubon Society, the Hawaii Fishermen's Foundation and Atlantis Adventures, in support of this measure.

Your Committee finds that Hawaii's natural reefs and fisheries are among our most valuable natural resources and that they are of significant cultural, recreational and commercial value to the people of Hawaii.

Your Committee further finds that our near-shore fisheries are in a state of decline and that efforts to conserve these resources are imperative to prevent the irreversible effects of overfishing.

Your Committee further finds that a task force of marine specialists and recreational users could make significant progress in restoring our fisheries by encouraging the creation of artificial reef habitats. Your Committee further finds artificial reef habitats to be effective in the restoration of fish populations and marine ecosystems.

Your Committee has amended this measure by:

- (1) Removing the adopt-a-reef program from its provisions and by specifying that no artificial reef habitat should be created for the exclusive use of any party; and
- (2) Adding three members to the task force; a representative from the University of Hawaii Sea Grant Extension service, from DBEDT's Ocean Resources Branch, and the environmental community.

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. 216, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 216, H.D. 1.

Signed by all members of the Committee except Representative Auwae.

SCRep. 1656 Consumer Protection and Commerce on H.R. No. 203

The purpose of this resolution is to request that the Director of Commerce and Consumer Affairs convene a Task Force (Task Force) to examine industry use and possible abuse of forced-placed insurance policies, and if warranted, recommend possible legislative solutions.

Your Committee received testimony from AARP providing information on the problems related to forced-placed insurance. The Insurance Division of the Department of Commerce and Consumer Affairs (DCCA) was willing to participate in the Task Force under this resolution. Comments were offered by Hawaii Credit Union League, and testimony in opposition to the resolution was submitted by Hawaii Bankers Association.

Your Committee has amended this resolution to remove the clause stating basically that providers of insurance coverages provide monetary incentives for lenders to select them as insurer, because your Committee is concerned that this language may not accurately reflect industry practice. Your Committee has also responded to industry concerns by removing the five-member limit on the Task Force and giving the Director of DCCA the flexibility to include more than one representative of the banking and insurance industries. Finally, your Committee has made a technical amendment to the resolution by changing the term "force placed" to read "forced-placed," reflective of usage in industry testimony.

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. 203, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 203, H.D. 1.

Signed by all members of the Committee except Representatives Chang, Garcia, Morita and Yoshinaga.

SCRep. 1657 Consumer Protection and Commerce on H.C.R. No. 227

The purpose of this concurrent resolution is to request that the Director of Commerce and Consumer Affairs convene a Task Force (Task Force) to examine industry use and possible abuse of forced-placed insurance policies, and if warranted, recommend possible legislative solutions.

Your Committee received testimony from AARP providing information on the problems related to forced-placed insurance. The Insurance Division of the Department of Commerce and Consumer Affairs (DCCA) was willing to participate in the Task Force under this resolution. Comments were offered by Hawaii Credit Union League, and testimony in opposition to the resolution was submitted by Hawaii Bankers Association.

Your Committee has amended this concurrent resolution to remove the clause stating basically that providers of insurance coverages provide monetary incentives for lenders to select them as insurer, because your Committee is concerned that this language may not accurately reflect industry practice. Your Committee has also responded to industry concerns by removing the five-member limit on the Task Force and giving the Director of DCCA the flexibility to include more than one representative of the banking and insurance industries. Finally, your Committee has made a technical amendment to the resolution by changing the term "force placed" to read "forced-placed," reflective of usage in industry testimony.

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. 227, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 227, H.D. 1.

Signed by all members of the Committee except Representatives Chang, Garcia, Morita and Yoshinaga.

SCRep. 1658 Tourism on H.R. No. 182

The purpose of this resolution is to request various State and County officials to support the Hawaiian Super Prix and its organizers to facilitate the success of the event.

Your Committee received comments on this measure from the Department of Business, Economic Development and Tourism, and an individual affiliated with the Hawaiian Super Prix.

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. 182, and recommends its adoption.

Signed by all members of the Committee except Representatives Saiki and Halford.

SCRep. 1659 Tourism on H.C.R. No. 199

The purpose of this concurrent resolution is to request various State and County officials to support the Hawaiian Super Prix and its organizers to facilitate the success of the event.

Your Committee received comments on this measure from the Department of Business, Economic Development and Tourism, and an individual affiliated with the Hawaiian Super Prix.

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. 199, and recommends its adoption.

Signed by all members of the Committee except Representatives Saiki and Halford.

SCRep. 1660 Culture and the Arts on H.C.R. No. 208

The purpose of this House Concurrent Resolution is to express the support of the Legislature for the coming third millennium as the millennium of peace.

Your Committee recognizes that Hawaii has a unique gift to share with the people of the world, the gift of Aloha and the profound meaning it has for all.

Your Committee further recognizes that Hawaii's multi-ethnic and multi-cultural society sets an encouraging example for all nations and peoples, to live together in peace and harmony.

Your Committee has amended the measure by:

- (1) Making technical, nonsubstantive revisions for purpose of style and clarity.

As affirmed by the record of votes of the members of your Committee on Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 208, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 208, H.D. 1.

Signed by all members of the Committee except Representative Santiago.

SCRep. 1661 Culture and the Arts on H.C.R. No. 251

The purpose of the House Concurrent Resolution is to request the United States Postal Service and the members of the Citizens' Stamp Advisory Committee to issue a commemorative stamp and stationary to Spark M. Matsunaga.

Your Committee finds that Spark M. Matsunaga (1916-1990), United States Senator and Congressman, and decorated World War II hero who dedicated his life and career to achieving liberty and justice for all people, should be honored through a commemorative stamp and stationary for all to recognize his outstanding and exemplary achievements.

Testimony in support of this measure was received from the Hawaii State Commission on the Status of Women.

As affirmed by the record of votes of the members of your Committee on Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 251, and recommends its adoption.

Signed by all members of the Committee except Representative Santiago.

SCRep. 1662 Agriculture and Energy and Environmental Protection on H.R. No. 56

The purpose of this resolution is to urge the U.S. Environmental Protection Agency (EPA) to implement the 1996 Food Quality Protection Act using sound science and real-world data from the data call-in process for realistic risk assessments.

Testimony in support of this measure was received from the: Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, Hawaii Coffee Association, Hawaiian Commercial & Sugar Co., Hawaii Pest Control Operators Association, Hawaii Agriculture

Research Center, Pineapple Growers Association, Hawaii Export Nursery Association, Hawaii Macadamia Nut Association, Hawaii Papaya Industry Association, Murrayair Limited, Brewer Environmental Industries, RESCUE Hawaii, and Maui Pineapple Company. The Department of Agriculture and the Department of Health testified in support of the intent of this measure.

Upon consideration, your Committees have amended this resolution by:

- (1) Stating that the cost of developing data to quantify real-world risk is prohibitive and minor use data may not be financed by pesticide registrants and the State, and pesticide users may fund studies to support minor uses;
- (2) Requesting the Administrator of the U.S. Environmental Protection Agency (EPA) to implement the registration of new crop protection products for minor and major crops;
- (3) Requesting pesticide registrants and EPA to support minor use registrations by reserving a meaningful portion of the risks projected from the use of pesticides or a class of pesticides for minor uses; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 56, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 56, H.D. 1.

Signed by all members of the Committees except Representatives Herkes, Ito, Morihara and Halford.

SCRep. 1663 Agriculture and Energy and Environmental Protection on H.C.R. No. 67

The purpose of this concurrent resolution is to urge the U.S. Environmental Protection Agency (EPA) to implement the 1996 Food Quality Protection Act using sound science and real-world data from the data call-in process for realistic risk assessments.

Testimony in support of this measure was received from the: Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, Hawaii Coffee Association, Hawaiian Commercial & Sugar Co., Hawaii Pest Control Operators Association, Hawaii Agriculture Research Center, Pineapple Growers Association, Hawaii Export Nursery Association, Hawaii Macadamia Nut Association, Hawaii Papaya Industry Association, Murrayair Limited, Brewer Environmental Industries, RESCUE Hawaii, and Maui Pineapple Company. The Department of Agriculture and the Department of Health testified in support of the intent of this measure.

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

- (1) Stating that the cost of developing data to quantify real-world risk is prohibitive and minor use data may not be financed by pesticide registrants and the State, and pesticide users may fund studies to support minor uses;
- (2) Requesting the Administrator of the U.S. Environmental Protection Agency (EPA) to implement the registration of new crop protection products for minor and major crops;
- (3) Requesting pesticide registrants and EPA to support minor use registrations by reserving a meaningful portion of the risks projected from the use of pesticides or a class of pesticides for minor uses; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 67, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 67, H.D. 1.

Signed by all members of the Committees except Representatives Herkes, Ito, Morihara and Halford.

SCRep. 1664 Labor and Public Employment on H.R. No. 118

The purpose of this resolution is to urge the President and the Congress of the United States to enact laws to prohibit American companies from manufacturing goods using child labor or from purchasing goods from manufacturers in foreign countries that exploit child labor.

Hawaii Kids Count, Center on the Family, and the Hawaii Area Program of the American Friends Service Committee testified in support of this resolution.

Upon further consideration, your Committee has amended this resolution by adding a provision that urges the President and the Congress of the United States to promote the education of these exploited child laborers who will be consequently unemployed.

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. 118, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 118, H.D. 1.

Signed by all members of the Committee except Representatives Yoshinaga and Okamura.

SCRep. 1665 Labor and Public Employment on H.C.R. No. 131

The purpose of this concurrent resolution is to urge the President and the Congress of the United States to enact laws to prohibit American companies from manufacturing goods using child labor or from purchasing goods from manufacturers in foreign countries that exploit child labor.

Hawaii Kids Count, Center on the Family, and the Hawaii Area Program of the American Friends Service Committee testified in support of this concurrent resolution.

Upon further consideration, your Committee has amended this concurrent resolution by adding a provision that urges the President and the Congress of the United States to promote the education of these exploited child laborers who will be consequently unemployed.

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. 131, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 131, H.D. 1.

Signed by all members of the Committee except Representatives Yoshinaga and Okamura.

SCRep. 1666 Transportation on on S.C.R. No. 33

The purpose of this Senate Concurrent Resolution is to expedite the restoration of Kaunalapau Harbor on the island of Lanai.

Your Committee finds that the residents of the island of Lanai can no longer depend on the pineapple industry for their economic health, and must seek other solutions for economic diversification. Your Committee further finds that other avenues for the economic welfare of the island's residents will require the restoration of the badly deteriorated Kaunalapau Harbor, the only site for commercial vessels. Your Committee has learned that the title to Kaunalapau Harbor is held by the Lanai Company.

This Senate Concurrent Resolution requests the Governor, the Department of Transportation, and the Lanai Company to attend to this urgent matter and to agree to an expedient plan of action to restore Kaunalapua Harbor immediately, and requests the Department of Transportation to report on the status of the project to the Legislature by April 1, 1999.

Testimonies in support of this Senate Concurrent Resolution were received from the Department of Transportation, a State Representative, the Maui County Council, and the Lanai Company, Inc. which testified that the Lanai Company was negotiating with the State to transfer title of the Harbor in order to qualify for partial federal funding.

Your Committee has amended this Senate Concurrent Resolution by amending the date for the Department of Transportation's report to the Legislature.

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 Finance, 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 Representatives Goodenow, Nakasone, Okamura and Yoshinaga.

SCRep. 1667 Consumer Protection and Commerce on S.B. No. 1143

The purpose of this bill is to allow the shareholder of a corporation to vote shares by proxy through the use of either a written, signed authorization, or an electronically transmitted authorization stating that the transmission was authorized by the shareholder.

The Department of Commerce and Consumer Affairs (DCCA) and the Business Law Section of the Hawaii State Bar Association (BLS) testified in support of this bill. DCCA stated that the measure would make it easier for corporations to do their business by making the proxy authorization process more convenient, expeditious, and flexible for shareholders. BLS testified that the bill is part of a package developed by DCCA in consultation with BLS, and designed to make Hawaii a more business friendly environment without compromising public policy interests.

Your Committee has amended this measure to ensure further discussion, by replacing its contents with that of H.B. No. 1081, H.D. 1, a similar measure that differs from this bill in technical, nonsubstantive ways, and has made additional technical amendments.

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. 1143, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1143, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Cachola, Garcia, Hiraki, Yoshinaga, Rath and Whalen.

SCRep. 1668 Agriculture on S.B. No. 1478

The purpose of this bill is to require the Department of Agriculture (DOA) to designate by rule:

- (1) Restricted plants that may spread an infestation of an insect, pest, or disease; and
- (2) Noxious weeds as restricted plants.

DOA testified in support of this measure.

Your Committee notes that this bill will strengthen DOA's plant inspection program by making it easier to enforce and assess penalties to importers who import restricted plants without a permit or in a manner that is contrary to permit conditions.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1478 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 Ito, Morihara and Halford.

SCRep. 1669 Consumer Protection and Commerce on S.B. No. 676

The purpose of this bill, as received, is to increase the maximum gross vehicle weight (maximum gvw) rating of trucks and vans for a category 3 license from 11,000 pounds to 12,000 pounds, and to increase the minimum gross vehicle weight (minimum gvw) rating of trucks for a category 4 license from 11,001 pounds to 12,001 pounds.

Hawaii Transportation Association (HTA), Ryder Transportation Services (RTS), and Legislative Information Services of Hawaii, Inc. supported the bill. HTA also recommended that the maximum gvw for category 3 licenses be increased further from 12,000 to 15,000 pounds, and the minimum gvw for category 4 licenses be increased from 12,001 to 15,001 pounds. RTS recommended that the minimum gvw for category 4 licenses be increased from 12,001 to 15,001 pounds.

Your Committee notes that this bill, as amended by the prior committee, now reflects the contents of H.B. No. 11, H.D. 1, which was passed out of your Committee earlier this session. For purposes of correcting a technical error in the bill's title, which appears to have been changed inadvertently when the bill was earlier amended, your Committee has amended the bill to reflect its original title, which is "Relating to Commercial Driver's Licenses."

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. 676, 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. 676, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Chang, Herkes, Yoshinaga, Rath, Thielen and Whalen.

SCRep. 1670 Consumer Protection and Commerce on S.B. No. 1071

The purpose of this bill is to allow small companies the ability to obtain increased access to growth capital by allowing for a new form of equity financing through the Small Corporate Offering Registration (SCOR) system. This would allow small companies to raise start-up capital, up to \$1,000,000, by selling shares of stock directly to the public after registering shares under the SCOR system.

Testimony in support of this measure was provided by the Department of Commerce and Consumer Affairs, the Department of Business, Economic Development, and Tourism (DBEDT), and the Hawaii Congress on Small Business. DBEDT also recommended an amendment for the accredited investor exemption, in order to provide a vehicle to raise capital through a private placement to qualified higher net worth individuals and institutions.

Your Committee has amended the bill to replace its contents with that of the House companion bill, H.B. No. 830, H.D. 1, which was passed out of your Committee earlier this session, and which incorporated an accredited investor exemption substantially similar to DBEDT's proposed amendment.

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. 1071, 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. 1071, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Chang, Garcia, Morita and Yoshinaga.

SCRep. 1671 Consumer Protection and Commerce on S.B. No. 1280

The purpose of this bill is to remove burdensome motor carrier temporary authority application requirements, in order to allow the Public Utilities Commission (PUC) the flexibility and discretion to respond quickly to emergency needs for motor carrier service.

Specifically, this bill removes the requirement that a motor carrier applying for temporary authority submit a written application verified under oath, with proof of service of the application upon all certificate holders within the classification for which the temporary authority is being applied.

Testimony in support of this bill was received from the PUC.

Your Committee notes that the content of this bill is identical to H.B. No. 1034 which was passed out of your Committee earlier this session.

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. 1280 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Garcia, Kaho'ohalahala, Yoshinaga and Whalen.

SCRep. 1672 Consumer Protection and Commerce on S.B. No. 1460

The purpose of this bill is to add to the definition of "certified substance abuse staff", psychologists who hold certification from the American Psychological Association College of Professional Psychology in the treatment of alcohol and other psychoactive substance use disorders.

The Department of Health, Hawaii Psychological Association, Hawaii Biodyne, Inc., and an individual clinical psychologist submitted testimony in support of this measure.

Your Committee finds that this bill could help to increase access to care for those suffering from alcohol or other substance abuse disorders, by assuring that appropriately certified psychologists can qualify for payments under medical or health insurance for substance abuse treatments.

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. 1460 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Cachola, Chang, Garcia, Morita and Yoshinaga

SCRep. 1673 Finance on S.B. No. 1051

The purpose of this bill is to allow the Department of Human Services (DHS) to adopt rules and to reflect changes regarding the confidentiality of child abuse and neglect records as changes are made to federal law.

DHS testified 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 is in accord with the intent and purpose of S.B. No. 1051, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1674 Finance on S.B. No. 1080

The purpose of this bill is to promote the preservation of Hawaii's shorelines by making permanent the Office of Planning's responsibility for reviewing and approving special management areas and shoreline setback applications for development projects located within community development districts, including projects within the Kakaako waterfront area.

The Hawaii Community Development Authority testified in support of this measure. The Office of Planning commented 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. 1080 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1675 Finance on S.B. No. 1142

The purpose of this bill is to increase the protections afforded to businesses by enabling corporations, partnerships, limited liability partnerships, and limited liability companies to seek administrative relief against other entities who have registered or are using a name that is substantially identical or confusingly similar to their own.

The Department of Commerce and Consumer Affairs testified 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 is in accord with the intent and purpose of S.B. No. 1142, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1676 Finance on S.B. No. 1021

The purpose of this bill is to clarify the licensing provisions for clinical laboratory personnel by amending licensing categories.

The Department of Health testified in support 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. 1021, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1677 Finance on S.B. No. 1048

The purpose of this bill is to amend the law relating to foster homes by:

- (1) Changing the annual name inquiry requirement for criminal history record checks to allow for biennial inquiries after the first two years;
- (2) Amending the definition of "foster boarding home" that presently limits such homes to fewer than six children, to include homes with sibling groups of six or more children.

The Department of Human Services testified in support 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. 1048, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1678 Finance on S.B. No. 1049

The purpose of this bill is to enable more foster children to successfully complete their higher education by allowing foster board allowances to be made for eligible foster children who attend an accredited institution of higher learning on a part-time basis. Currently, these foster board allowances are limited to those who attend college on a full-time basis.

In addition, the bill requires approval by the director for both full-time and part-time attendance.

The Department of Human Services testified 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 is in accord with the intent and purpose of S.B. No. 1049, S.D. 2, H.D. 1 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1679 Finance on S.B. No. 1058

The purpose of this bill is to strengthen the ability of the State to recover third party reimbursements without additional financial expenditures by clarifying and standardizing provisions relating to the recovery of medical assistance payments by the Department of Human Services (DHS) in third-party liability situations.

DHS testified 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 is in accord with the intent and purpose of S.B. No. 1058, S.D. 2, H.D. 1 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1680 Finance on S.B. No. 590

The purpose of this bill is to clarify the procedures in the issuance of temporary restraining orders (TRO) in District Court harassment cases by:

- (1) Authorizing the court to restrain a person if there is probable cause to believe that a past act of harassment has occurred or that a threat of harassment is imminent;
- (2) Increasing the duration of a TRO from fifteen days to a maximum of ninety days; and

- (3) Specifying that service of the TRO and injunction order shall be by personal service, certified mail, or proof that the respondent was present at the hearing in which the court orally issued the injunction.

The Judiciary testified in support of this measure. The Hawaii State Commission on the Status of Women, the City and County of Honolulu's Department of the Prosecuting Attorney and Police Department, Child and Family Service, the Hawaii State Coalition Against Domestic Violence, and the Domestic Violence Clearinghouse and Legal Hotline commented 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. 590, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1681 Finance on S.B. No. 889

The purpose of this bill is to:

- (1) Increase the jury duty service fee from \$30 to \$40 per day; and
- (2) Increase the mileage fee for jury duty service from 33 cents to 37 cents per mile.

The Hawaii State Bar Association testified in support of this bill. The Judiciary submitted comments on 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. 889, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1682 Finance on S.B. No. 901

The purpose of this bill is to increase the Judiciary's efficiency, productivity, and accessibility by removing the June 30, 2000, sunset date for the Judiciary Computer System Special Fund.

The Judiciary testified 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 is in accord with the intent and purpose of S.B. No. 901, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1683 Finance on S.B. No. 921

The purpose of this bill is to provide another avenue for the courts to regulate their own proceedings in an expeditious and appropriate manner by creating a violation when any person fails to answer to a citation or a summons for a traffic violation.

The Judiciary testified in support of the intent of this measure.

Your Committee is concerned that the current draft of this measure would make the failure to appear for any traffic violation a separate violation, including decriminalized traffic violations that allow the submission of a written statement and that do not require a court appearance.

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. 921, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1684 Finance on S.B. No. 550

The purpose of this bill is to facilitate better reporting of Department of Education (DOE) expenditures to the Legislature by:

- (1) Placing with the DOE the responsibility of DOE expenditure reporting, currently with the Legislative Auditor; and
- (2) Expanding the types of information required in the expenditure reports.

DOE commented 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. 550, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1685 **Finance on S.B. No. 1274**

The purpose of this bill is to address a variety of public safety issues by:

- (1) Transferring the responsibility of the administration of the night security program for selected public schools from the Department of Public Safety to the Department of Education;
- (2) Authorizing the Governor to proceed with the development of privately-developed in-state correctional facilities or an in-state correctional facility using public or private funds, subject to the developer obtaining a certificate of participation if private funds are used;
- (3) Continuing the comprehensive schedule of alternatives to incarceration established by Act 25, Special Session Laws of Hawaii 1995 (SSLH); and
- (4) Continuing the rehabilitative and assistance programs for arrestees and incarcerated persons established by Act 25, SSLH 1995.

The Department of Budget and Finance testified in opposition to this bill. The Department of Education submitted comments on 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. 1274, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1686 **Finance on S.B. No. 1638**

The purpose of this bill is to require the Department of Education (DOE) and the exclusive representative for Bargaining Unit 6 to conduct a study on the issue of compensational parity for educational officers of the DOE.

The DOE and the Hawaii Government Employees Association testified in support 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. 1638, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1687 **Finance on S.B. No. 1156**

The purpose of this bill is to:

- (1) Enable the Hawaii State Public Library System to enforce the collection of costs incurred for delinquent books and other library materials by authorizing the Board of Education (BOE) to establish cost-recovery fees and set up procedures in the collection of lost books and overdue fines and fees charged to library patrons;
- (2) Authorize the BOE to charge fees for seminars, workshops, and machine-readable research and reference materials; and
- (3) Specify that the cost-recovery fees be deposited into the Libraries Special Fund.

The Hawaii State Public Library System and the BOE testified 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 is in accord with the intent and purpose of S.B. No. 1156, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1688 **Finance on S.B. No. 59**

The purpose of this bill is to pay subcontractors in an efficient and fair manner by limiting the amount a contractor may withhold from a subcontractor for retainage to five percent of the subcontract.

The Subcontractors Association of Hawaii, the Plumbing and Mechanical Contractors Association of Hawaii, and SMAC Hawaii, Inc., testified in support of this measure.

The Department of Accounting and General Services, the General Contractors Association of Hawaii, the Building Industry Association of Hawaii, Nordic Construction, Ltd., Jas. W. Glover, Ltd., Hidano Construction, Inc., Unlimited Construction Services Incorporated, Kaikor Construction Associates, Inc., Walter Y. Arakaki General Contractor, Inc., the AIA-Hawaii State Council, Paul Louie and Associates, Inc., Armstrong Builders, Ltd., QMC Corp., Hallmark Construction Corporation, Teval Corp., Designer Built Systems, Inc., Healy Tibbitts Builders, Inc., Royal Contracting Co., Ltd., Willocks Construction Corporation, S&M Sakamoto, Inc., and Shini Construction, Inc., commented 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. 59, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Moses.
(Representative Meyer voted no.)

SCRep. 1689 Consumer Protection and Commerce on S.B. No. 285

The purpose of this bill is to amend chapter 514A, Hawaii Revised Statutes (HRS), the Condominium Property Regimes law, to facilitate voluntary, bulk, lease-to-fee conversions of condominiums by condominium associations on behalf of their members, by clarifying the applicable procedures as well as the power of a condominium board of directors to directly negotiate and purchase the leased fee interest in land under a condominium project. This bill:

- (1) Expressly empowers condominium associations to negotiate and purchase a lessor's interest where the declaration of condominium property regime authorizes or is amended to authorize the board to effectuate the purchase;
- (2) Confers upon authorized associations the power in connection with the purchase of the leased fee interest to acquire the interest, incur liabilities, assess apartment owners for expenses and to service debts, and sell the interest;
- (3) Defines "lessor" to allow the purchase of subleasehold or "sandwich lease" interests;
- (4) Provides that lessees shall not be compelled to purchase their portion of the leased fee interest and may instead pay lease rent and acquisition expenses to the association; and
- (5) Includes a savings clause to uphold the validity of association purchases of condominium leased fee interests made in good faith prior to the enactment of the bill.

Your Committee received testimony in support of this bill from the Hawaii Council of Associations of Apartment Owners, and the law firm of Neeley & Anderson (N&A). The Real Estate Commission of the Department of Commerce and Consumer Affairs (DCCA) generally supported the intent of the measure and suggested amendments.

N&A testified that condominium associations are authorized to purchase the leased fee interest in their projects under chapter 514C, HRS, which gives associations the right of first refusal to purchase these interests. However, it is not clear whether chapter 514C applies only where a lessor initiates the transaction and offers the leased fee interest to another, or if it also allows associations to negotiate sales in other circumstances. Despite this ambiguity, tens of thousands of condominium association members have purchased their leased fee interests in bulk purchase transactions negotiated by association boards or directors. However, there remains a need to remove the ambiguity in the law that results in uncertainty as to the nature and extent of board authority in these transactions, as well as lack of uniformity in the procedures utilized to empower the boards to perform these transactions.

DCCA testified that the provisions of this bill should not be included in section 514A-82, HRS, because this already overloaded and confusing provision governs the day-to-day operation and governance of the condominium project, a subject that is inconsistent with an event like lease-to-fee conversion, that may occur once in the lifetime of a condominium project. DCCA suggested that chapter 514C, HRS, which deals with condominium project and cooperative housing corporation lease-to-fee conversions, be amended to include the operative provisions of this bill.

Your Committee agrees that consumers would be better served if all laws governing lease-to-fee conversions by condominium associations were kept together in a single chapter. Accordingly, your Committee amended this bill by:

- (1) Inserting the operative provisions of this bill into chapter 514C, HRS, as recommended by the DCCA, without making any substantive changes to chapter 514C;
- (2) Clarifying that the definition of "lessor" in section 514C-1, HRS, is not applicable to voluntary conversions; and
- (3) Making the effective date take effect at an unspecified time to facilitate further discussion.

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. 285, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 285, 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, Chang, Hiraki, Morita, Takumi and Halford.

SCRep. 1690 Consumer Protection and Commerce on S.B. No. 1517

The purpose of this bill is to extend to July 1, 2001, the effective date of the law that requires those sitting for the acupuncture licensing examination to have graduated from institutions that are accredited, or that are recognized as being candidates for accreditation.

Your Committee received testimony supporting this bill from the Institute of Clinical Acupuncture and Oriental Medicine (ICAOM), the Student Body of ICAOM, and a student of ICAOM. Testimony supporting the measure and suggesting amendments was submitted by the Hawaii College of Health Sciences and the Board of Acupuncture.

Your Committee understands from the testimony submitted by the Board of Acupuncture that three acupuncture schools believe they may not be able to achieve candidacy status by the September 1, 2000, deadline under existing law, in part because of the extensive processing requirements of the national accreditation body, the Accreditation Commission for Acupuncture and Oriental Medicine. This bill would resolve the problem by extending the deadline for accreditation or candidacy status to July 1, 2001.

Your Committee has replaced the contents of this bill with that of its House companion, H.B. No. 1411, H.D. 1, that passed out of your Committee earlier this session. H.B. No. 1411, H.D. 1, addresses the problem of insufficient time to achieve candidacy status, by retaining the September 1, 2000, deadline, but allowing students of schools that are in the process of applying for candidacy for accreditation to sit for the acupuncture examination. The House version also differs from the Senate bill in technical, nonsubstantive ways. To ensure further discussion and optimal resolution of the issues underlying this bill, your Committee has left its effective date blank.

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. 1517, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1517, 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, Chang, Hiraki, Morita, Takumi and Halford.

SCRep. 1691 Ocean Recreation and Marine Resources on S.B. No. 560

The purpose of this bill is to:

- (1) Define "substantial adverse environmental or ecological effect" as it relates to special management areas to ensure that long-term incremental degradation of natural resources is halted; and
- (2) Establish the definitions of "baseline," "resource," and "scenic resource" to further clarify the intent of Part II of Chapter 205A, Hawaii Revised Statutes, relating to special management areas.

The Department of Business, Economic Development, and Tourism, the Department of Health, Kamehameha Schools Bishop Estate, and the Sierra Club testified in support of this measure. The City and County of Honolulu and the Land Use Research Foundation of Hawaii testified in opposition to the bill. The University of Hawaii's Environmental Center offered comments.

Your Committee has amended the bill by redefining "substantial adverse environmental or ecological effect" as:

- (1) Irrevocable damage, degradation to, or loss of a resource found in an ahupua'a; or
- (2) A statistically significant persistent increase to the baseline in levels of any of the water pollutants, water quality parameters, air pollutants, or noise decibel levels as identified in administrative rules.

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 is in accord with the intent and purpose of S.B. No. 560, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 560, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1692 Ocean Recreation and Marine Resources on S.B. No. 809

The purpose of this bill is to allow owners of commercial catamarans having a commercial registration issued by the Department of Land and Natural Resources (DLNR) to transfer ownership to a corporate entity and remain eligible to continue operation at Waikiki Beach under a commercial registration issued to the new corporate entity.

Your Committee received testimony from DLNR in support of the general intent of the bill. Welakahao Catamarans Inc., BOATS/HAWAII Inc. and a concerned citizen testified in support of the measure.

DLNR recommended amending the language within the bill to be consistent with existing language in Section 200-10(d), Hawaii Revised Statutes, pertaining to the change in ownership of commercial vessels moored in small boat harbors.

Your Committee has amended this measure by:

- (1) Adopting DLNR's recommendations for language clarification; and
- (2) Specifying that existing commercial registration certificates shall be reissued in a timely manner.

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 is in accord with the intent and purpose of S.B. No. 809, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 809, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1693 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on S.B. No. 236

The purpose of this bill is to make it an unfair and deceptive practice to hold a prize drawing contest or sweepstakes in which some or all of the prizes are not awarded, unless conspicuous written disclosure has been made to each offeree that some or all prizes may not be awarded and of the date the winners will be determined. This bill also makes it an unfair and deceptive practice to offer real property as the prize in such a contest.

The Office of Consumer Protection (OCP) of the Department of Commerce and Consumer Affairs submitted testimony in support of the bill and recommended a minor, technical amendment. Legislative Information Services of Hawaii, on behalf of Direct Marketing Association (DMA), submitted testimony suggesting technical amendments to clarify certain provisions.

Your Committees find that this bill's disclosure requirements would assist consumers to understand more fully certain basic terms of a sweepstakes or prize drawing solicitation, prior to the consumer's decision to participate. Furthermore, the prohibition on offering real property as a prize can protect those consumers who would otherwise be enticed unfairly by such an inducement.

Your Committees have amended the bill to make the technical, nonsubstantive amendments proposed by DMA and OCP, for purposes of clarity.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 236, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 236, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Hiraki, Takumi, Yoshinaga, Halford, Pendleton and Thielen.

SCRep. 1694 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on S.B. No. 777

The purpose of this bill is to make some general amendments to the alternate power of sale foreclosure process in Part II, Chapter 667, Hawaii Revised Statutes (HRS), to clarify this process. Among other things, this bill:

- (1) Omits the term "guarantor" in the notice of default provision, since it is already included in the definition of "borrower";
- (2) Deletes the requirement that the mortgagor sign the conveyance document transferring title after the foreclosure auction;
- (3) Clarifies that public notices be "mailed or delivered" rather than "sent";
- (4) Requires that the public information material used by a foreclosing mortgagee be approved by the Office of Consumer Protection; and
- (5) Requires that, with the first notice of default, the foreclosing mortgagee provide the mortgagor with public information material approved by the Office of Consumer Protection, or, pending preparation of and approval of the public information material, provide a copy of Chapter 667, Part II, HRS.

The Office of Consumer Protection (OCP) of the Department of Commerce and Consumer Affairs recommended several amendments, including incorporating the public information language set forth in H.B. No. 1267, H.D. 1. The Hawaii Financial Services Association (HFSA), Security Title Corporation, and the Hawaii Land Title Association supported passage of this bill, but urged that its contents be replaced with text from H.B. No. 1267, H.D. 1 or from H.B. No. 1267, H.D. 1, S.D. 1. The Hawaii Credit Union League supported the measure and generally agreed with certain comments of HFSA.

The Mortgage Bankers Association of Hawaii, the Community Associations Institute, the Hawaii Council of Associations of Apartment Owners, and the Hawaii Bankers Association supported the bill, but recommended that it be amended to incorporate the revisions made in H.B. No. 1267, H.D. 1, S.D. 1.

The Hawaii Association of Realtors supported the intent of this measure, and urged that your Committee not adopt the shortened time periods reflected in H.B. No. 1267, H.D. 1, S.D. 1. Testimony supporting the bill was received from an individual and numerous attorneys, who also provided comments and recommendations for amendments.

Your Committees have amended the bill to replace its contents with that of the House companion, H.B. No. 1267, H.D. 1, which was passed out of your Committees earlier this session. The contents of H.B. No. 1267, H.D. 1 (the House bill) differs substantively from the bill as received, with respect to the following:

- (1) The House bill contains no requirement that the Office of Consumer Protection approve the public information material used by a foreclosing mortgagee;
- (2) In amending section 667-41, HRS, which requires that the foreclosing mortgagee prepare public information material, the House bill more specifically describes what information, at a minimum, should be included in that material;
- (3) Like the Senate bill, the House bill provides that a foreclosing mortgagee shall include a copy of the public information material with the first notice of default, but unlike the Senate bill, the House bill does not provide the alternative of using a copy of Part II, Chapter 667, HRS, pending preparation and OCP approval of the material; and
- (4) The House bill repeals section 667-42, HRS, so that the law will apply to existing loans documented with power of sale foreclosure provisions, rather than apply only to loans executed after July, 1999.

Your Committees have further amended the bill by leaving the effective date blank.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 777, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 777, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Cachola, Chang, Herkes, Takumi, Yoshinaga, Pendleton, Rath, Thielen and Whalen.

SCRep. 1695 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on S.B. No. 947

The purpose of this bill is to prevent telemarketing fraud in this State by adding a new chapter to the Hawaii Revised Statutes entitled the "Telemarketing Fraud Prevention Act", that:

- (1) Describes unfair or deceptive acts or practices;
- (2) Describes abusive telemarketing acts or practices;
- (3) Requires that telephone solicitors keep specified types of records for a period of two years from the date of the telephone call, and that these records be made available upon demand of the Department of Commerce and Consumer Affairs, the Attorney General, or any other governmental entity authorized to enforce the chapter;
- (4) Exempts specified persons, types of businesses, organizations, and entities; and
- (5) Provides for enforcement of the chapter as follows:
 - (A) Violations of the chapter are unfair methods of competition or unfair and deceptive acts or practices within the meaning of and subject to the penalties applicable to section 480-2, Hawaii Revised Statutes;
 - (B) Provides additional civil penalties for violations of the chapter; and
 - (C) Makes a knowing violation, a class C felony, and subjects any interest in property used, acquired, or maintained in knowing violation of the chapter, to forfeiture.

The Office of Consumer Protection (OCP) of the Department of Commerce and Consumer Affairs testified in strong support of this bill, but expressed preference for the House version (H.B. No. 1073, H.D. 1) that does not contain amendments subsequently made in the Senate. Among other things, OCP favored:

- (1) Restoring the requirement of disclosing the nature of the phone call within the first minute of the conversation;
- (2) Restoring the limitation on the number of times the telephone can ring to ten rings;
- (3) Omitting civil penalties inconsistent with those provided for under unfair or deceptive act or practices statutes; and
- (4) Omitting the exemption for entities whose telemarketing calls are to and from consumers with whom the entity has an existing business relationship.

The Department of the Prosecuting Attorney of the City and County of Honolulu testified in support of the intent of this bill. The Honolulu Police Department and the Policy Advisory Board for Elder Affairs testified in support of the bill.

The Office of the Public Defender (OPD) recommended that criminal sanctions be eliminated from the bill, explaining that the proscribed conduct should be dealt with by the DCCA and the Attorney General through civil enforcement of existing laws prohibiting unfair or deceptive business practices. Further, OPD stated that existing criminal laws against theft are sufficient to prosecute a case for theft by deception. OPD also highlighted the unfairness of the Class C felony penalty that would apply to acts like calling too early or too late, failing to give one's name or company name before, instead of after, the solicitation is made and payment is requested, and failing to keep up with all record keeping requirements.

Hawaii Financial Services Association supported the bill's exemption for depository financial services loan companies, nondepository financial services loan companies, and affiliates or subsidiaries of financial institutions. State Farm Insurance Companies (State Farm) supported the intent of this measure, but requested clarification so that the exemption for insurance companies, individuals, and other organizations licensed or authorized by the Insurance Commissioner, would include all unlicensed staff of licensees. AARP supported the bill and made suggestions for additional prohibitions and requirements for telemarketers.

Direct Marketing Association (DMA) opposed this measure in its current form and suggested some amendments to conform with the Federal Telemarketing Sales Rule. GTE expressed concerns about the bill, requesting that the bill be held in committee, but if passed, that amendments be made to more closely conform with provisions of the Federal Telemarketing Sales Rule, expand the exemption for telecommunications and cable providers to include their affiliates, and omit the criminal penalties associated with Class C felonies.

Your Committees agree with many of the concerns and recommendations of various testifiers. Accordingly, your Committees have amended the bill by substituting its contents with that of the House companion, H.B. No. 1073, H.D. 1, that passed out of your Committees earlier this session, and also have made technical, nonsubstantive amendments for purposes of clarity and consistency. Your Committees believe that H.B. No. 1073, H.D. 1 addresses numerous issues raised by OCP, OPD, and DMA in that the House bill:

- (1) Requires that a disclosure of the nature and purpose of the call be made in the first minute of the call;
- (2) Provides no criminal penalties, and provides only civil penalties consistent with those under the State's unfair or deceptive practices statutes;
- (3) Provides that a telephone solicitor who lets the consumer's telephone ring more than ten times would violate the chapter;
- (4) Contains no prohibition on use of automatic dialers; and
- (5) Contains no exemption for an "entity that operates on a worldwide or national basis and is subject to oversight of governmental agencies, for telephone calls to and from consumers with whom the business has an existing business relationship".

To address other issues raised by OCP, DMA, GTE, and State Farm, your Committees have further amended the bill, as follows:

- (1) Modified the record-keeping provisions to require retention of copies of "all substantially different" scripts, outlines, or presentation materials that the seller requires a telephone solicitor to use;
- (2) Modified the record-keeping provisions to omit the "date of birth" and "social security number" from the list of personal information that must be kept regarding all telephone solicitors;
- (3) Clarified that the exemption for the sale of goods or services regulated by the Public Utilities Commission or the Federal Communications Commission, or pursuant to Chapter 440G, Hawaii Revised Statutes, applies to telecommunications or cable providers, and to their affiliates; and
- (4) Clarified that the exemption for an insurance company, individual, or other organization licensed or authorized by the Insurance Commissioner to conduct business in the State, applies to all unlicensed employees of insurance companies and other licensees, while selling or advertising to sell insurance products or services.

Your Committees emphasize that the exemption for insurance entities and persons licensed or authorized by the Insurance Commissioner is intended to be broadly applicable to all of the unlicensed staff of licensees.

In addition to the amendments specified above, this measure includes a number of other differences from S.B. No. 947, S.D. 2.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 947, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 947, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Cachola, Chang, Herkes, Yoshinaga, Pendleton, Rath, Thielen and Whalen.

SCRep. 1696 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on S.B. No. 484

The purpose of this bill is to increase the maximum value of the exemption from attachment and execution, for a motor vehicle owned by a debtor facing bankruptcy proceedings, from \$1,000 to \$2,575.

The Hawaii Financial Services Association testified in support of this bill.

Your Committees find that the current exemption of a debtor's motor vehicle from attachment and execution, of \$1,000, means that a debtor subject to bankruptcy proceedings is allowed to keep a motor vehicle if it is valued at \$1,000 or less. Since the average price of a vehicle is more than \$1,000, the current exemption usually results in an auction in which the debtor's car is sold, the exempted \$1,000 is returned to the debtor, and the balance is paid to creditors. Ironically, this leaves the debtor without transportation at the very time when the use of a vehicle for employment purposes is of critical importance. This measure rectifies this problem by increasing the exemption for a debtor's motor vehicle, from \$1,000, to \$2,575, which matches the federal law exemption.

As affirmed by the record of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs that is attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 484, S.D. 1, and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Cachola, Chang, Herkes, Takumi, Yoshinaga, Pendleton, Rath, Thielen and Whalen.

SCRep. 1697 Consumer Protection and Commerce on H.C.R. No. 22

The purpose of this concurrent resolution is to request that the Public Utilities Commission (PUC) keep the legislature apprised of the status of its proceeding on competition in the provision of electricity by submitting a status report prior to the 2000 Regular Session that is to include any timetable for completion and determinations made.

Your Committee received testimony supporting this concurrent resolution from the PUC, Consumer Advocate of the Department of Commerce and Consumer Affairs, Department of Business, Economic Development, and Tourism, and Kauai Electric.

Your Committee has made technical, nonsubstantive amendments to this measure for the purpose of 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 concurs with the intent and purpose of H.C.R. No. 22, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 22, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Chang, Herkes, Kaho'ohalahala, Rath and Thielen.

SCRep. 1698 Consumer Protection and Commerce and Human Services and Housing on S.B. No. 957

The purpose of this bill is to:

- (1) Extend from 1999 to June 30, 2000, the date by which the Motor Vehicle Insurance Benefits Task Force (Task Force) is to report its findings and recommendations to the Legislature and Governor;
- (2) Require the Task Force to develop a plan for balancing maximum coverage and benefits for victims of motor vehicle accidents with the lowest possible cost for purchasers of motor vehicle insurance; and
- (3) Provide free motor vehicle insurance coverage to persons receiving public assistance benefits in the form of medical services prior to July 1, 1994, and who continue to receive those benefits.

The Protection and Advocacy Agency of Hawaii and numerous individuals testified in support of this bill. The Department of Human Services and the Department of Commerce and Consumer Affairs commented on this bill.

Your Committees have amended this bill by:

- (1) Extending the effective date of the bill to July 1, 2010, to facilitate further discussion on this bill; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 957, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 957, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Cachola, Chang, Hiraki, Morita, Santiago, Takumi, Halford, McDermott and Pendleton.

SCRep. 1699 Judiciary and Hawaiian Affairs on S.B. No. 628

The purpose of this bill is to clarify and improve election laws by:

- (1) Defining "ballot issue committee";
- (2) Redefining "committee" to exempt organizations that raise or expend funds solely to produce and disseminate informational or educational advertising;
- (3) Requiring candidates to register with the Campaign Spending Commission within ten days of their first expenditure;
- (4) Removing the requirement that continuing candidates re-register for each election;
- (5) Extending to committees the opportunity to voluntarily turn over excess contributions;
- (6) Repealing a prohibition against corporate contributions to committees that were formed less than a year before a primary election;
- (7) Moving the first reporting date for candidate committees to July 30 of an election year;
- (8) Extending potential criminal prosecution to "persons" rather than "individuals";
- (9) Giving the Campaign Spending Commission the option of publishing on the internet the names of those who have failed to file a report; and
- (10) Clarifying that a candidate is not subject to contribution limitations as to the candidate's own campaign.

Testimony in support of this bill was received from the Campaign Spending Commission, the League of Women Voters of Hawaii, and Common Cause Hawaii. All those providing testimony raised concerns regarding a number of the provisions in the bill.

Your Committee finds that the effective reform of campaign spending laws is necessary to comprehensively enhance and clarify campaign spending laws for individuals, committees and political parties.

Your Committee has amended this bill by:

- (1) Deleting language regarding the duties of the Commission that allowed the Commission to publish information either by newspaper or website;
- (2) Deleting language that specifically exempted candidates from contribution limitations as to their own campaign;
- (3) Clarifying that all advertisements shall contain the name and address of the person paying for the advertisement; and
- (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 Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 628, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 628, 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, Hiraki, Morita, Takumi and Yoshinaga.

SCRep. 1700 Judiciary and Hawaiian Affairs on S.B. No. 896

The purpose of this bill is to allow waiver of notice in guardianship proceedings where certain interested persons cannot be found.

Testimony in support of this bill was received from the Judiciary.

Your Committee finds that it is appropriate to waive notice requirements for certain interested persons in guardianship proceedings when it is shown that all reasonable efforts have been made to ascertain the identity and address of the interested person(s), to no avail, and the person has not demonstrated a reasonable degree of interest or concern in the subject.

Your Committee has amended this bill by making a technical, nonsubstantive change for purposes of clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 896, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 896, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Garcia, Yoshinaga and Pendleton.

SCRep. 1701 Judiciary and Hawaiian Affairs on S.B. No. 1512

The purpose of this bill is to replace the current Uniform Partnership Act with law that conforms to the Revised Uniform Partnership Act.

Testimony in support of this bill was received from the State Department of Commerce and Consumer Affairs, and a commissioner to the National Conference of Commissioners on Uniform State Laws.

Your Committee finds that the Revised Uniform Partnership Act restructures the fundamentals of partnership law to reflect modern business practices. Your Committee further finds that adopting the Revised Uniform Partnership Act will enhance the business climate of the State.

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

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1512, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1512, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Garcia, Yoshinaga and Pendleton.

SCRep. 1702 Judiciary and Hawaiian Affairs on S.B. No. 1485

The purpose of this bill is to:

- (1) Permit the court to waive jurisdiction of other felony charges arising from the same episode to which the minor was waived;
- (2) Authorize the court to provide for public inspection of a minor's legal records if the proceeding or case involves an act resulting in the death of a victim; and
- (3) Establish a process for expungement of records for minors taken into custody but not adjudicated.

Your Committee received testimony in favor of this bill from the Judiciary, the Attorney General, the Department of Human Services, the Department of the Prosecuting Attorney for the City and County of Honolulu, the Public Defender and concerned individuals.

Your Committee, balancing the concerns for the protection of minors involved in the judicial process and the concerns for important social policy, finds that:

- (1) Judicial economy will be served by permitting the court to waive jurisdiction of other felony charges arising from the same episode to which the minor was waived; and
- (2) The right of public access to important information on serious matters will be served by allowing the court to provide for public inspection of a minor's legal records if the proceeding or case involves an act resulting in the death of a victim.

Your Committee has amended this bill by:

- (1) Deleting the provisions relating to the expungement of records for minors taken into custody but not adjudicated;
- (2) Deleting the effective date; 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 and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1485, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1485, 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, Garcia, Takumi, Yoshinaga and Pendleton.

SCRep. 1703 Judiciary and Hawaiian Affairs on S.B. No. 176

The purpose of this bill is to deter child abuse by, among other things:

- (1) Creating two new offenses: child abuse in the first degree and child abuse in the second degree; and
- (2) Adding the condition of the minor as another factor to determine whether the force used by a parent, guardian, or other responsible person was justifiable to safeguard the minor; and
- (3) Increasing criminal penalties for perpetrators of child abuse.

Testimony in support of this bill was received from the Honolulu Police Department and the Department of the Prosecuting Attorney for the City and County of Honolulu. Additional testimony was received from the Office of the Public Defender.

Your Committee finds that instances of child abuse are on the rise and that stronger penalties are warranted.

Your Committee has amended this bill by:

- (1) Deleting the requirement of "recklessly" so that penalties attach to only those who intentionally or knowingly cause serious or substantial bodily injury to the minor;
- (2) Preserving current law with respect to the minimum age requirement necessary to invoke extended terms of imprisonment under section 706-662, Hawaii Revised Statutes;
- (3) Preserving current law with respect to sections 706-660.2, 709-903.5, and 709-904, Hawaii Revised Statutes;
- (4) Adding language to ensure that this measure does not violate ex post facto constitutional protections; and
- (5) Making technical, nonsubstantive amendments for purposes of style and clarity and to conform the measure with the amendments made herein.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 176, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 176, H.D. 2.

Signed by all members of the Committee except Representatives Garcia, Yoshinaga and Pendleton.

SCRep. 1704 Judiciary and Hawaiian Affairs on S.B. No. 700

The purpose of this bill is to adopt regulations for Neighborhood Electric Vehicles ("NEV's") in Hawaii's motor vehicle laws.

Your Committee received testimony in support of this bill from MMS, Inc. and Miniature Motorsports of Hawaii.

Your Committee finds that NEV's can be a low cost, environmentally friendly alternative method of transportation within neighborhoods. Encouraging the use of NEV's and the development of an electric vehicle industry in Hawaii could also create business and employment opportunities.

Your Committee has amended this bill by:

- (1) Modifying its findings and purpose section; 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 and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 700, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 700, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Garcia, Yoshinaga and Pendleton.

SCRep. 1705 Judiciary and Hawaiian Affairs on S.B. No. 798

The purpose of this bill as received is to clarify state and county jurisdiction over noise control, including noise issues regarding the Convention Center.

Testimony in support of this bill was received from the State Convention Center Authority, the Department of Health, Yacht Harbor Towers, and the Hawaii Agricultural Research Center. Testimony in opposition to this bill was received from the Neighbors of the Ala Wai and a concerned individual. Testimony commenting on this bill was received from Hawaiian Electric Company.

Your Committee finds that the provisions of this bill will promote efficient and uniform regulation of noise in this State.

Your Committee has amended this bill by:

- (1) Adding a section regarding the purpose of this bill;
- (2) Clarifying that an ordinance inconsistent with any noise rule adopted by the Department of Health shall be ineffective to the extent of the inconsistency;
- (3) Clarifying that the regulation of noise which may constitute a public nuisance in the Convention Center District shall be regulated by the Department of Health; and
- (4) 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 and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 798, 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. 798, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Garcia, Takumi, Yoshinaga and Pendleton.

SCRep. 1706 Judiciary and Hawaiian Affairs on S.B. No. 825

The purpose of this bill is to:

- (1) Authorize employers to provide employees with up to one unpaid hour per working day to breastfeed or express milk; and
- (2) Specify that it is a discriminatory practice to restrict or limit the right of a woman to breastfeed a child in a place of public accommodations.

Your Committee received testimony in support of this bill from the Department of Health, the Civil Rights Commission, Healthy Mothers Healthy Babies Coalition of Hawaii, Kapiolani Hospital, the Breastfeeding Promotion Counsel, Mothers Care for Tomorrow's Children, and other concerned individuals.

Your Committee amended this bill by deleting its contents and incorporating provisions:

- (1) Whereby an employer may provide employees with time during the work day for breastfeeding or expressing milk;
- (2) Requiring the State Commission on the Status of Women to accumulate, compile, and publish information about instances of discrimination involving breastfeeding or expressing milk in the workplace;
- (3) Prohibiting employers or labor organizations from refusing to hire or employ, or to bar or to discharge from employment, or withhold pay, demote, or penalize a lactating employee because an employee breastfeeds or expresses milk at the workplace;
- (4) Modifying the findings and purpose section;
- (5) Making the Act effective upon its approval; and
- (6) 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 and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 825, 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. 825, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Garcia, Takumi, Yoshinaga and Pendleton.

SCRep. 1707 Judiciary and Hawaiian Affairs on S.B. No. 1091

The purpose of this bill is to strengthen the ability of the Department of Land and Natural Resources (DLNR) to protect aquatic resources by, among other things, clarifying and consolidating the penalty provisions related to aquatic resources.

Testimony in support of this bill was received from the Department of Land and Natural Resources and the Department of Transportation. Additional comments were submitted by the Office of the Public Defender.

Your Committee finds that the current system for fisheries management is inadequate. The complexities of resource management require year-round attention. Presently, changes in the law can only take place when the Legislature is in session. As a result, sound management techniques are often implemented in an untimely fashion, significantly limiting their effectiveness.

Your Committee has amended this bill by deleting its contents and inserting provisions to:

- (1) Amend or repeal certain aquatic resources laws related to licenses, permits, bag limits, sales restrictions, prohibitions, open and closed seasons, fishing gear, area restrictions, and net sizes; and
- (2) Transfer authority to the Department of Land and Natural Resources to adopt administrative rules implementing or replacing the amended or repealed statutes.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1091, 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. 1091, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Chang, Garcia, Hiraki, Yoshinaga and Pendleton.

SCRep. 1708 Judiciary and Hawaiian Affairs on S.B. No. 1270

The purpose of this bill is to allow private schools to develop procedures for obtaining verifiable information regarding the criminal history of persons who are employed or are seeking employment in positions which place them in close proximity with children.

Your Committee received testimony in support of this bill from the Attorney General, the Department of Education and the Hawaii Association of Independent Schools.

Your Committee finds that this measure will enhance the safety of children in our private schools.

Your Committee amended this bill by:

1. Making it mandatory for the Department of Education and the Counties to develop procedures for obtaining verifiable information regarding the criminal history of persons who are employed, seeking employment, or seeking to serve as teacher trainees in any public school, or who are employed or seeking employment in positions which place them in close proximity to children;
2. Changing the type of criminal history for which a school may refuse to employ or for which a school may terminate employment from "a crime, other than a minor traffic offense involving a fine of \$50 or less," to "an offense for which incarceration is a sentencing option"; and
3. Making technical and non-substantive changes.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1270, 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. 1270, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Garcia, Takumi, Yoshinaga and Pendleton.

SCRep. 1709 Judiciary and Hawaiian Affairs on S.B. No. 605

The purpose of this bill is to establish a temporary pilot program to compile, track, and analyze hate crimes data in the State of Hawaii.

Your Committee received testimony from the Department of the Attorney General, Hawaii Civil Rights Commission, Hawaii State Commission on the Status of Women, American Civil Liberties Union of Hawaii, American Friends Service Committee, Parents, Friends, and Families of Lesbians and Gays, Japanese American Citizens League, Filipino Coalition for Solidarity, Inc., Gay and Lesbian Education and Advocacy Foundation, Gay and Lesbian Community Center, State of Hawaii County Police Chiefs, Honolulu Police Department, Christian Voice of Hawaii, Hawaii Christian Coalition, Pro-Family Hawaii, American Muslim Alliance - Hawaii, True World Group of Hawaii, World Fisheries of Hawaii, Office of the Public Defender and numerous individuals.

Your Committee finds a need to gather and analyze data on crimes and threats against persons because of their race, religion, sexual orientation, ethnicity or disability.

Your Committee has amended this bill by:

- (1) Deleting the findings and purpose section;
- (2) Inserting a provision defining "hate crime"; 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 and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 605, 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. 605, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Garcia, Takumi, Yoshinaga and Pendleton.

SCRep. 1710 Judiciary and Hawaiian Affairs on S.B. No. 1212

The purpose of this bill is to consolidate and make consistent statutory provisions relating to driving while impaired by drugs or intoxicating liquor.

Testimony in support of this bill was received from the Judiciary, the Department of Transportation, the Department of the Prosecuting Attorney for the City and County of Honolulu, the Governor's Highway Safety Council, Impaired Driving Task Force, the Honolulu Police Department, and Mother's Against Drunk Driving. Additional testimony was received from the Office of the Public Defender.

Your Committee finds that there currently is a backlog of cases of driving under the influence of drugs. Your Committee believes that reduction of the maximum imprisonment for these and other similar offenses to not more than 30 days will ensure that the right to jury trial in these cases will not attach.

Your Committee further finds that although the law prohibits the operation of a marine vessel while intoxicated, there is no prohibition for operating a marine vessel while under the influence of drugs.

Your Committee has amended this bill by deleting its contents and replacing it with the contents of H.B. No. 3, H.D. 2 which:

- (1) Conforms the jail terms for driving under the influence of drugs and operating a vessel under the influence of intoxicating liquor with existing jail terms for driving under the influence of intoxicating liquor; and
- (2) Creates a new offense of operating a vessel under the influence of drugs which is also consistent with the penalties provided in other impaired driving or boating statutes.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1212, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1212, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Garcia, Yoshinaga and Pendleton.

SCRep. 1711 Finance on S.B. No. 570

The purpose of this bill is to improve the quality of life on the Waianae coast of Oahu by supporting the Waianae Coast Community Benchmarking Pilot Project (Pilot Project) established under Act 314, Session Laws of Hawaii 1997.

This bill:

- (1) Extends the Pilot Project from June 30, 2000, to June 30, 2003; and
- (2) Appropriates funds for various subprojects of the Pilot Project and for a grant-in-aid to the Hawaii Community Services Council for the provision of technical support.

The Waianae Coast Comprehensive Health Center testified in support of this measure. The Office of Planning supported the intent of this bill.

Your Committee has amended this bill by specifying July 1, 1999, as the effective date.

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. 570, 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. 570, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1712 Finance on S.B. No. 585

The purpose of this bill is to break the escalating cycle for misdemeanor sex offenders before they commit more serious sexual offenses, by requiring that offenders who commit a fourth offense of sexual assault in the fourth degree participate in mandatory sex offender assessment and, if recommended based on this assessment, participate in sex offender treatment.

The Honolulu Police Department testified in support of this bill. The Sex Abuse Treatment Center testified in support of the intent of this bill.

Your Committee has amended this bill by making technical, nonsubstantive changes for 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. 585, 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. 585, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1713 Finance on S.B. No. 830

The purpose of this bill is to provide more efficient reimbursement from insurers by requiring health insurers, mutual benefit societies, and health maintenance organizations to reimburse providers and patients within a specified time period.

The Hawaii Medical Association, Hawaiian Eye Center, the Hawaii Ophthalmological Society, the American Massage Therapy Association, the Hawaii Psychiatric Medical Association, the Hawaii Chapter of the American Physical Therapy Association, Healthsouth Rehabilitation Center of Hawaii, the Hawaiian Island Ear, Nose, and Throat Specialists, the Hawaii Coalition for Health, and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs, the Hawaii Medical Services Association, the Healthcare Association of Hawaii, the Retina Associates of Hawaii, Queen's Health Management, and one individual commented on this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 830, 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. 830, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1714 Finance on S.B. No. 1018

The purpose of this bill is to streamline the procedure used by the Drug Product Selection Board (Board) to add generic drugs approved by the United States Food and Drug Administration (FDA) and listed in the FDA Orange Book to the State drug formulary, which lists safe, effective, and therapeutically equivalent drugs approved for distribution to consumers by:

- (1) Permitting the Board to adopt the FDA Orange Book and its cumulative supplements as rules;
- (2) Removing language requiring the Board to publish and distribute a separate formulary;
- (3) Requiring the formulary to be updated at least every six months; and
- (4) Adding definitions of "Hawaii additions and deletions list" and "Orange Book."

The Department of Health, the Hawaii Medical Service Association, Times SuperMarket Pharmacies, the Pharmacy Association of Hawaii, and Longs Drug Stores testified in support of this bill.

Your Committee has amended this bill by making technical, nonsubstantive changes for 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. 1018, 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. 1018, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1715 Finance on S.B. No. 1079

The purpose of this bill is to make improvements to the consolidated application process by:

- (1) Changing its name to "facilitated application process";
- (2) Expanding the membership of the Permit Process Task Force (Task Force);
- (3) Limiting the Task Force's purpose of facilitating the state permit approval process to county building permit applications requiring state agency approval; and
- (4) "Sunsetting" the Task Force on June 30, 2002.

The Department of Business, Economic Development, and Tourism testified in support of this measure. The Sierra club, Hawaii Chapter and an individual commented on the bill.

Your Committee has made technical, nonsubstantive amendments to the bill to conform to correct drafting 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. 1079, 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. 1079, S.D. 1, H.D. 3.

Signed by all members of the Committee except Representative Moses.

SCRep. 1716 Finance on S.B. No. 1101

The purpose of this bill is to clearly define responsibilities and provide remedies for the administration of the procurement process.

The State Procurement Office testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 1101, 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. 1101, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1717 Finance on S.B. No. 1140

The purpose of this bill is to simplify the business registration process in the State by:

- (1) Clarifying and updating the statutes governing business registration under the Hawaii Business Corporation and the Hawaii Nonprofit Corporation Acts;
- (2) Requiring each corporation to have a registered office and registered agent in the State; and
- (3) Allowing domestic nonprofit corporation to amend and restate its articles of incorporation at any time by complying with procedures and requirements under section 415B-37 and 415B-40, Hawaii Revised Statutes.

The Department of Commerce and Consumer Affairs testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 1140, 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. 1140, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1718 Finance on S.B. No. 1145

The purpose of this bill is to support the Department of Commerce and Consumer Affairs' (DCCA) move toward self-sufficiency by combining most of DCCA's special and revolving funds into the DCCA Compliance Resolution Fund, which would be used to fund DCCA operations, but would not be subject to central service and departmental administrative expense reimbursement deductions or other reversions to the general fund.

DCCA testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 1145, 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. 1145, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1719 Finance on S.B. No. 1158

The purpose of this bill is to appropriate unspecified funds to compensate victims of violent crimes.

The Crime Victim Compensation Commission, the Department of the Prosecuting Attorney of the City and County of Honolulu, and the Sex Abuse Treatment Center testified in support of this bill.

Your Committee has amended this bill by:

- (1) Inserting the appropriation amounts of \$1 for discussion purposes; and
- (2) Making technical, nonsubstantive changes for 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. 1158, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1158, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1720 Finance on S.B. No. 1279

The purpose of this bill is to implement the goal of universal and affordable telephone service by:

- (1) Designating the Universal Service Fund as a special fund outside of the state treasury;
- (2) Exempting the Universal Service Fund from the administrative surcharges set forth in sections 36-27 and 36-30, Hawaii Revised Statutes; and
- (3) Appropriating \$800,000 through a loan from the Public Utilities Commission Special Fund to carry out the purposes of the Universal Service Program.

The Public Utilities Commission, the Consumer Advocate, GTE, ATT, and GST Telecom Hawaii testified in support of this bill. Oceanic Communications testified in support of the intent of this bill.

Your Committee has made technical, nonsubstantive amendments to the bill to conform to correct drafting 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. 1279, 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. 1279, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1721 Finance on S.B. No. 1282

The purpose of this bill is to provide greater investment flexibility for the Employees' Retirement System (ERS) Board of Trustees and their real estate investment managers by authorizing ERS to invest in real estate through limited liability companies and similar entities.

ERS commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date from August 1, 2001, to upon its approval; and
- (2) Making technical, nonsubstantive amendments for 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. 1282, 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. 1282, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Goodenow and Moses.

SCRep. 1722 Finance on S.B. No. 1294

The purpose of this bill is to improve the cost-effectiveness of the Hawaii Public Employees Health Fund (Health Fund) by:

- (1) Requiring the State and the several counties to pay the Health Fund a monthly contribution of \$43.80 for voluntary medical insurance coverage for each employee-beneficiary; and
- (2) Requiring that eligible employee-beneficiaries of the Health Fund and their spouses enroll in the federal Medicare Part B medical insurance plan, with exceptions to be determined by the Health Fund Board of Trustees.

The Health Fund Board of Trustees testified in support of the intent of this bill. The Retirees Unit of the Hawaii Government Employees Association and the Department of Labor and Industrial Relations (DLIR) commented on this bill.

Your Committee has amended this bill by:

- (1) Deleting the requirement for DLIR to study the Health Fund and draft proposed legislation; and
- (2) Making technical, nonsubstantive changes for 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. 1294, 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. 1294, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1723 Finance on S.B. No. 1470

The purpose of this bill is to fund salary increases and other cost adjustments for legislative officers and employees excluded from collective bargaining.

The Legislative Reference Bureau, the Ombudsman, and the State Auditor testified in support of this bill.

Your Committee has amended this bill by including appropriations for salary increases and other cost adjustments for the legislative staff of the House of Representatives and the Senate.

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. 1470, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1470, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1724 Finance on S.B. No. 1481

The purpose of this bill is to provide centralized services for the 14,400 veterans on the island of Hawaii by authorizing the construction of a combined Veterans Center in Hilo.

This bill appropriates an unspecified sum of general funds for a grant-in-aid to the Hawaii Island Veterans Memorial Inc.

Testimony in support of this measure was submitted by the Office of Veterans Services, the Mayor of the County of Hawaii, the Big Island Veterans Association, the Oahu Veterans Council, the Hawaii County Veterans Advisory Committee, The American Legion of the Department of Hawaii, and a number of veterans and individuals.

Your Committee has amended this bill by:

- (1) Replacing the means of financing with general obligation bonds; and
- (2) Making technical, nonsubstantive revisions for 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. 1481, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1481, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1725 Finance on S.B. No. 680

The purpose of this bill is to:

- (1) Allow the counties to regulate the use of non-aerial common fireworks through the issuance of certificates of use; and
- (2) Establish as a misdemeanor the possession, purchase, sale, transfer, setting off, igniting, or discharging of aerial common fireworks without a license or permit.

The Conservation Council of Hawaii and the Hawaii Medical Association testified in support of this bill. The Department of Health, the American Lung Association of Hawaii, the American Constitution Committee, the Honolulu Fire Department, the Hawaii Fire Chiefs Association, the Waikiki Residents Association, the Respiratory and Environmental Disabilities Association of Hawaii, and numerous members of the public commented on this bill.

Your Committee has amended this bill by making technical, nonsubstantive changes for 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. 680, 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. 680, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1726 Finance on S.B. No. 1144

The purpose of this bill is to provide the Division of Financial Institutions (DFI) with the flexibility to regulate and deal with the constantly changing and complex financial institution industry environment without being constrained by fluctuations in the General Fund. Specifically, this bill allocates 40 percent of all revenues and amounts collected under the Franchise Tax Law into the Finance Institution Examiners' Revolving Fund instead of the General Fund. Currently, DFI relies on the General Fund to support its programs.

The Department of Commerce and Consumer Affairs and the Hawaii Bankers Association testified in support of this measure. The Tax Foundation of Hawaii commented on the bill.

Your Committee has amended this bill by:

- (1) Deleting the percentage amount to be deposited into the revolving fund; and
- (2) Making technical, nonsubstantive revisions to correct drafting errors.

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. 1144, 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. 1144, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.
(Representative Meyer voted no.)

SCRep. 1727 Finance on S.B. No. 1163

The purpose of this bill is to address the overcrowding of inmates at correctional facilities in the State by extending to June 30, 2000, the authority of the Director of Public Safety to grant the emergency release of pre-trial inmates.

This bill also corrects a statutory reference regarding pre-trial inmates who are found to be mentally defective or mentally incapacitated.

The Department of Public Safety testified in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu and the Honolulu Police Department commented on this measure.

Your Committee has amended this bill by making technical, nonsubstantive amendments for 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. 1163, 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. 1163, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.
(Representative Fox voted no.)

SCRep. 1728 Consumer Protection and Commerce on S.B. No. 27

The purpose of this bill is to provide that a person who has placed a vehicle in storage with an unexpired certificate of inspection, is exempt from the law requiring a new certificate to be obtained before removing the vehicle from storage.

Testimony in support of this measure was received from a concerned individual.

Your Committee notes that this bill's content is identical to H.B. No. 851 which passed out of your Committee earlier this session.

It has been brought to your Committee's attention that the constitutionality of this bill could be challenged because its title relates to "Motor Vehicle Registration", while the subject of the bill is a statute pertaining to county vehicular taxes. Your Committee has received an informal oral opinion from the Attorney General's office indicating that the bill would probably survive such a constitutional challenge. To allow additional time for receipt of the Attorney General's written memorandum, your Committee has amended the bill to leave the effective date blank, to ensure that this bill goes to Conference Committee.

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. 27, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 27, H.D. 1.

Signed by all members of the Committee except Representatives Garcia, Kaho'ohalahala, Yoshinaga and Whalen.

SCRep. 1729 Consumer Protection and Commerce on S.B. No. 40

The purpose of this bill is to change the terminology used to describe the regulation of physician assistants (PAs), from "certification" to "licensing."

Your Committee received testimony supporting this bill from the Board of Medical Examiners (Board), Hawaii Academy of Physician Assistants, and several PAs.

Your Committee finds that the change in terminology proposed by the bill is intended to allow full implementation of the Board's PA rules, adopted in 1997 in response to recommendations of the Legislative Auditor (Auditor), who found that previous rules were overly restrictive to the detriment of optimal PA practice and utilization. In 1998, the Auditor reviewed the terminology change and found that it would more accurately reflect regulatory intent and practice, and would have minimal effect on insurance coverage, and a minimal fiscal impact on the Department of Commerce and Consumer Affairs. In addition, the Auditor found there would be a minimal effect on public health and safety because the change would not alter safeguards inherent in the existing supervisory relationship between physicians and PAs.

Your Committee notes that this bill reflects the substance of the House companion to this measure, H.B. No. 47, H.D. 1. Your Committee anticipates that the terminology change proposed in this bill would have a substantial and intended effect in two respects, by allowing PAs to:

- (1) Deliver certain health services that heretofore could not be provided because of the "certification" terminology used; and
- (2) Be registered by the Narcotics Enforcement Division to prescribe controlled substances in schedules III to V, as authorized by the Board in its 1997 rules.

Your Committee would like to assure that safety concerns are further considered regarding the ability of PAs to prescribe controlled substances. These concerns were expressed when your Committee heard the House companion to this bill.

Your Committee has amended this bill to take effect at an unspecified date for purposes of continued discussion.

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. 40, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 40, H.D. 2.

Signed by all members of the Committee except Representatives Hiraki, Takumi, Yoshinaga, Halford and Thielen.

SCRep. 1730 Judiciary and Hawaiian Affairs on H.R. No. 109

The purpose of this House Resolution is to request that the United States Department of Agriculture, Natural Resources Conservation Service recommend the use of hemp fiber soil erosion control blankets whenever feasible.

Your Committee received testimony on this Resolution from the Department of Transportation, Honolulu Police Department, JB Plant Fibres and an individual.

Your Committee finds that soil erosion control blankets made from industrial hemp can reduce the loss of topsoil and help develop fertile grasslands.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 109, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Yoshinaga and Pendleton.

SCRep. 1731 Judiciary and Hawaiian Affairs on H.C.R. No. 122

The purpose of this concurrent resolution is to request that the United States Department of Agriculture, Natural Resources Conservation Service recommend the use of hemp fiber soil erosion control blankets whenever feasible.

Your Committee received testimony on this concurrent resolution from the Department of Transportation, Honolulu Police Department, JB Plant Fibres and an individual.

Your Committee finds that soil erosion control blankets made from industrial hemp can reduce the loss of topsoil and help develop fertile grasslands.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 122, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Yoshinaga and Pendleton.

SCRep. 1732 Judiciary and Hawaiian Affairs on H.R. No. 110

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to examine the feasibility of growing industrial hemp in Hawaii for biomass energy production.

Your Committee received testimony in support of this measure from the DBEDT, the Hawaiian Electric Company, the Maui Electric Company, the Ohio Hempery, Inc., and concerned individuals. Your Committee received comments from the Honolulu Police Department.

Your Committee finds that industrial hemp presents many promising economic opportunities, one of which is the profitable production of biomass energy. Your Committee finds a need to study the feasibility of growing industrial hemp in Hawaii for biomass energy production.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 110, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Yoshinaga and Pendleton.

SCRep. 1733 Judiciary and Hawaiian Affairs on H.C.R. No. 123

The purpose of this resolution is to request the Department of Business, Economic Development, and Tourism (DBEDT) to examine the feasibility of growing industrial hemp in Hawaii for biomass energy production.

Your Committee received testimony in support of this measure from the DBEDT, the Hawaiian Electric Company, the Maui Electric Company, the Ohio Hempery, Inc., and concerned individuals. Your Committee received comments from the Honolulu Police Department.

Your Committee finds that industrial hemp presents many promising economic opportunities, one of which is the profitable production of biomass energy. Your Committee finds a need to study the feasibility of growing industrial hemp in Hawaii for biomass energy production.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 123, and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Garcia, Yoshinaga and Pendleton.

SCRep. 1734 Judiciary and Hawaiian Affairs on H.R. No. 126

The purpose of this resolution is:

- (1) To encourage and support the efforts of the Hawaiian community to conduct activities that will lead to the restoration of Moku'ula and Loko O Mokuhinia by restoring and preserving these sites; and
- (2) To encourage the County of Maui to work with interested parties to resolve any land or other concerns regarding the restoration of the area.

Testimony in support of this measure was received from the Maui County Council and Friends of Moku'ula, Inc.

Your Committee recognizes the need to preserve and perpetuate the native culture of our island state. The sites under consideration represent a rare opportunity to nurture the very important cultural link to the past. Unlike many other cultural sites, the aforementioned areas have survived and are a source of tremendous cultural and spiritual significance.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 126 and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Yoshinaga and Pendleton.

SCRep. 1735 Judiciary and Hawaiian Affairs on H.C.R. No. 136

The purpose of this resolution is:

- (1) To encourage and support the efforts of the Hawaiian community to conduct activities that will lead to the restoration of Moku'ula and Loko O Mokuhinia by restoring and preserving these sites; and

- (2) To encourage the County of Maui to work with interested parties to resolve any land or other concerns regarding the restoration of the area.

Testimony in support of this measure was received from the Maui County Council and Friends of Moku'ula, Inc.

Your Committee recognizes the need to preserve and perpetuate the native culture of our island state. The sites under consideration represent a rare opportunity to nurture the very important cultural link to the past. Unlike many other cultural sites, the aforementioned areas have survived and are a source of tremendous cultural and spiritual significance.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 136 and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Yoshinaga and Pendleton.

SCRep. 1736 Judiciary and Hawaiian Affairs on H.R. No. 221

The purpose of this resolution is to request the Department of Land and Natural Resources and the individual counties to solicit development plans by Hawaiian canoe club lessees to develop, upgrade, renew, or revitalize the land on which they lease.

Your Committee received testimony in support of this resolution from No Kupona, and several concerned individuals. Testimony commenting on this resolution was received from the Board of Land and Natural Resources and the Office of Hawaiian Affairs.

Your Committee finds that canoe clubs help perpetuate the cultural tradition of canoe paddling. Longer leases would give Hawaiian canoe clubs the stability and incentive necessary to maintain and make improvements to the lands they occupy, and to ensure the continued existence of the canoe paddling tradition.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.R. No. 221, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Yoshinaga and Pendleton.

SCRep. 1737 Judiciary and Hawaiian Affairs on H.C.R. No. 252

The purpose of this resolution is to request the Department of Land and Natural Resources and the individual counties to solicit development plans by Hawaiian canoe club lessees to develop, upgrade, renew, or revitalize the land on which they lease.

Your Committee received testimony in support of this resolution from No Kupona, and several concerned individuals. Testimony commenting on this resolution was received from the Board of Land and Natural Resources and the Office of Hawaiian Affairs.

Your Committee finds that canoe clubs help perpetuate the cultural tradition of canoe paddling. Longer leases would give Hawaiian canoe clubs the stability and incentive necessary to maintain and make improvements to the lands they occupy, and to ensure the continued existence of the canoe paddling tradition.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 252, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Yoshinaga and Pendleton.

SCRep. 1738 Consumer Protection and Commerce on S.B. No. 36

The purpose of this bill is to increase the clarity, fairness, and economic efficiency of laws governing condominium associations by:

- (1) Specifying where and in what type of institutions and investments, associations may place their funds;
- (2) Providing the association a limited lien priority over mortgages to collect unpaid common assessments; and
- (3) Allowing the association to cease providing services and privileges to an apartment that is delinquent in payment of common assessments.

Testimony in support of this bill was received from several concerned individuals. Testimony supporting the bill and suggesting amendments was submitted by the Hawaii Association of Realtors, Hawaii Council of Associations of Apartment Owners, and Community Associations Institute. The Association of Apartment Owners of Makakilo Hale 1 strongly supported the intent of this measure and suggested amendments. The Office of Consumer Protection and Real Estate Commission of the Department of Commerce and Consumer Affairs, and Association of Apartment Owners of the Villa on Eaton Square commented and requested amendments. The Hawaii Bankers Association, Hawaii League of Savings Institutions, and Mortgage Bankers Association opposed the bill.

To encourage further discussion and progress toward resolution of the problems addressed by this bill, your Committee has amended this measure by replacing its contents with those of four House bills that passed out of your Committee earlier this session: H.B. No. 647, H.D. 1; H.B. No. 648, H.D. 1; H.B. No. 766, H.D. 1; and H.B. No. 1276, H.D. 1. The amended bill differs from S.B. No. 36, S.D. 2 in that it includes provisions:

- (1) Permitting associations to collect delinquent common assessments directly from the tenant upon notice to the apartment owner; and
- (2) Clearly specifying the time at which a person purchasing an apartment at a foreclosure sale becomes liable for the apartment's common assessments.

Like S.B. No. 36, S.D. 2, the amended bill:

- (1) Allows associations to terminate services and privileges to apartments delinquent in payment of common assessments, but also includes greater procedural protections for the apartment owner; and
- (2) Specifies where and in what type of institutions and investments an association may place its funds.

In addition, your Committee has made technical, nonsubstantive amendments for purposes of clarity 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. 36, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 36, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Chang, Hiraki, Kaho'ohalahala, Takumi, Yoshinaga and Thielen.

SCRep. 1739 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on S.B. No. 808

The purpose of this bill is to add assault to the factors that a liquor commission may consider in revoking, suspending, or placing conditions or restrictions on liquor licenses.

The Downtown Neighborhood Board No. 18 submitted comments in support of this bill.

Your Committees note that H.B. No. 19, the companion to this measure, was passed out of the House of Representatives after a public hearing before your Committees earlier this session.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 808 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Garcia, Herkes, Kaho'ohalahala, P. Oshiro, Takumi, Yoshinaga and Thielen.

SCRep. 1740 Judiciary and Hawaiian Affairs and Consumer Protection and Commerce on S.B. No. 365

The purpose of this bill is to prohibit the sale to minors, and possession by minors, of laser pointing devices, and to mandate that sellers, at the time of sale, give buyers written warnings regarding the use of laser pointing devices.

Testimony in support of this bill was received from the Department of the Prosecuting Attorney, City and County of Honolulu. Testimony in opposition to this bill was received from the Office of the Public Defender.

Your Committees find that the citizens of this State should be able to rest assured that they will not become victims of illegal overcharges. If the public is harmed by an illegal overcharge, it is in the best interests of Hawaii's citizens that punitive action be taken against the wrongdoer to deter repetition of the conduct. Your Committees find that the State, in class actions brought under Section 480-14(c), should be allowed to recover threefold compensatory damages for injuries sustained by persons injured.

Your Committees have amended this bill by:

- (1) Deleting all provisions relating to laser pointing devices;
- (2) Adding provisions amending Sections 480-13(a) and 480-14(c), Hawaii Revised Statutes, to clarify that individuals and the State (as *parens patriae* in class actions) as indirect purchasers injured by an illegal overcharge, shall be allowed to recover threefold compensatory damages for injuries sustained;
- (3) Adding a provision amending Section 480-22, Hawaii Revised Statutes, clarifying that consent decrees resulting from antitrust actions become effective upon filing; and

- (4) Deleting the effective date.

As affirmed by the records of votes of the members of your Committees on Judiciary and Hawaiian Affairs and Consumer Protection and Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 365, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 365, 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, Yoshinaga, Pendleton and Rath.

SCRep. 1741 Finance on S.B. No. 1180

The purpose of this bill is to modify the income tax law by:

- (1) Revising the formula for calculating the income tax for nonresidents; and
- (2) Prohibiting the Department of Taxation from exempting employers from the withholding of taxes.

The Chamber of Commerce of Hawaii testified in support of this measure. The Department of Taxation testified in support of the measure except for section 5. The University of Nations, PricewaterhouseCoopers, LLP, the Retirees Unit of the Hawaii Government Employees Association, Alexander and Baldwin, Inc., Aloha Airlines, the Tax Foundation of Hawaii, and Bank of Hawaii commented on the measure.

Your Committee has amended the bill by:

- (1) Deleting the prohibition of the Department of Taxation from exempting employers from the withholding of taxes; and
- (2) Making technical, nonsubstantive revisions for 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. 1180, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1180, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Moses.

SCRep. 1742 Finance on S.B. No. 1518

The purpose of this bill, as received, is to improve the effectiveness of state government by requiring all State agencies to identify their goals, objectives, and policies and report annually to the legislature.

Based upon an urgent request from the Administration to consider a proposal to close the Hawaii State Hospital (HSH) and to authorize the Director of Health to privatize HSH's current functions and services, your Committee circulated a proposed draft of this bill to encourage further discussion and progress toward resolution of the issues facing HSH.

The Department of Health (DOH) testified in strong support of the proposal. The Attorney General (AG) described the overall legal issues which this draft seeks to address. The Hawaii Government Employees Association, the United Public Workers, and a concerned individual commented on the proposal.

Since 1989, the State and the United States Department of Justice have encountered a number of complex problems with the HSH. These problems include clinical, operational, and managerial functions that involve both the hospital staff and administration. More recently, in January of 1999, the State was given a final deadline to improve problem areas at the HSH.

By December 20, 1999, the State must show full compliance with a federal court order to comply with federal law relating to people with serious mental illnesses. The DOH testified that the optimum way is to move toward serving patients through community-based private providers. If this deadline is not met, the AG testified that severe sanctions will be imposed by the federal court, including the potential appointment of a special federal master to administer HSH and the State's entire mental health system. The DOH noted that the appointment of a federal master will result in the State relinquishing all authority over HSH and the community mental health system. As such, the federal master would have unrestrained authority to require expenditure of State moneys without State input or control.

BACKGROUND

The AG provided a brief summary of the major events leading up to this final deadline, including:

- In 1989, Department of Justice (DOJ) attorneys found unacceptable conditions at HSH;

- On March 7, 1991, the DOJ filed a federal court complaint under the Civil Rights of Institutionalized Persons Act (CRIPA), 42 U.S.C. section 1997, et seq, to enjoin the State from depriving persons residing at HSH of rights, privileges, or immunities secured or protected by the United States Constitution;
- On September 19, 1991, a Settlement Agreement and Order was filed in federal court requiring the State to complete performance of the assurances contained in the Settlement Agreement by December 31, 1993;
- In 1994, the State was found to be in noncompliance with the Settlement Agreement and was found in contempt of the court order;
- On January 19, 1995, a contempt order was filed with an extensive Remedial Plan requiring complete performance by December 31, 1995;
- In May, 1996, the DOJ found that the State was not in compliance with the court orders;
- On June 28, 1996, a Stipulation and Order was filed, extending the deadline for complete compliance to June 1, 1997, and specifying remedial actions, including development of community-based mental health services for HSH patients and the discharge of HSH patients not requiring hospitalization;
- In November, 1997, DOJ found instances of noncompliance at HSH and private hospitals providing care for children and adolescents (the adolescent ward at HSH was closed in 1991);
- On February 13, 1998, a Stipulation and Order was filed, extending the deadline for compliance to January 3, 1999, and requiring the development of a patient treatment program individualized to meet to each patient's needs; and
- On February 1, 1999, the court found HSH to be grossly out of compliance and ordered the formation of a Compliance Committee, with members to be appointed by February 28, 1999, and a written report naming the members to be filed by March 15, 1999.

In addition, the court has set the following deadlines:

- By June 1, 1999, the Compliance Committee must identify all outstanding material issues;
- By June 15, 1999, programs to rectify each material issue must be in place and a status report identifying all the problems made by the Compliance Committee with the proposed solutions must be filed; and
- By December 20, 1999, a status conference will be held to determine if there is material compliance by the State.

CONCERNS

Your Committee has reviewed the past events and is aware of the history of problems at HSH. Since the Settlement Agreement in 1991 and utilizing the service delivery model currently in place, the State has been unable to establish and implement a compliance plan that comports with federal law as interpreted by the federal courts.

Your Committee has carefully considered the current situation facing DOH with regard to HSH. Your Committee understands the need for prompt action given the time constraints presented by the federal court order in this ongoing suit. Your Committee is also very concerned that failure by the State to take corrective action in accordance with a court-approved compliance plan will result in severe sanctions: the possible appointment of a special master to assume control of HSH and the State's mental health programs and services, or fines of up to \$50,000 a day.

At the same time, your Committee wants to ensure that people with serious mental illness who are institutionalized at HSH or who may require hospitalization in the future will have their needs met. Ultimately, the goal of this proposal or any other plan addressing this issue must be to facilitate an adequate quality of care for persons needing mental health services as required by federal law. This proposal presented by DOH and implemented by the suggested amendments is ambitious and dramatic. In your Committee's view, the proposal has merit.

Your Committee, however, has concerns about the DOH plan that has been put together quickly under severe time constraints. Because of the speed with which the plan was created, your Committee is not confident that all of the parties affected by the plan have adequately participated in its creation and therefore may not be committed to its successful implementation.

While stating that additional mental health resources would be needed to provide a more comprehensive, broad-based community-based treatment, the DOH has testified that programs and services are currently available in the private sector that conform to CRIPA standards to meet the needs of those patients who do not need to be institutionalized. However, some of the private sector providers questioned the DOH's assessments and noted that the DOH may have underestimated the extent to which these community treatment services are available.

Consequently, your Committee has concerns regarding whether hospital level care will be available on all islands should this bill pass and HSH is closed. Your Committee acknowledges that there may be a number of current patients who are from the neighbor islands. Upon closure of HSH, the parents or legal guardians of these patients may request that they be returned to the communities from which they came so that they can be close to their families. Therefore, your Committee requests the DOH to include the Hawaii Health Systems Corporation (HHSC) in the planning phase in the event that some of these patients can be transferred to an HHSC facility on the neighbor islands.

In addition, your Committee notes that other viable alternatives have not been fully discussed or explored. For example, one possible plan might be to merge the patients currently residing at Waimano Training School and Hospital with those at HSH so that resources may be maximized and used efficiently and effectively.

Finally, your Committee has concerns that the plan may not satisfy the demands of the federal court as set forth in the March 18, 1999, court order. Further, your Committee does not feel that the additional funds requested by DOH, over and above amounts already included in the pending budget for operation of HSH, to implement the plan have been adequately justified.

FURTHER DISCUSSION

Despite these concerns, your Committee recognizes that the premise underlying this bill is consistent with standard current practices to comply with CRIPA and otherwise serve the seriously mentally ill. Throughout the nation, many jurisdictions have successfully moved from the institutionalization of the mentally ill to community-based treatment and rehabilitation settings. Your Committee supports this general trend of deinstitutionalization with its promise of high-quality and specialized care on a cost-effective basis.

Your Committee intends to pass the proposed draft for the primary purpose of furthering discussions and refinement of the plan to address HSH. As this measure continues through the legislative process, however, your Committee recommends that any action taken by the House of Representatives be conditioned on receipt of the following assurances from DOH:

- (1) That the plan will satisfy the conditions of the court order; and
- (2) That any and all funds requested above and beyond the current appropriations for HSH are justified.

To this end, your Committee specifically requests that DOH, through the Office of the Attorney General, seek the approval of the Department of Justice, the United States Attorney, and the federal court of the plan and their assurances that the plan will, upon timely implementation to conclusion, comply with all requirements of the court order and the lawsuit. Your Committee urges that such approvals be sought, and if appropriate, obtained under expedited proceedings in the current case. Your Committee's obvious concern is the possibility that the Legislature authorize and fund DOH's initiatives, only to see it rejected by the federal court.

Your Committee also requests of DOH, as soon as possible, a full itemization of all associated costs together with a timetable for complete implementation. Your Committee's specific concerns include the unanswered question of why current appropriations, which exceed \$30 million per year, are not sufficient to accomplish DOH's goals, especially given that DOH appears to project the cost of privatizing these services at \$17 million.

Your Committee has amended this bill by deleting its substance and inserting the substance of the proposed draft. To ensure the continued discussion of the issues presented, your Committee has further amended this measure by:

- (1) Deleting the amount of the appropriation;
- (2) Creating a legislative oversight committee to evaluate the plan as it evolves and the funds required for its implementation; and
- (3) Making technical, nonsubstantive revisions for style and clarity.

In doing so, your Committee reiterates its intention to facilitate full and timely compliance with CRIPA in a manner that best utilizes the increasingly scarce financial resources of the State.

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. 1518 as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1518, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.
(Representative Catalani voted no.)

SCRep. 1743

Finance on S.B. No. 528

The purpose of this bill is to clarify jurisdiction over health insurers by exempting from managed health benefits requirements health insurance coverage offered by insurers, mutual benefit societies, and health maintenance organizations under federally funded programs under the Social Security Act.

The Department of Human Services testified in support of the intent of this measure. The Department of Commerce and Consumer Affairs commented 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. 528, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1744 **Finance on S.B. No. 664**

The purpose of this bill is to reduce the number of inactive special number plates on file by allowing the directors of finance of each county to discard and allow for new applications of inactive special number plates that have not been assigned or registered during the preceding three years.

The City and County of Honolulu testified 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 is in accord with the intent and purpose of S.B. No. 664, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1745 **Finance on S.B. No. 951**

The purpose of this bill is to:

- (1) Authorize the University of Hawaii (UH) and the Department of Education (DOE) to establish custodial accounts for their employees;
- (2) Authorize UH and DOE to make periodic salary withholdings for deposit into those accounts; and
- (3) Immunize UH, DOE, and the State from investment liability.

UH, DOE, the Hawaii State Association of Life Underwriters, and the Hawaii State Teachers Association testified 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 is in accord with the intent and purpose of S.B. No. 951, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1746 **Finance on S.B. No. 1050**

The purpose of this bill is to expedite permanency for children in foster care by bringing Hawaii into compliance with the federal Adoption and Safe Families Act of 1997.

The Department of Human Services testified 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 is in accord with the intent and purpose of S.B. No. 1050, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1747 **Finance on S.B. No. 1130**

The purpose of this bill is to allow the Insurance Division to obtain financial information on a more timely basis by:

- (1) Requiring Health Maintenance Organizations (HMOs) to file quarterly reports with the Insurance Commissioner (Commissioner);
- (2) Requiring the Commissioner to notify HMOs holding a certificate of authority (COA) by written notice at least 30 days prior to the extension date of the COA; and
- (3) Allowing the Commissioner to impose penalties and other administrative sanctions on HMOs that fail to renew their COA within 30 days following the extension date.

The Department of Commerce and Consumer Affairs testified in support 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. 1130, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1748 **Finance on S.B. No. 1504**

The purpose of this bill is to expand the availability of emergency medical response by funding emergency medical service quick response units integrated with ambulance units in four prioritized areas (Greater Honolulu, Makakilo-Kapolei, Kahaluu-Kaaawa, and Waianae-Nanakuli).

The City Council Representative for Leeward Oahu and members of the public testified in support of this bill. The Department of Health testified in support of the intent 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. 1504, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1749 **Finance on S.B. No. 1086**

The purpose of this bill is to better protect Hawaii's ocean resources by:

- (1) Authorizing the Board of Land and Natural Resources to:
 - (A) Set, charge, and collect administrative fines;
 - (B) Recover administrative fees and costs, including attorney's fees and costs; and
 - (C) Bring legal action to recover administrative fines, fees, and costs, or payment for damages or the cost to correct damages,

for violations of ocean recreation and coastal area laws;
- (2) Establishing administrative fines for polluting the waters of the State as follows:
 - (A) Not more than \$10,000 for a first violation or a violation beyond five years of a previous violation;
 - (B) Not more than \$15,000 for a second violation within five years of a previous violation;
 - (C) Not more than \$25,000 for a third or subsequent violation within five years of the last violation;
- (3) Establishing administrative fines for all other violations as follows:
 - (A) Not more than \$5,000 for a first violation or a violation beyond five years of a previous violation;
 - (B) Not more than \$10,000 for a second violation within five years of a previous violation;
 - (C) Not more than \$15,000 for a third or subsequent violation within five years of the last violation;
- (4) Allowing the State to take both criminal and civil action against persons violating the State's ocean recreation and coastal area laws; and
- (5) Providing that all fines, fees, and costs, or damages recovered shall be deposited into the Boating Special Fund.

The Department of Land and Natural Resources testified 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 is in accord with the intent and purpose of S.B. No. 1086 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Moses.

SCRep. 1750 **Finance on S.B. No. 716**

The purpose of this bill is to allow the Natural Energy Laboratory of Hawaii Authority (NELHA) to include retail and commercial enterprises, and tourism activities within its research and technology park.

The Department of Business, Economic Development, and Tourism and the Hawaii Aquaculture Association testified in support 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. 716 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1751 Finance on S.B. No. 942

The purpose of this bill is to strengthen the law relating to public hunting by:

- (1) Making it mandatory for the Department of Land and Natural Resources (DLNR) to establish, maintain, manage, and operate game management areas, wildlife sanctuaries, and public hunting areas on land under its control; and
- (2) Adding an additional requirement to DLNR's powers and duties to preserve, protect, and promote public hunting.

DLNR, the Hawaii Rifle Association, the Hawaii Hunting Advisory Council, the Hawaii Hunting Association, the Hawaii Citizens' Rights Committee, and an individual testified 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 is in accord with the intent and purpose of S.B. No. 942, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1752 Finance on S.B. No. 663

The purpose of this bill is to standardize the time period required for the registration of new motor vehicles with the time period required for the registration of out-of-state motor vehicles by extending the time period for the registration of new motor vehicles from twenty to thirty days.

The City and County of Honolulu testified 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 is in accord with the intent and purpose of S.B. No. 663, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1753 Judiciary and Hawaiian Affairs on S.B. No. 737

The purpose of this bill is to exempt small construction projects from noise permit requirements of Section 342F-4, Hawaii Revised Statutes, and to require builders of those projects to provide the Department of Health with written notification of intent to construct.

Testimony in support of this bill was received from the State of Hawaii Department of Transportation, Department of Health, General Contractors Association of Hawaii, Construction Industry Legislative Organization, Inc., and Jas. W. Glover, Ltd.

Your Committee finds that the provisions of this bill will support the construction industry and promote economic revitalization in this State.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 737, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Chang, Garcia, Hiraki, Yoshinaga and Pendleton.

SCRep. 1754 Judiciary and Hawaiian Affairs on S.B. No. 738

The purpose of this bill is to enable development projects to proceed in a more timely manner by changing the time within which the Department of Health must act on applications for noise control permits.

Testimony in support of this bill was received by the State Department of Health, the Department of Transportation, the Building Industry Association of Hawaii, General Contractors Association of Hawaii, Construction Industry Legislative Organization, Inc., Hawaiian Electric Company, Inc., Hidano Construction, Inc., and Jas. W. Glover, Ltd.

Your Committee finds that the provisions of this bill will support the local construction industry.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 738, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Chang, Garcia, Hiraki, Yoshinaga and Pendleton.

SCRep. 1755 Judiciary and Hawaiian Affairs on S.B. No. 1088

The purpose of this bill is to allow the Department of Land and Natural Resources to sell or take action to cause the sale of perishable natural resources that are seized.

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

Your Committee finds this bill will define procedures in managing perishable natural resources. Selling seized catches in a timely manner at fair market value would reduce storage costs to the state and prevent the waste of valuable consumable resources. Furthermore, the sale of these resources while still fresh will yield the highest price, thus reducing damage claims for loss of value during storage.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1088, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Garcia, Yoshinaga and Pendleton.

SCRep. 1756 Judiciary and Hawaiian Affairs on S.B. No. 1216

The purpose of this bill is to provide additional safety for bicyclists.

Testimony in support of this bill was received from the State Department of Transportation, the City and County of Honolulu Mayor's Advisory Committee on Bicycling, and the Hawai'i Bicycling League.

Your Committee finds that bicyclists are now instructed to ride as near to the right-hand curb as practicable, or on the shoulder of roadways. Your Committee further finds that either of these options may be hazardous in some situations.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1216 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Garcia, Yoshinaga and Pendleton.

SCRep. 1757 Judiciary and Hawaiian Affairs on S.B. No. 1403

The purpose of this bill is to strengthen the enforcement of prohibitions against stopping, standing, or parking vehicles in designated areas on the highways.

Comments on this bill were received from the Department of Transportation.

Your Committee finds that traffic safety and the flow of traffic may be impeded by stopped, standing, or parked vehicles. To ensure the safe and efficient flow of traffic on our roadways, such activity should be prohibited in areas where it may adversely impact the flow of traffic. Currently, prohibitions against the aforementioned infractions may be legally indicated only with signs. The signs, when posted in excessive numbers, are an eyesore for the surrounding community. Thus, this bill strengthens enforcement by allowing the option to designate such prohibitions with curb markings.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1403 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Garcia, Yoshinaga and Pendleton.

SCRep. 1758 Judiciary and Hawaiian Affairs on S.B. No. 1151

The purpose of this bill is to add familial status as a protected status in the anti-blockbusting law.

Testimony regarding this bill was received from the Hawaii Civil Rights Commission, the Hawaii State Commission on the Status of Women, the American Civil Liberties Union of Hawaii, The League of Women Voters of Hawaii, Hawaii Family Forum, the Social Action and Community Outreach Committee of Church of the Crossroads, Christian Voice of Hawaii, American Constitution Committee, Hawaii Citizens for the Separation of State and Church, American Friends Service Committee, American Constitution Committee, the Gay and Lesbian Education and Advocacy Foundation, Parents, Families, and Friends of Lesbian and Gays, the American Muslim Alliance-Hawaii, and several concerned individuals.

Your Committee finds that the inclusion of familial status as a protected status in the anti-blockbusting law will promote the best interests of the citizenry of this State.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1151, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Cachola, Garcia, Takumi, Yoshinaga and Pendleton.

SCRep. 1759 Judiciary and Hawaiian Affairs on S.B. No. 588

The purpose of this bill is to require the sharing of all relevant criminal, medical, psychological, or mental health records of sex offenders.

Your Committee received testimony in support of this bill from the Judiciary and the Department of Public Safety.

Your Committee finds the sharing and the collaboration of sex offender information will promote the interest of public safety and improve the criminal justice system.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 588, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Chang, Garcia, Hiraki, Yoshinaga and Pendleton.

SCRep. 1760 Judiciary and Hawaiian Affairs on S.B. No. 635

The purpose of this bill is to establish procedures for substance abuse on-site screening tests.

Testimony in support of this bill was received from the Department of Health. Testimony in opposition to this bill was received from the American Civil Liberties Union of Hawaii and Unity House Inc. Additional testimony was received from Hoffman La Roche Pharmaceuticals.

Your Committee believes illegal drug use must be deterred. Although criminal sanctions to prevent illegal drug use are currently in place, other economic sanctions are needed to curb this broad-based social problem.

Your Committee believes that employment is a privilege, not a right and that prospective employees should not abuse that privilege by using illegal drugs which may impair their work performance or, in some cases, create a public safety risk. This measure will allow for greater use of on-site pre-employment drug testing while still protecting the privacy and due process rights of the prospective employee.

Your Committee has amended this bill by:

- (1) Deleting the requirement that the director create and maintain a list of approved, substance abuse on-site screening tests for use by employers;
- (2) Removing language that specifies the procedures for collection of the sample;
- (3) Adding language to clarify that employers using a substance abuse on site screening test for pre-employment screening must adhere to rules adopted under section 329B-8, Hawaii Revised Statutes, as it pertains to the collection, shipping, and the chain of custody of the sample and the confidentiality of the results; 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 and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 635, 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. 635, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Garcia, Takumi, Yoshinaga and Pendleton.

SCRep. 1761 Judiciary and Hawaiian Affairs on S.B. No. 823

The purpose of this bill is to require judges, when imposing a sentence, to consider the fact that the crime was committed in the presence of a minor as an aggravating factor of the crime.

Testimony in support of the bill was received from the Prosecuting Attorney of the City and County of Honolulu, the Honolulu Police Department, the Hawaii State Commission on the Status of Women, the Hawaii State Coalition Against Domestic Violence, the

Domestic Violence Clearinghouse and Legal Hotline, the Child and Family Service, and the American Association of University Women, Windward Oahu Branch. Additional testimony was received from the Office of the Public Defender and the Judiciary.

Your Committee believes that judges must have the discretion to determine on a case by case basis what constitutes an aggravation of an offense.

Your Committee has amended this bill by:

- (1) Requiring the court consider as a factor, when sentencing, that a minor is present when a domestic violence offense occurs, but leaving the determination as to aggravation of the offense solely to the discretion of the judge; 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 and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 823, 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. 823, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Chang, Garcia, Hiraki, Yoshinaga and Pendleton.

SCRep. 1762 Judiciary and Hawaiian Affairs on S.B. No. 1032

The purpose of this bill is to authorize the Department of Health to adopt administrative rules to establish an administrative process allowing involuntary medication of institutionalized psychiatric patients.

Your Committee received testimony in support of this bill from the Department of Health, the Hawaii Government Employees Association, the Hawaii Psychiatric Medical Association and other concerned individuals. Comments were received from the Office of the Public Defender, United Self-Help and concerned individuals.

Your Committee finds that there is a lack of statutory guidelines to authorize the issuance of court orders for involuntary medication of individuals who are involuntarily committed to psychiatric institutions.

Your Committee amended this bill by deleting its contents and inserting provisions to:

1. Initiate proceedings for involuntary medication;
2. Require that petitions be filed for involuntary psychoactive medication accompanied by a certificate of the treating psychiatrist and a certificate of a licensed non-treating psychiatrist;
3. Establish criteria for hearings on petitions for involuntary medication and the issuance of court orders for medication;
4. Allow for judicial determination for the issuance of orders for involuntary medication upon meeting a set of criteria where there is proof by clear and convincing evidence; and
5. Authorize patient representation by a public defender during proceedings for involuntary medication.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1032, 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. 1032, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Garcia, Takumi, Yoshinaga and Pendleton.

SCRep. 1763 Judiciary and Hawaiian Affairs on S.B. No. 1149

The purpose of this bill is to clarify that the Director of Labor and Industrial Relations is not liable for attorney's fees and other costs of the defendant in cases involving the collection of unpaid wages.

Testimony in support of this bill was received from the Department of Labor and Industrial Relations, the Construction Industry Legislative Organization, Inc., the Building Industry Association of Hawaii, the General Contractors Association of Hawaii, and Associated Builders and Contractors, Inc.

Your Committee finds that the suspension provisions and imposition of penalties including a flat penalty of ten percent of the contract amount for a second violation in current laws are harsh and inequitable. Your Committee believes that amendments to this measure will deter nonpayment of wages in a fair and reasonable manner.

Your Committee has amended this bill by:

- (1) Changing the penalties for first, second and third violations;

- (2) Defining "offense" to mean each section of the chapter for which the contractor is cited; provided that with respect to wage and overtime violations, each employee and each project shall constitute a separate offense;
- (3) Changing the terms of suspension for violations when the person or firm fails to pay wages found due;
- (4) Repealing the provision which allowed the Director to shorten the period of suspension; and
- (5) 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 and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1149, 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. 1149, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Chang, Garcia, Hiraki, Yoshinaga and Pendleton.

SCRep. 1764 Finance on S.B. No. 20

The purpose of this bill is to clarify the provision of continuing education in the real estate industry by:

- (1) Codifying real estate brokers' responsibilities, including continuing education of associated real estate licensees and staff;
- (2) Combining existing real estate continuing education provisions into a single section;
- (3) Mandating that continuing education be based on current information, law, and rules; and
- (4) Requiring the Department of Commerce and Consumer Affairs, in consultation with the Hawaii Association of Realtors, to initiate a work study group to discuss continuing education and other administrative issues.

The Real Estate Commission testified in support of this measure. The Hawaii Association of Realtors commented on this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 20, 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. 20, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1765 Finance on S.B. No. 102

The purpose of this bill is to protect the public health by:

- (1) Improving the provision of adequate health care services and public transportation for rural communities; and
- (2) Implementing a cost recovery mechanism to allow commercial mobile radio service providers to recover costs incurred for providing wireless enhanced 911 services.

The County of Hawaii Office of Aging, Honolulu Cellular Telephone Company, AT&T, and Hawaiian Wireless testified in support of this measure. The Office of Hawaiian Affairs and an individual supported the provisions relating to rural communities. The Consumer Advocate supported the provisions relating to the wireless enhanced 911 services. The Department of Health supported the intent of this bill, and the Ka'u Rural Health Community Association, Inc. offered comments.

Your Committee also received a copy of Hawaii County Council Resolution 49-99 supporting legislation relating to health care services for rural communities.

Your Committee has made technical, nonsubstantive amendments to the bill for the purposes of style and to correct drafting errors.

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. 102, S.D. 3, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 102, S.D. 3, H.D. 2.

Signed by all members of the Committee.

SCRep. 1766 Finance on S.B. No. 131

The purpose of this bill is to establish mechanisms for studying and evaluating significant issues relating to long-term care.

The Executive Office on Aging, Hawaii State Commission on the Status of Women, Hawaii State Association of Life Underwriters, Healthcare Association of Hawaii, AlohaCare, Benefit Services of Hawaii, Inc., Hawaii Long Term Care Association, AARP, and several individuals testified in support of the bill. The Hawaii State Teachers Association testified in support of the intent of the bill. The Department of Human Services, Department of Commerce and Consumer Affairs, Bank of Hawaii, Coalition for Affordable Long Term Care, American Council of Life Insurance, Hawaii Public Employees Health Fund Administrator, and several individuals commented on the bill.

Your Committee has amended this measure by:

- (1) Deleting the amounts stated in the appropriation sections; 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. 131, S.D. 3, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 131, S.D. 3, H.D. 3.

Signed by all members of the Committee.

SCRep. 1767 Finance on S.B. No. 178

The purpose of this bill is to appropriate unspecified funds for the operating expenses of the Healthy Start Program.

The Department of Health and the Hawaii Family Support Center testified in support of this bill.

Your Committee has amended this bill by:

- (1) Inserting \$1 for each year's appropriation for discussion purposes; and
- (2) Making technical, nonsubstantive changes for 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. 178, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 178, H.D. 1.

Signed by all members of the Committee.

SCRep. 1768 Finance on S.B. No. 1026

The purpose of this bill is to authorize the Department of Health to approve the curricula and syllabi of courses for emergency medical services personnel.

The Department of Health, the University of Hawaii Community Colleges, and the Hawaii Nurses' Association testified in support of this bill. The Board of Medical Examiners commented on this bill.

Your Committee has amended this bill by making technical, nonsubstantive changes for 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. 1026, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1026, H.D. 1.

Signed by all members of the Committee.

SCRep. 1769 Finance on S.B. No. 1102

The purpose of this bill is to transfer the responsibility for funding the annual audit of the Hawaii Public Employees Health Fund (Health Fund) from the Comptroller to the Health Fund.

The Department of Accounting and General Services and the Health Fund Board of Trustees testified in support of this measure.

Your Committee has amended this bill by:

- (1) Clarifying that the Health Fund Board of Trustees may make payments of periodic charges and pay for reasonable expenses incurred to perform financial audits of the Health Fund and claims audits of its insurance carriers;
- (2) Specifying that the audit costs of the Health Fund be paid from the employers' portion of the Health Fund's reserves; and
- (3) Making a technical, nonsubstantive amendment for 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. 1102, 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. 1102, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1770 **Finance on S.B. No. 1607**

The purpose of this bill is to support high technology ventures in the State by:

- (1) Appropriating funds to be paid into the Hawaii Strategic Development Corporation (HSDC) Revolving Fund to provide additional venture capital funding for Hawaii businesses, primarily high technology businesses; and
- (2) Requiring the Board of Trustees of the Employees' Retirement System (ERS) to invest retirement system funds in qualified high technology businesses, subject to minimum and maximum limits, as a means of providing venture capital for those businesses.

The Honolulu Japanese Chamber of Commerce, the Hawaii Venture Capital Association, and an individual testified in support of this measure. The Department of Business, Economic Development, and Tourism and the High Technology Development Corporation testified in support of the intent of the measure.

Your Committee has amended this bill by:

- (1) Deleting provisions requiring the ERS Board to invest funds in qualified high technology businesses; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

Even though the ERS Board will not be required to invest in high technology businesses, your Committee encourages the ERS to invest in these businesses as this would be beneficial to the ERS, the businesses, and the State.

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. 1607, 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. 1607, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1771 **Finance on S.B. No. 1635**

The purpose of this bill is to facilitate the resolution of public land trust issues by:

- (1) Establishing a joint committee to study and make recommendations on all outstanding anticipated public land trust issues;
- (2) Requiring the Legislative Auditor to coordinate the resolution of public land trust issues;
- (3) Requiring the joint committee and the Legislative Auditor to submit progress reports to the Legislature prior to the 2000 Regular Session and final reports to the Legislature prior to the 2001 Regular Session; and
- (4) Appropriating funds for activities relating to the resolution of the public land trust issues.

It is the intent of your Committee that native Hawaiians be well-represented on issues regarding the resolution of the public land trust. Therefore, your Committee urges the appointing authorities of the joint committee to give native Hawaiians utmost consideration in the appointment of members to the joint committee.

The Department of the Attorney General and the State Representative of the 7th District testified in support of this measure. The Office of Hawaiian Affairs, the Hawaiian Political Action Council of Hawaii, Ka na Ha, the Nation of Ku, and several individuals commented on this measure.

Your Committee has amended this bill by:

- (1) Deleting the amounts of the appropriations; and
- (2) Making technical, nonsubstantive amendments for 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. 1635, 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. 1635, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1772 Finance on S.B. No. 1136

The purpose of this bill is to:

- (1) Abolish the Board of Osteopathic Examiners as a separate board; and
- (2) Transfer its function to the Board of Medical Examiners.

The Department of Commerce and Consumer Affairs testified in support of this bill. The Board of Osteopathic Examiners commented on this bill.

Your Committee has amended this bill to make technical, nonsubstantive changes for 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. 1136, 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. 1136, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1773 Finance on S.B. No. 1127

The purpose of this bill is to assess the health insurance industry the costs incurred by the State in regulating the industry. Assessments for each provider will be deposited into a newly created Health Insurance Revolving Fund (Fund) to be used for:

- (1) The hiring of professional, technical, and support staff; and
- (2) Compliance, education, examination, investigation, and rate and policy analysis.

The Department of Commerce and Consumer Affairs, the American Association of Retired Persons, the University Health Alliance, and Kapiolani HealthHawaii testified in support of this bill. Kaiser Permanente testified in support of the intent of this bill. The Hawaii Medical Service Association and the Health Issues Committee of the Chamber of Commerce commented on this bill.

Your Committee has amended this bill by:

- (1) Blanking out specific dollar references for the aggregate annual assessment maximum and the Fund's appropriation amounts for discussion purposes; and
- (2) Making technical, nonsubstantive changes for 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. 1127, 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. 1127, S.D. 1, H.D. 3.

Signed by all members of the Committee.

SCRep. 1774 Finance on S.B. No. 194

The purpose of this bill is to encourage the purchase of long-term care (LTC) insurance by:

- (1) Providing a state income tax credit of up to fifty percent of the premium costs of a qualified LTC policy, up to a maximum of \$1,000 per year; and
- (2) Conforming Hawaii income tax law to the federal income tax law to allow taxpayers to deduct as medical expenses amounts paid for expenses and premiums for certain tax qualified long-term care insurance.

The Department of Commerce and Consumer Affairs, the Hawaii State Commission on the Status of Women, the Hawaii State Association of Life Underwriters, AARP, the Hawaii Coalition for Affordable Long Term Care, the American Council of Life Insurance, Benefit Services of Hawaii, and the Policy Advisory Board for Elder Affairs testified in support of this measure. The Department of Taxation, the Executive Office on Aging, and the Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this bill by:

- (1) Deleting the state income tax credit provisions for qualified LTC policies; and
- (2) Making technical, nonsubstantive amendments for 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. 194, 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. 194, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Suzuki.

SCRep. 1775 Finance on S.B. No. 223

The purpose of this bill is to assist in the detection and prevention of drugs in correctional facilities by:

- (1) Establishing a canine corps in the Department of Public Safety (DPS) to implement DPS's policies, programs, and objectives; and
- (2) Appropriating moneys to establish and maintain a canine corps in DPS.

DPS testified in support of this measure.

Your Committee has amended this bill by:

- (1) Inserting the appropriation of \$1 for each year of the 1999-2001 fiscal biennium; and
- (2) Making technical, nonsubstantive amendments for 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. 223, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 223, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1776 Finance on S.B. No. 238

The purpose of this bill is to:

- (1) Simplify, streamline, clarify, update, and deregulate the real estate licensing law set forth in Chapter 467, Hawaii Revised Statutes; and
- (2) Provide additional options to license applicants, without compromising consumer protection.

The Real Estate Commission and the Hawaii Association of Realtors testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 238, 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. 238, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1777 Finance on S.B. No. 994

The purpose of this bill is to create the Elder and Dependent Adult Abuse Review Commission to review Hawaii's elderly and dependent adult abuse protective services laws, recommending changes if warranted.

The Prosecuting Attorney of the City and County of Honolulu and the Policy Advisory Board for Elder Affairs testified in support of the measure. The Department of Human Services (DHS), the Executive Office on Aging, and the State Planning Council on Developmental Disabilities testified in support of the intent of the measure.

Your Committee has amended this measure by adding an appropriation section with DHS as the expending agency.

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. 994, 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. 994, S.D. 2, H.D. 3.

Signed by all members of the Committee.

SCRep. 1778 Finance on S.B. No. 1057

The purpose of this bill is to increase the involvement of the State Advisory Council on Rehabilitation (Council) in improving services by restructuring the Council, including renaming it to the State Rehabilitation Council to conform with the federal Rehabilitation Act Amendments of 1998.

The Department of Human Services, the Commission on Persons with Disabilities, and the Workforce Development Council testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 1057, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1057, H.D. 1.

Signed by all members of the Committee.

SCRep. 1779 Finance on S.B. No. 1139

The purpose of this bill is to:

- (1) Amend the Hawaii Limited Liability Company Act of Chapter 428, Hawaii Revised Statutes, to conform with amendments made to the Uniform Limited Liability Company Act adopted by the National Conference of Commissioners on Uniform State Laws several years ago;
- (2) Repeal prohibitions against limited liability companies (LLCs) engaging in insurance company and financial institution activities as well as those of other professions and vocations, without affecting other statutory requirements regarding those activities;
- (3) Extend the time within which an administratively terminated LLC may apply to the Director of Commerce and Consumer Affairs for reinstatement;
- (4) Allow a one-step amendment and restatement of an LLC's articles of organization; and
- (5) Repeal provisions requiring that case law be applied when a party seeks to hold members of an LLC personally liable, a housekeeping measure that is not intended to affect underlying individual rights to "pierce the corporate veil".

The Business Registration Division of the Department of Commerce and Consumer Affairs testified in support of this bill. Hawaii Island Landscape Association commented on this bill.

Your Committee has made technical, nonsubstantive changes for 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. 1139, 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. 1139, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1780 Finance on S.B. No. 1300

The purpose of this bill is to make an emergency appropriation to return to the federal government, the federal share of health insurance rate credits and rebates received by the State.

The Department of Budget and Finance (B&F) commented on this measure.

Your Committee has received a message from the Governor, dated February 4, 1999:

- (1) Stating that \$2,132,595 is needed in general funds in fiscal year 1998-1999 to pay the federal government its share of health insurance rebates and rate credits received by the general fund during fiscal year 1998-1999; and
- (2) Requesting the Legislature for immediate passage of this bill to comply with the U.S. Department of Health and Human Services' requirement for payment.

Your Committee has amended this measure by:

- (1) Specifying that the sum of \$2,132,595 be returned to the federal government;
- (2) Specifying that the sum appropriated be expended by B&F; and
- (3) Making technical, nonsubstantive amendments for 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. 1300, 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. 1300, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1781 Finance on S.B. No. 1238

The purpose of this bill is to streamline government operations by:

- (1) Repealing the regulation of real estate collection servicing agents, as set forth in Chapter 454D, Hawaii Revised Statutes;
- (2) Requiring the Legislative Auditor to report on whether regulation of barbering, beauty culture, and speech pathologists and audiologists should be continued or repealed; and
- (3) Requiring the Legislative Reference Bureau to conduct a study on whether the dental licensing examination is an undue exclusionary barrier to entry into the profession, and whether it should be replaced by any of four regional examinations.

The Department of Commerce and Consumer Affairs and the Board of Barbering and Cosmetology testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 1238, 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. 1238, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1782 Finance on S.B. No. 5

The purpose of this bill is to help Hawaii's farmers be more economically viable and productive by:

- (1) Providing agricultural loans to qualified farmers to export crops and livestock and to farmers who are the subject of state eradication programs; and
- (2) Appropriating funds from the Agricultural Loan Revolving Fund to farmers in economically depressed areas.

The Department of Agriculture, the Hawaii Farm Bureau Federation, and the Big Island Farm Bureau testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 5, 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. 5, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1783 Finance on S.B. No. 1131

The purpose of this bill is to:

- (1) Increase the assessment amounts from \$550 a year to \$800 a year, that are paid by insurers and are credited to the Insurance Examiners Revolving Fund (IERF); and
- (2) Repeal sunset and related provisions to make the IERF and certain insurer reporting, filing, and reserve requirements set by the State National Association of Insurance Commissioners, a permanent part of the Insurance Code.

The Department of Commerce and Consumer Affairs testified in support of this measure.

Your Committee has amended this bill by making a technical amendment to make the bill take effect on June 29, 1999.

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. 1131, 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. 1131, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1784 Finance on S.B. No. 1421

The purpose of this bill is to enable the Department of Taxation (DOTAX) to collect taxes that may otherwise be uncollectible by allowing probation as a sentencing option for income tax offenses.

Currently, because the court can only impose a fine or a term of imprisonment or both, it lacks the authority to obligate the defendant to remit the taxes owed. This bill will allow the court to maintain jurisdiction over the defendant to ensure payment of taxes as a condition of probation.

The DOTAX, the Hawaii Society of Certified Public Accountants, the Tax Section of the Hawaii State Bar Association, and two individuals testified in support of this measure. The Tax Foundation of Hawaii offered comments.

Your Committee has made technical, nonsubstantive amendments to the bill to conform to correct drafting 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. 1421, 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. 1421, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1785 Finance on S.B. No. 949

The purpose of this bill is to enact the Uniform Unincorporated Nonprofit Association Act, which provides that when two or more members get together for nonprofit purposes they will be treated as a legal entity with:

- (1) Authority to acquire, hold, and transfer personal and real property;
- (2) Authority to sue and be sued as a separate legal entity; and
- (3) Contract and tort liability separate from its officers and members.

The Commission to Promote Uniform Legislation, the Business Registration Division of the Department of Commerce and Consumer Affairs, and the Aloha Society of Association Executives testified in support of this measure.

Your Committee has amended this bill by making technical, nonsubstantive amendments for 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. 949, 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. 949, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1786 Finance on S.B. No. 1462

The purpose of this bill is to extend the life of the Office of Elections and the Elections Appointment Panel for an additional two years, to June 30, 2001.

Your Committee has made technical, nonsubstantive amendments to the bill to conform to correct drafting 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. 1462, 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. 1462, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa, Suzuki and Moses.

SCRep. 1787 Finance on S.B. No. 1082

The purpose of this bill is to provide for more efficient operations by the Bureau of Conveyances (Bureau) by:

- (1) Replacing the Bureau of Conveyances Equipment Modernization Special Fund with the Bureau of Conveyances Special Fund (Bureau Special Fund);
- (2) Authorizing the Bureau to change the fees charged for microfilm duplication;
- (3) Providing for the deposit of a portion of recordation fees received at the Bureau into the general fund;

- (4) Providing for the deposit of the remainder of recordation fees and other fees received at the Bureau into the Bureau Special Fund;
- (5) Directing the Bureau to pay for equipment, software, administrative costs, personnel, and improvements necessary for modernization of the recording system out of the Bureau Special Fund; and
- (6) Making an appropriation out of the Bureau Special Fund to be expended by the Department of Land and Natural Resources (DLNR) for the purposes of the Bureau Special Fund.

DLNR testified in support of the measure. The Tax Foundation of Hawaii commented on the measure.

Your Committee has amended this bill by:

- (1) Deleting the appropriation section from the bill; and
- (2) Making technical, nonsubstantive amendments to correct statutory references and for 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. 1082, 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. 1082, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1788 Finance on S.B. No. 1147

The purpose of this bill is to bring Hawaii into compliance with the requirements of the federal Workforce Investment Act of 1998 (Act), by amending the duties and composition of the Hawaii Workforce Development Council (Council).

The Department of Labor and Industrial Relations, the Department of Business, Economic Development, and Tourism, the Department of Human Services, and the Council testified in support of this measure.

Your Committee has amended this bill by:

- (1) Clarifying that the Council be composed of twenty-nine members;
- (2) Changing the effective date of this bill from September 15, 2001, to July 1, 1999; and
- (3) Making technical, nonsubstantive amendments for 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. 1147, 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. 1147, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1789 Finance on S.B. No. 1544

The purpose of this bill is to:

- (1) Give existing conservation and resources law enforcement officers of the Department of Land and Natural Resources ("law enforcement officers") and deputy sheriffs of the Department of Public Safety ("deputy sheriffs") the option of converting from class C to class A membership of the Employees' Retirement System (ERS);
- (2) Designate all law enforcement officers and deputy sheriffs hired after June 30, 1999, class A members of the ERS;
- (3) Allow those law enforcement officers and deputy sheriffs who convert to class A membership to buy back years of credited service as class C members; and
- (4) Allow law enforcement officers and deputy sheriffs to retire without penalty after 25 years of service in that capacity.

The Department of Land and Natural Resources, the Hawaii Government Employees Association, and several individuals submitted testimony in support of this measure.

Your Committee has amended this bill by:

- (1) Removing the provision allowing law enforcement officers and deputy sheriffs to buy back credited service; and
- (2) Making technical, nonsubstantive amendments for 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 is in accord with the intent and purpose of S.B. No. 1544, 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. 1544, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Suzuki.

SCRep. 1790 Finance on S.B. No. 1475

The purpose of this bill is to improve the efficiency of the School-To-Work Opportunities Pilot Project (Project) by transferring the administration of the Project from the Hawaii School-To-Work Opportunities Executive Council (Executive Council) to the Department of Education (DOE).

The Department of Labor and Industrial Relations testified in support of this measure. The Hawaii State Teachers Association, DOE, and the Executive Council testified in support of the intent of this measure. The Chamber of Commerce of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that Executive Council's power to engage in activities that may be necessary or desirable to implement the functions of the Pilot Project and its plan of work shall be carried out through task groups organized around collaborative School-To-Work initiatives and identified outcomes;
- (2) Clarifying that the major staff services for the Executive Council will be provided by DOE, and the task group services may come from state agencies whose mandates also benefit from School-To-Work initiatives and identified outcomes; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

Your Committee remains concerned about the availability of federal funds after September 30, 2000.

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. 1475, 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. 1475, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Goodenow and Moses.

SCRep. 1791 Finance on S.B. No. 1046

The purpose of this bill is to modernize the State's civil service by:

- (1) Requiring the Director of Human Resources Development to establish a task force and work collaboratively with the task force to modernize current civil service laws; and
- (2) Repealing chapters 76 to 82, Hawaii Revised Statutes, on June 30, 2000, provided that the Legislature has adopted replacement legislation, drafted by the task force, by June 29, 2000.

The Department of Human Resources Development, the Judiciary, the Hawaii Government Employees Association, and the Hawaii Health Systems Corporation testified in support of this bill. The United Public Workers testified in support of the intent of this bill.

Your Committee has amended this bill by:

- (1) Deleting the monthly progress report requirement; and
- (2) Making technical, nonsubstantive changes for 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. 1046, S.D. 3, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1046, S.D. 3, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1792 Finance on S.B. No. 1501

The purpose of this bill is improve the education of children by:

- (1) Authorizing the availability of early childhood screenings for children;

- (2) Requiring the establishment of at least one school-based health center in each of the seven departmental public school districts;
- (3) Establishing a framework for charter schools and procedures by which any community, any program within an existing public school, or any existing public school may propose a charter school.

The South Maui Learning Ohana, the Five Mountain Medical Community, the Hawaii Business Roundtable, the Center for Disabilities Studies, and 11 individuals testified in support of the bill. The Department of Education, the Department of Human Resources Development, and the Hawaii Government Employees Association testified in support of the intent of the bill. The Department of Health and the Estate of James Campbell submitted comments.

Your Committee has amended the bill by:

- (1) Requiring communities to submit to the Board of Education, rather than the Superintendent, the letter of intent for the establishment of a new century charter school;
- (2) Requiring the Board of Education rather than the Superintendent to provide support to communities in formulating implementation plans;
- (3) Deleting references to sections in Hawaii Revised Statutes that were repealed;
- (4) Reducing annual allocations to the State Educational Improvement Special Fund from \$90,000,000 to \$45,000,000; and
- (5) Making technical, nonsubstantive revisions for 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. 1501, S.D. 3, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1501, S.D. 3, H.D. 3.

Signed by all members of the Committee except Representatives Ahu Isa and Suzuki.

SCRep. 1793 Finance on S.B. No. 953

The purpose of this bill is to improve the protection of natural and cultural resources by establishing a Stewardship and Partnering Program.

The League of Women Voters of Hawaii, Na Leo Pohai, the Hawaii Audubon Society, Hawaii's Thousand Friends, the Hawaii Green Party, the University of Hawaii Environmental Center, and three individuals testified in support of the bill. The Department of Land and Natural Resources, the Nature Conservatory of Hawaii, and the Hawaii Chapter of the Sierra Club testified in support of the intent of the bill. The Department of Health commented on the bill.

Your Committee has made technical, nonsubstantive amendments to the bill for 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. 953, 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. 953, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1794 Finance on S.B. No. 1024

The purpose of this bill is to, among other things:

- (1) Specify factors to be considered in the imposition of administrative penalties and determining the amount of civil penalties for violations under the Water Pollution Law;
- (2) Authorize the Department of Health (DOH) to establish an ecological risk assessor position to assess ecological risks and damages;
- (3) Repeal DOH's authority to adopt rules relating to fumigation;
- (4) Delete the requirement that fees paid and collected under section 321-11.5, Hawaii Revised Statutes (HRS), for facility licensure and certification and section 321-15, HRS, for licensure and registration to practice specified occupations, be deposited into the Environmental Health Education Fund;
- (5) Add a new license category for environmental health professionals and delete other license categories; and

- (6) Broaden the use of the Environmental Health Education Fund.

The Sierra Club, Hawaii Chapter, testified in support of this measure. DOH commented 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. 1024, S.D. 3, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Moses.

SCRep. 1795 Finance on S.B. No. 1062

The purpose of this bill is to expand the eligibility for agricultural park leases to include revocable living trusts and limited liability companies.

The Big Island Farm Bureau and one individual testified in support of this measure. The Department of Agriculture testified 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 is in accord with the intent and purpose of S.B. No. 1062, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1796 Finance on S.B. No. 1641

The purpose of this bill is to require the State Librarian to include more detailed information in the annual report to the Legislature on the status of the Libraries Special Fund and the Library Fee for Enhanced Services Special Fund.

The Hawaii State Public Library System commented 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. 1641, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1797 Finance on S.B. No. 1036

The purpose of this bill is to reorganize the Commission on Persons with Disabilities, the Hawaii State Coordinating Council on Deafness, and the Architectural Access Committee to provide for more efficient coordination of state efforts to comply with disability access and civil rights laws through outreach and voluntary compliance by establishing the Disability and Communication Access Board.

The Department of Health, the Department of Transportation, the Architectural Access Committee, the Hawaii State Coordinating Council on Deafness, the Commission on Persons with Disabilities, and the Aloha State Association of the Deaf testified in support 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. 1036, S.D. 3, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1798 Finance on S.B. No. 1053

The purpose of this bill is to eliminate duplication of the law with respect to reimbursement for personal care services by repealing section 346-64, Hawaii Revised Statutes (HRS), which is unnecessary as personal care services are now provided through the Medicaid Home and Community-Based Waiver Programs, under Chapter 346D, HRS.

The Department of Human Services testified 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 is in accord with the intent and purpose of S.B. No. 1053 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1799 Finance on S.B. No. 1055

The purpose of this bill is to broaden the scope of financial assistance benefits that are recoverable by:

- (1) Expanding the types of benefit payments that may be claimed by the State when abandoned in the Department of Human Services' (DHS) Electronic Benefit Transfer System (system) to include all benefits in the system;
- (2) Providing that the abandoned payments revert back to the program's appropriation from which the funds were expended; and
- (3) Allowing DHS to offset the abandoned claim balance against any outstanding overpayments still owed by the household prior to reversion.

DHS testified 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 is in accord with the intent and purpose of S.B. No. 1055, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1800 Finance on S.B. No. 1326

The purpose of this bill is to encourage and facilitate the lending of money from sources outside the State, thereby helping to increase the supply of available capital in this State, by repealing certain state licensing, registration, and tax requirements for foreign lenders.

The Department of Commerce and Consumer Affairs testified 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 is in accord with the intent and purpose of S.B. No. 1326 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1801 Finance on S.B. No. 1128

The purpose of this bill is to:

- (1) Increase fines for insurance code violations;
- (2) Conform disclosure requirements for mutual benefit societies and health maintenance organizations; and
- (3) Require fraternal benefit societies to be licensed in accordance with insurance code requirements for solicitors.

The Department of Commerce and Consumer Affairs and the Hawaii Medical Service Association testified in support 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. 1128, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1802 Finance on S.B. No. 1261

The purpose of this bill is to give the Department of Commerce and Consumer Affairs (DCCA) flexibility by giving the Insurance Commissioner the authority to set the captive insurance fees by rule rather than requiring statutory change.

DCCA and the Hawaii Captive Insurance Council testified 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 is in accord with the intent and purpose of S.B. No. 1261, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Schatz and Meyer.

SCRep. 1803 Finance on S.B. No. 1124

The purpose of this bill is to eliminate:

- (1) The prohibitions on de novo interstate branching and partial acquisition of branches by out-of-state banks; and
- (2) The five-year age requirement for whole bank acquisitions.

The Department of Commerce and Consumer Affairs and the Bank of Tokyo-Mitsubishi testified in support of this bill. Hawaii National Bank commented on 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. 1124, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1804 Finance on S.B. No. 1177

The purpose of this bill is to reduce the effect of the "pyramiding" of the general excise tax by:

- (1) Reducing the tax rate from the retail rate of four percent to the wholesale rate of one-half of one percent for:
 - (A) Sales to a licensed seller of pre-packaged, single-serving packets of condiments furnished to customers; and
 - (B) Sales of tangible personal property to a licensed seller who incorporates or processes the property into a finished product and resells the property at retail; and
- (2) Applying the one-half percent intermediary services rate to professionals.

The Department of Taxation, Fleming Companies, Haagen-Dazs Shops Hawaii, Kyotaru Hawaii Corporation, Bernard's New York Deli, Theo Davies Food Service Group, Hawaii Restaurant Association, and McDonald's testified in support of the bill. The Tax Foundation of Hawaii and 3660 on the Rise commented 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 is in accord with the intent and purpose of S.B. No. 1177, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1805 Finance on S.B. No. 1235

The purpose of this bill is to ensure the safety of citizens in the event that a catastrophic hurricane returns to the islands by:

- (1) Requiring the Adjutant General to adopt hurricane resistant shelter criteria for new public school buildings designated as hurricane shelters and built after June 30, 2000; and
- (2) Providing that the state or counties may identify and designate those new school buildings planned, designed, constructed, and equipped:
 - (a) After June 30, 2000, comply with hurricane resistant shelter criteria to be adopted by the Adjutant General; and
 - (b) Before July 1, 2000, comply with hurricane resistant shelter criteria established by the Adjutant General on July 29, 1997, to the maximum extent feasible.

The Adjutant General and Director of Civil Defense testified in support of the intent 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. 1235, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1806 Finance on S.B. No. 1307

The purpose of this bill is to promote accountability in the public school system by requiring the Department of Education (DOE) to establish and annually report on a comprehensive system of educational accountability to motivate and support the improved performance of students and the education system.

The DOE testified in support 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. 1307, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ahu Isa

SCRep. 1807 Finance on S.B. No. 844

The purpose of this bill is to pursue mental health and substance abuse parity in health insurance by establishing the Hawaii Equal Insurance Task Force to study the financial and social implications of mandated equal mental health and substance abuse insurance coverage in Hawaii.

Kaiser Permanente, the Hawaii Medical Association, the Hawaii Psychiatric Medical Association, United Self-Help, the Hawaii State Alliance for the Mentally Ill, the Very Big Mental Health Consumer Sandwich Group, the Mental Health Association of Hawaii, the Hawaii Psychological Association, the Equal Insurance Coalition, and several individuals testified in support of this measure. The Department of Health testified in support of the intent of this measure. The Department of Commerce and Consumer Affairs, the Chamber of Commerce of Hawaii, and the Hawaii Government Employees Association commented 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. 844, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Ahu Isa and Suzuki.

SCRep. 1808 Finance on S.B. No. 1256

The purpose of this bill is to provide funds to match \$3,000,000 in federal funds from the Federal Transit Administration to establish an interisland ferry system between Maui and Molokai.

The Chamber of Commerce of Hawaii, the State Representative from the 7th District, and a council member from the County of Maui testified in support of this measure. The Department of Transportation testified 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 is in accord with the intent and purpose of S.B. No. 1256, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1809 Finance on S.B. No. 1003

The purpose of this bill is to provide better enforcement in the collection of child support payments by:

- (1) Penalizing employers with fifty employees or more who fail to provide payment of salary, wages, or compensation within five working days of payment due to a parent obligated to pay child support;
- (2) Penalizing the Child Support Enforcement Agency (CSEA) when it fails to disburse child support payments after five working days from the date of collection, and giving these fines to the custodial parent; and
- (3) Requiring CSEA to use interest realized from the Special Interest Bearing Account to improve child support enforcement services.

Members of the public testified in support of this bill. The Department of the Attorney General commented on 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. 1003, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1810 Finance on S.B. No. 1160

The purpose of this bill is to amend the Uniform Controlled Substances Act to:

- (1) Conform to changes in federal and state law;
- (2) Add a new definition for the term "ephedrine";
- (3) Update the record-keeping requirement for controlled substances to five years;
- (4) Standardize the controlled substances prescription sizes;
- (5) Expand the list of chemicals subject to mandatory reporting requirements;
- (6) Prevent the unauthorized use of Drug Enforcement Agency hospital numbers and internal codes;
- (7) Establish penalties for sellers of ephedrine products who make claims that consumption of such products will produce effects of ecstasy, euphoria, increased sexual sensations, heightened awareness, increased energy, legal "highs", or other similar effects;
- (8) Increase the penalties for the sale or distribution of a regulated chemical without a permit or by a person convicted for the second time of a permit violation;

- (9) Clarify that information communicated to a physician in an effort to unlawfully procure a controlled substance is not a privileged communication; and
- (10) Clarify that reporting requirements do not apply to manufacturers, wholesalers, retailers, or other persons who sell or transfer into the State any over-the-counter drug product containing pseudoephedrine, norpseudoephedrine, phenylpropanolamine, or any ephedrine combination products below the cumulative threshold of one kilogram.

The Department of Public Safety, Longs Drug Stores, and the Dietary Supplement Safety and Science Coalition testified in support of this measure. The Honolulu Police Department testified in support of the intent of this measure. The Legislative Information Services of Hawaii commented on this measure.

Your Committee has amended this bill by making technical, nonsubstantive amendments for 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. 1160, 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. 1160, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa, Suzuki and Moses.

SCRep. 1811 Finance on S.B. No. 44

The purpose of this bill is to foster Hawaii's economic growth by:

- (1) Exempting exported contracting work or services from the general excise tax; and
- (2) Imposing a use tax on imported services.

The Department of Taxation, the American Society of Civil Engineers, the Building Industry Association of Hawaii, the Hawaii Association of Realtors, the Big Island Business Council, Hidano Construction, Inc., the Kona-Kohala Chamber of Commerce, and the Small-Business Economic Revival Force submitted testimony in support of this measure. The Department of Business, Economic Development, and Tourism supported the intent of this bill. The Tax Foundation of Hawaii offered comments.

Your Committee has made technical, nonsubstantive amendments to the bill to conform to correct drafting 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. 44, 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. 44, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1812 Finance on S.B. No. 46

The purpose of this bill is to provide schools with maximum flexibility in the expenditure of their operating budget allocation from the Department of Education (DOE) by:

- (1) Requiring DOE to provide each school and the Legislature, by the opening day of each regular legislative session, reports on its proposed school-by-school budget allocation;
- (2) Requiring DOE to submit an annual school-by-school budget report;
- (3) Requiring each school to submit an expenditure report to DOE for the previous fiscal year prior to the beginning of each school year; and
- (4) Providing each school with maximum flexibility over the funds designated to that school to achieve instructional program goals, to the extent allowed for each type of funding.

DOE and the Hawaii State Teachers Association testified in support of the intent of the bill.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2000; and
- (2) Making technical, nonsubstantive amendments for 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. 46, 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. 46, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Suzuki.

SCRep. 1813 **Finance on S.B. No. 207**

The purpose of this bill is to provide the Board of Certification of Operating Personnel in Wastewater Treatment Facilities (Board) with necessary funds to carry out its responsibilities by establishing the Board of Certification Special Fund (Special Fund) to certify individuals to operate wastewater treatment plants.

The Department of Health and an individual testified in support of this measure.

Your Committee understands that the Legislative Auditor will use two criteria in analyzing the Special Fund:

- (1) Whether there is a clear link between the benefit sought and the charges made of users or beneficiaries of the Special Fund; and
- (2) Whether the Special Fund has the capacity to be self-sustaining.

Your Committee has amended this bill by changing the name of the Special Fund from the "Board of Certification Special Fund" to the "Wastewater Treatment Certification Board Special Fund" for 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. 207, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 207, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1814 **Finance on S.B. No. 607**

The purpose of this bill is to develop a commercial hunting industry in the State by allowing nonresident aliens, who are visiting the State to engage in recreational target shooting or game hunting, to bring legal firearms into the State.

The Department of Land and Natural Resources, the Honolulu Police Department, the Hawaii Rifle Association, the Hawaii Hunting Association, the Hawaii Hunting Advisory Council, and the Hawaii Citizens' Rights Political Action Committee testified in support of this measure.

Your Committee has amended this bill by making technical, nonsubstantive amendments for 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. 607, 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. 607, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa, Suzuki and Moses.

SCRep. 1815 **Finance on S.B. No. 1155**

The purpose of this bill is to continue discretion in personnel management of the state Library System by extending the sunset date of the authority of the State Librarian to reallocate vacant positions and to create temporary positions.

The Hawaii State Public Library System of the Department of Education, Bond Memorial Public Library, Friends of the Bond Memorial Public Library, and an individual testified in support of the bill.

Your Committee has amended the bill by:

- (1) Changing the effective date from July 1, 2001, to June 29, 1999; and
- (2) Making technical, nonsubstantive revisions for 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. 1155, 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. 1155, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Suzuki.

SCRep. 1816 **Finance on S.B. No. 456**

The purpose of this bill is to increase access to higher education for Hawaiians by appropriating funds to the Office of Hawaiian Affairs to reimburse the University of Hawaii (University) for providing tuition waivers to Hawaiian students or part Hawaiian students.

The University, Kuikalahiki, the Nation of Ku, the State Representative from the Seventh District, and five individuals testified in support of the bill. The Hawaiian Political Action Council of Hawaii testified in support of the intent of the bill. The Office of Hawaiian Affairs, Ka na Ha, and four individuals commented on the bill. A petition was submitted with numerous signatures supporting free tuition for all students of Hawaiian ancestry.

Your Committee has amended the bill by deleting its substance and replacing it with language that:

- (1) Authorizes the Office of Hawaiian Affairs to expend funds for the tuition of native Hawaiian and Hawaiian students attending the University; and
- (2) Clarifies that the Board of Regents may provide tuition waivers or reduce tuition and other fees for students who are Hawaiian or native Hawaiian.

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. 456, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 456, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1817 Finance on S.B. No. 157

The purpose of this bill is to restore dental benefits for adults covered by the Medicaid and Med-QUEST programs on a fee-for-service basis through the Department of Human Services (DHS), the Department of Health (DOH), and the Community Health Centers.

The Office of Hawaiian Affairs, the State Planning Council on Developmental Disabilities, the Waiānae Coast Comprehensive Health Center, the Hawaii Area Program Office of the American Friends Service Committee, the Legal Aid Society of Hawaii, the League of Women Voters, the Honolulu Monthly Meeting of the Religious Society of Friends, the Hawaii State Primary Care Association, the Arc in Hawaii, Health Care for the Homeless Project, and members of the public testified in support of this bill. DHS and DOH submitted comments on this bill.

Your Committee has amended this bill by changing the appropriation amounts to \$1 for discussion purposes.

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. 157, 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. 157, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1818 Finance on S.B. No. 856

The purpose of this bill is to organize and regulate long-term residential care facilities by:

- (1) Consolidating and providing uniform regulation of various adult residential care homes (ARCHs) and promoting parity of reimbursement for services provided;
- (2) Establishing the ARCH Personal Injury and Property Damage Compensation Fund; and
- (3) Imposing a moratorium on the licensing of new basic category Type I ARCHs.

The Executive Office on Aging, the State Planning Council on Developmental Disabilities, the Hawaii Long Term Care Association, the Healthcare Association of Hawaii, and the Alliance for Residential Care Administrators testified in support of this measure. The Departments of Health and Human Services testified in support of the intent of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 856, 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. 856, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1819 Finance on S.B. No. 1157

The purpose of this bill is to provide the Board of Education (BOE) with greater authority in the recruitment and retention of the State Librarian by:

- (1) Removing the State Librarian's salary cap until July 1, 2004, when the the Legislature shall set the State Librarian's salary;
- (2) Deleting the residency requirement; and
- (3) Limiting the term of appointment to a maximum of four years.

The BOE testified in support of the intent of this bill.

Your Committee has amended this bill by:

- (1) Restoring the salary cap to \$85,302, and deleting the provision that effective July 1, 2004, the Legislature shall set the salary;
- (2) Authorizing the State Librarian to receive additional compensation from private sources; and
- (3) Making technical, nonsubstantive revisions to conform to correct drafting 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. 1157, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1157, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1820 Finance on S.B. No. 1276

The purpose of this bill is to raise the Superintendent of Education's (Superintendent) salary to national standards by authorizing the Board of Education (Board) to set the Superintendent's salary.

The Board testified in support of the intent of this measure.

Your Committee has amended this measure by:

- (1) Deleting the Board's authority to set the Superintendent's salary;
- (2) Authorizing the Superintendent to receive additional compensation from private sources rather than having the Board set the salary; and
- (3) Making technical, nonsubstantive amendments for 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. 1276, 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. 1276, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1821 Finance on S.B. No. 450

The purpose of this bill is to continue the on-going work to privatize government services by:

- (1) Specifying the tasks that the committee charged with developing a managed process for public-private competition must complete;
- (2) Specifying deadlines by which the committee must complete a draft and a final draft of the managed process, and a report of its findings, plans, implementations, and recommendations for statutory changes to civil service laws; and
- (3) Reinstating the sunset dates relating to parts III and IV of Act 230, Session Laws Hawaii 1998 (relating to managed process).

The County of Hawaii, the Big Island Business Council, the Kona-Kohala Chamber of Commerce, the Consulting Engineers Council of Hawaii, the Small Business Economic Revival Force, West Hawaii Concrete, the Building Industry Association, the Hawaii Island Contractors' Association, and Hawaii Pacific Engineers, Inc., testified in support of this bill. The City and County of Honolulu testified in support of the intent of this bill. The United Public Workers commented on this bill.

Your Committee has amended this bill by making technical, nonsubstantive changes for 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. 450, 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. 450, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1822 Finance on S.B. No. 816

The purpose of this bill is to consolidate state functions related to tourism by transferring the functions of the Hawaii Convention Center Authority to the Hawaii Tourism Authority.

The Department of Business, Economic Development, and Tourism testified in support of the bill. The Visitor Industry Coalition testified in support of the intent of the bill. The Hawaii Tourism Authority and two members of the Convention Center Authority Board submitted comments on the bill.

Your Committee has amended the bill by deleting its substance and replacing it with provisions that:

- (1) Extends the sunset date for the Convention Center Authority from June 30, 1999, to June 30, 2001;
- (2) Merges the Convention Center Capital Special Fund and the Convention Center Operations Special Fund into the newly established Convention Center Capital and Operations Special Fund;
- (3) Appropriates moneys from the consolidated special fund to the Convention Center Authority; and
- (4) Makes technical, nonsubstantive amendments for 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. 816, 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. 816, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1823 Finance on S.B. No. 992

The purpose of this bill is to maintain the Hana Community Health Center's (Center) current level of operations by appropriating funds for fiscal years 1998-1999, 1999-2000, and 2000-2001.

The Office of Hawaiian Affairs, the County Council for the County of Maui, the Hana Community Health Center, the Representative from the 7th Representative District, and seventeen individuals testified in support of the bill. The Department of Health testified in support of the intent of the bill. The United Public Workers commented on the bill.

Your Committee has amended this bill by:

- (1) Changing the appropriation amount for fiscal years 1998-1999, 1999-2000, and 2000-2001 to \$1 for the purpose of facilitating additional discussion on this measure; and
- (2) Making technical, nonsubstantive amendments for 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. 992, 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. 992, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1824 Finance on S.B. No. 1016

The purpose of this bill is to improve access to administrative rules by:

- (1) Limiting to ten cents per page the amount each state agency other than the Lieutenant Governor (LG) may charge for copies of rules;
- (2) Allowing separate charges for searching, identifying, and segregating rules to be copied; and
- (3) Requiring, effective January 1, 2000, the posting of the full text of proposed rules on the LG's website.

The Department of Accounting and General Services and Hawaii's Thousand Friends testified in support of this measure. The Office of Information Practices testified in support of the intent of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 1016, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1016, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1825 Finance on S.B. No. 1117

The purpose of this bill is to:

- (1) Require the Procurement Policy Office, in consultation with the Department of Budget and Finance, to adopt rules for a managed procurement process that evaluates the efficiency, effectiveness, and economy of the purchase using uniform accounting standards; and
- (2) Exempt contracts for legal services performed for the State or a state agency, outside Hawaii, from the requirements of the State Procurement Code.

The Consulting Engineers Council of Hawaii testified in support of Section 1 and commented on Section 2 of this measure. The State Procurement Office and the Department of the Attorney General commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting the provisions adopting rules for a managed procurement process;
- (2) Making subject to the State Procurement Code University of Hawaii (UH) departments and programs procuring goods and services from UH bookstores that are routinely stocked and marketed and not specifically ordered;
- (3) Making subject to the State Procurement Code the procurement of goods or services for UH's Office of Intercollegiate Athletics with moneys from the UH Intercollegiate Athletics Revolving Fund;
- (4) Clarifying that only specified goods or services may be exempt from the State Procurement Code when the goods or services are available from multiple sources but for which procurement by competitive means are either not practicable or not advantageous to the State;
- (5) Adding to the list of goods or services exempt from the State Procurement Code, any other goods or services the Policy Board determines by rules or the Chief Procurement Officer determines in writing are available from multiple sources but for which procurement by competitive means is either not practicable or not advantageous to the State; and
- (6) Making technical, nonsubstantive amendments for 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. 1117, 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. 1117, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1826 Finance on S.B. No. 1178

The purpose of this bill is to stem potential significant tax revenue loss by clarifying the definition of "related entities" for purposes of the general excise tax.

The Department of Taxation testified in support of this bill. The Tax Foundation of Hawaii commented on the bill.

Your Committee has amended this bill by making technical, nonsubstantive changes for 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. 1178, 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. 1178, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1827 Finance on S.B. No. 1499

The purpose of this bill is to create a system of checks and balances to determine if and when it is appropriate for the State Committee of Blind Vendors (Committee) to hire outside counsel by:

- (1) Allowing funds from the Randolph-Sheppard Revolving Account (Revolving Account) to hire private attorneys for the Committee only after:
 - (A) The Committee has sought representation from the Attorney General (AG); and
 - (B) The AG either deems itself unable and unwilling to provide counsel or the Committee finds the AG's representation inadequate; and
- (2) Appropriating \$30,000 to carry out the purposes of the Revolving Account.

The Committee testified in support of this measure. The Department of Human Services (DHS) and the AG commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting the appropriation to carry out the purposes of the Revolving Account;
- (2) Specifying a blank amount that the Committee may spend from the Revolving Account to hire private attorneys;
- (3) Specifying a blank amount that DHS must transfer from the Revolving Account to an interest bearing account; and
- (4) 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. 1499, 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. 1499, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1828 Finance on S.B. No. 654

The purpose of this bill is to increase public access to the legislative process by:

- (1) Appropriating funds to relocate the Public Access Room (PAR), and for electronic equipment and furniture purchases;
- (2) Requiring the Legislative Analyst to review all performance-based budgets submitted to the Legislature by law;
- (3) Removing from the duties of the Lieutenant Governor the recordation of all legislative and gubernatorial acts, and the sale and distribution of session laws, supplements, and replacement volumes, and placing these duties with the Legislature and the Legislative Reference Bureau (LRB); and
- (4) Appropriating funds to establish an additional full-time position for PAR.

Common Cause Hawaii and Life of the Land testified in support of this measure. The Office of the Lieutenant Governor testified in support of the intent, and LRB commented on Part III of this measure. The Affordable Housing and Homeless Alliance, GST Telecom Hawaii, the Organ Donor Center of Hawaii, BOATS/Hawaii Inc., Uyeoka Consulting, Information Services, the Conservation Council for Hawaii, NAMI OAHU, the Hawaii State Parent, Teacher, and Student Association, and several individuals testified in support of Parts I and IV of this measure.

Your Committee has amended this measure by:

- (1) Retaining only the provision to appropriate funds to establish an additional full-time staff position for PAR;
- (2) Changing the appropriation to an unspecified amount for further discussion; and
- (3) Making technical, nonsubstantive amendments for 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. 654, 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. 654, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1829 Finance on S.B. No. 392

The purpose of this bill is to:

- (1) Update the functions of the Metropolitan Planning Organization (MPO) and change the frequency of the election of the chairperson of the MPO from annually to every two years; and
- (2) Appropriate funds from the Harbor Special Fund for the planning, design, and construction of a cruise ship passenger terminal at Pier 2, Honolulu Harbor.

The Department of Transportation, Department of Transportation Services of the City and County of Honolulu, the Chairperson of the Honolulu City Council, the Oahu Metropolitan Planning Organization, and the Maritime Committee of the Chamber of Commerce of Hawaii testified in support of this measure. Matson Navigation Company and American Hawaii Cruises testified in support of the intent of this measure.

The State Fire Council, the Boat Owners Association of the State of Hawaii, the Western Pacific Fisheries Association, the Coalition for International Trade, the Hawaii Boaters Political Action Association, the Hawaii Chiefs Association, and the Honolulu Fire Department commented on this measure.

Your Committee has amended this measure by:

- (1) Adding a new part that authorizes improvements to airports without county approval; and
- (2) Making technical, nonsubstantive amendments for 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. 392, 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. 392, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1830 Finance on S.B. No. 1519

The purpose of this bill is to support tenants' efforts to preserve the affordability of their rental homes by:

- (1) Requiring assisted housing development owners to give a one-year notice to tenants if the owner is going to terminate a subsidy contract or mortgage prepayment;
- (2) Giving tenants or nonprofit organizations the opportunity to purchase the development if the owner of the development has not given notice to sell prior to July 1, 1999; and
- (3) Authorizing the issuance of general obligation bonds for the Rental Housing Trust Fund to encourage the development and availability of low income rental housing.

The Office of the Governor, the Legal Aid Society of Hawaii, the Affordable Housing and Homeless Alliance, Hawaii Investors for Affordable Housing, Catholic Charities Elderly Services, the Hawaii Area Program of the American Friends Service Committee, Hawaii Catholic Conference, and several individuals testified in support of this measure. The Housing and Community Development Corporation of Hawaii commented on this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for 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. 1519, S.D. 3, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1519, S.D. 3, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1831 Finance on S.B. No. 1321

The purpose of this bill is to facilitate and support research and development of open ocean mariculture by clarifying the law dealing with the leasing of state marine waters for aquaculture and mariculture purposes.

The Department of Land and Natural Resources, the Department of Agriculture, the Department of Business, Economic Development, and Tourism, the Hawaii Aquaculture Association, the University of Hawaii Sea Grant College Program, and an individual testified in support of this measure. The Office of Hawaiian Affairs, the Hawaii Near Shore Commercial Fishermen, Black Pearls, Inc., the University of Hawaii Environmental Center, and two individuals commented on this measure.

Your Committee has amended this bill by:

- (1) Changing the repeal date from five years to June 30, 2001, for the amendments made in this bill to the Ocean and Submerged Lands Leasing Law (Law), which remove certain limitations to allow commercial mariculture as a permitted

use under the Law, clarify the process for obtaining a mariculture lease, and provide potential mariculture projects with the flexibility to adapt technology and designs to a site; and

- (2) Making technical, nonsubstantive amendments for 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. 1321, 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. 1321, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1832 Finance on S.B. No. 788

The purpose of this bill is to ensure that state cigarettes excise taxes are paid by:

- (1) Requiring that each package of cigarettes sold in the State be identified with a stamp signifying that the cigarette tax has been paid;
- (2) Including civil and criminal penalties and forfeitures of cigarettes to be enforced by the Attorney General and the respective county police departments, liquor commissions, and prosecuting attorneys; and
- (3) Repealing the law on June 30, 2005, upon a finding by the Legislative Auditor that the law has not reduced the loss of cigarette tax revenue due to the State from the illegal sale of untaxed cigarettes.

The Department of Health and the American Lung Association of Hawaii testified in support of this measure. The Legislative Information Services of Hawaii, Inc., testified in support of the intent of this measure. The Department of Taxation, the Tax Foundation of Hawaii, and an individual commented on this measure.

Your Committee has amended this bill by:

- (1) Specifying a state stamp fee of .2 percent to pay for the State's cost of providing the stamps;
- (2) Stipulating that beginning September 1, 2000, all unstamped cigarettes be destroyed or returned to the manufacturers, or the persons in possession or control of the cigarettes will be subject to criminal penalties and administrative fines; and
- (3) Making technical, nonsubstantive amendments for 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. 788, 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. 788, S.D. 2, H.D. 2.

Signed by all members of the Committee.
(Representatives Meyer and Moses voted no.)

SCRep. 1833 Finance on S.B. No. 4

The purpose of this bill, as received, is to establish an incentive award program to encourage state employees to make cost-saving recommendations to improve government operations.

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 that redefines the scope of negotiation in collective bargaining to exclude cost items for a period of four years.

A concerned citizen supported the proposed measure. The University of Hawaii Professional Assembly, United Public Workers, Hawaii Government Employees Association, and Hawaii State Teachers Association submitted comments.

Upon further consideration, your Committee has amended this bill to redefine the scope of negotiation in collective bargaining by giving the Legislature and the county council chairpersons an opportunity to participate in the collective bargaining process. Specifically, this bill:

- (1) Provides that for the purposes of negotiations, mediation, and arbitration of cost items only, the Senate President and Speaker of the House of Representatives, or their designated representatives, and the county council chairpersons, or their designated representatives, shall each have one vote on cost items;
- (2) Provides that no wage increase shall be authorized by the public employer without prior concurrence of a majority of legislators and council chairpersons, or their designated representatives, voting on cost items; and
- (3) Eliminates provisions making cost items subject to appropriations by the appropriate legislative bodies.

It was brought to the attention of your Committee that this bill may be violative of certain provisions in the State Constitution. In recognition of this concern, your Committee is in the process of requesting the Attorney General for an opinion on the constitutionality of this bill. It is hoped that the Attorney General will respond to this request in an expeditious manner to ensure a timely resolution of this matter.

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. 4, 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. 4, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1834 Finance on S.B. No. 1229

The purpose of this bill is to assist Hawaii's homeless obtain and retain permanent housing by:

- (1) Creating the Special Fund for Homeless Assistance (Special Fund);
- (2) Amending the conveyance tax law to allow 25 percent of conveyance tax revenues to be paid into the Special Fund; and
- (3) Appropriating funds for capital improvements to Barbers Point and for homeless assistance.

The United Public Workers, the Institute for Human Services, the Health Care for the Homeless Project, Gregory House Programs, Hawaii Catholic Conference, Catholic Charities Elderly Services, the Affordable Housing and Homeless Alliance, and many individuals testified in support of this measure.

The Housing and Community Development Corporation, the Barbers Point Naval Air Station Redevelopment Commission, the Tax Foundation of Hawaii, and the Departments of Budget and Finance and Taxation commented on this measure.

Your Committee has amended this measure by:

- (1) Allocating an unspecified percentage of the conveyance tax revenues to the Special Fund; and
- (2) Changing from 25 percent to an unspecified percentage the amount of the conveyance tax revenues allocated to the Rental Housing Trust Fund and the Natural Area Reserve Fund; and
- (3) Making technical, nonsubstantive amendments for 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. 1229, 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. 1229, S.D. 1, H.D. 3.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1835 Finance on S.B. No. 709

The purpose of this bill is to further improve traffic enforcement by enhancing the operations of the demonstration project established to apprehend drivers who run red lights or exceed posted speed limits.

This bill amends the photo red light imaging and photo speed imaging detector demonstration project by:

- (1) Including other photo technology systems that produce photographic identification of vehicles that illegally cross longitudinal traffic lane markings, and allowing citations to be mailed to the vehicle owner; and
- (2) Providing for a procedure that allows for a citation or summons to be issued to a driver who unlawfully crossed longitudinal traffic lane markings but who is not the registered owner of the vehicle.

The City and County of Honolulu Police Department and an individual testified in support of this measure. The Department of Transportation testified in support of the intent of this bill. The Judiciary commented on this measure.

Your Committee has amended this bill by:

- (1) Eliminating specific references to the Judiciary in processing a declaration relating to the operation of a vehicle by a person other than the registered owner; and
- (2) Making technical, nonsubstantive amendments to conform to correct drafting 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. 709, 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. 709, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ahu Isa.

SCRep. 1836 **Finance on S.B. No. 638**

The purpose of this bill is to reduce the effect of the "pyramiding" of the general excise tax on the sale of services by reducing to one-half of one percent the tax rate on the wholesale sale of services that are currently taxed at a four percent rate. The reduction would occur over a seven-year phase-in period.

The Hawaii Association of Realtors, the Honolulu Japanese Chamber of Commerce, the Hawaii Business Roundtable, the Retail Merchants of Hawaii, the Building Industry Association of Hawaii, the Pacific Resource Partnership, the Big Island Business Council, the Hawaii Farm Bureau, West Hawaii Concrete, the Filipino Chamber of Commerce of Hawaii, the Hawaii Business League, Aloha Airlines, the Tax Section of the Hawaii State Bar Association, the Tax Committee of the Hawaii Society of Certified Public Accountants, and the Chamber of Commerce of Hawaii testified in support of the bill. The Department of Taxation testified in support of the intent of the measure. The Tax Foundation of Hawaii commented on the measure.

Your Committee has amended the bill by:

- (1) Clarifying that sales of services to licensed contractors and persons furnishing transient accommodations are wholesale sales that are subject to the reduced tax rate;
- (2) Clarifying that the wholesale sale of tangible personal property is subject to the reduced tax rate; and
- (3) Making technical, nonsubstantive revisions for 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. 638, 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. 638, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Moses.

SCRep. 1837 **Finance on S.B. No. 1137**

The purpose of this bill, as received by your Committee, is to extend the Hawaii Public Employees Health Fund's (Health Fund) health insurance coverage to include:

- (1) Unmarried children under age 24 who are full-time students; and
- (2) Unmarried children, regardless of age, who are incapable of self-support due to a mental or physical incapacity that existed prior to the child's reaching age 19.

For purposes of public hearing, your Committee circulated a proposed H.B. No. 1137, H.D. 2, which controls the rising cost of health benefits plans by capping the amount the State may contribute annually to the Health Fund for health benefits plans to \$240,000,000.

The Hawaii State Commission on the Status of Women and one individual testified in support of the original measure. The Department of Budget and Finance (B&F) testified in support of the proposed measure. The Health Fund, the Honolulu Police Department, the United Public Workers, the State of Hawaii Organization of Police Officers, the Hawaii Government Employees Association and its Retirees Unit, the Hawaii State Teachers Association, and the Hawaii State Commission on the Status of Women commented on the proposed measure.

The proposed H.D. 2 sets a maximum of \$240,000,000 per year that may be expended for health benefits. B&F testified that rather than imposing a cap, it would be more effective to implement cost savings by making changes to one or more variables that affect the cost of providing health benefits for state and county employees and retirees. These variables include benefit levels, negotiated premium rates, the number of enrolled actives, the number of enrolled retirees, the number of actives and retirees enrolled in self or family plans, and the contribution rates negotiated through the collective bargaining process.

B&F also pointed out the extreme difficulty of achieving total cost savings under current provisions of the Hawaii Revised Statutes. According to B&F, part of the problem with the proposed draft is that the Health Fund not only procures health benefits for the State, but also for the various counties and the boards of water supply. A cap imposed only on the general revenue funded beneficiaries of the Health Fund may not be feasible because of the resulting need to bifurcate the non-general fund beneficiaries from general fund beneficiaries in securing health benefit insurance plans. Such a bifurcation, were it possible, would create two versions for each benefit plan, one with a state cap and one without a state cap.

As this measure moves to Conference, your Committee might consider imposing a cap on the Health Fund's total procurement expenditures to accomplish the desired intent of this proposed draft, not only for the State but also for the counties and boards of water supply. For the fiscal year ending 1998, the total contributions against which the Health Fund could make premium payments and port

to union trust funds was \$295,000,000. The dollar amount of the cap would apply to the estimated amount of contributions that would be required for the fiscal year ending in 2001 or thereafter.

Your Committee believes that the State should consider other cost-controlling mechanisms for health care expenditures, such as:

- (1) Mandating retirees to apply for Medicare;
- (2) Setting a sixty percent contribution for medical coverage for all active employees; and
- (3) Holding the Health Fund trustees to a fiduciary duty to the State.

Upon further consideration, your Committee has amended this measure by deleting its substance and incorporating the amendments made in the proposed H.B. No. 1137, H.D. 2, along with technical, nonsubstantive amendments for 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. 1137, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1137, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1838 Finance on S.B. No. 822

The purpose of this bill is to protect the health and welfare of women and the community by requiring that all health insurers, mutual benefit societies, and health maintenance organizations provide coverage for contraceptive services and supplies, while authorizing an exemption for religious employers.

The Department of Health, the Hawaii State Commission on the Status of Women, the American Civil Liberties Union of Hawai'i, Hawaii Women Lawyers, Healthy Mothers, Healthy Babies, Family Planning Centers of Hawaii, and two concerned individuals testified in support of the bill. Kaiser Permanente supported the intent of the bill. The Hawaii Medical Service Association, the Legislative Reference Bureau (LRB), Hawaii Family Forum, the Hawaii Catholic Conference, and Brigham Young University-Hawaii commented on the bill.

Your Committee has amended this bill to:

- (1) Provide that the Insurance Commissioner rather than the LRB review the experience of employers in providing coverage for contraceptive services and supplies after the effective date of this Act; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 822, 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. 822, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1839 Finance on S.B. No. 1089

The purpose of this bill is to give the Department of Land and Natural Resources (DLNR) more flexibility in amending its administrative rules by clarifying reporting requirements for commercial marine licenses.

DLNR testified in support of this measure.

Your Committee finds that H.B. No. 1179, was passed out by the Senate and signed by the Governor on April 8, 1999, as Act 9, Session Laws of Hawaii (SLH) 1999. The provisions of H.B. No. 1179 were identical to this bill, except for a provision in section 2, limiting the reporting information required in section 189-3(a), Hawaii Revised Statutes, to monitor catches by commercial marine licensees.

Your Committee has amended this measure by:

- (1) Authorizing a person to land marine life for commercial purposes only if the unprocessed fish are landed whole or headed and gutted, and frozen or on ice;
- (2) Deleting the limitations on reporting requirements; and
- (3) Making technical, nonsubstantive amendments to comply with Act 9, SLH 1999.

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. 1089, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1089, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1840 Finance on S.B. No. 1325

The purpose of this bill is to encourage construction and renovation of real property through a tax credit.

The Land Use Research Foundation of Hawaii, Waikiki Improvement Association, Estate of James Campbell, the Queen Emma Foundation, Hawaii Hotel Association, Hilton Hawaiian Village, ABC Stores, Sheraton Princess Kaiulani Waikiki Hotel, Jas. W. Glover, Ltd. General Contractors, Maui Contractors Association, SC Pacific Corp, Armstrong Builders, Ltd., PLA Incorporated, Hawaii Activities and Tours Association, and a concerned individual testified in support of the measure.

The Department of Business, Economic Development, and Tourism, Department of Taxation, Department of Budget of the City and County of Honolulu, Tax Foundation of Hawaii, Hawaii Chapter of the Sierra Club, Victoria Ward, Limited, and Hawaii Resort Developers Conference commented on the measure.

Your Committee has amended the measure by replacing the credit percentages for determining the tax credit with unspecified percentages

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. 1325, 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. 1325, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1841 Finance on S.B. No. 1011

The purpose of this bill is to clarify the roles of the State Foundation on Culture and the Arts Commission (Commission), executive director, and staff of the State Foundation on Culture and the Arts (SFCA). The bill further specifies that each agency is responsible for calculating the one per cent due to the Works of Art Special Fund.

SFCA testified in support of this bill.

Your Committee finds that the Legislature, in its efforts to ensure the academic success and the holistic development of the students in Hawaii, enacted Act 334, Session Laws of Hawaii 1991, to establish the Hawaii Commission for Performance Standards (HCPS). Subsequently, the HCPS developed eight content subject areas considered essential to the education of all K-12 grade students. By identifying the fine arts as a core content subject area, the Department of Education (DOE) recognized it as a fundamental component of a comprehensive educational experience because it enhanced and accelerated the learning of all students.

Your Committee further finds that SFCA currently enhances the DOE's budget by providing nearly \$1,000,000 for art education projects and programs, which include:

(1)	Art in Public Places-Artists in Residency Project	\$500,000
(2)	Foundation Grant Program-Arts in Education	\$250,000
(3)	Artist in the Schools Program	\$50,500
(4)	School Arts Excellence Awards	\$9,000
(5)	Convention Center Student Art Exhibition	\$15,000

In addition, SFCA will commence a new two-year grants project for fiscal biennium 1999-2001 by providing a maximum of ten grants at \$2,500 each to selected schools.

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

- (1) Adding a purpose and findings section;
- (2) Requiring the governor to appoint at least three Commission members from each of the neighbor island counties;
- (3) Clarifying that it is the executive director, and not the chairperson of the commission, who is responsible for administering funds for the promotion of culture and the arts;

- (4) Specifying that the executive director, along with the comptroller, track amounts due from each agency under the one per cent requirement; and
- (5) Making technical, nonsubstantive amendments for clarity and style.

Additionally, your Committee has inserted language from H.B. No. 316, H.D. 2, that:

- (1) Designates SFCA as the lead state agency for the promotion of arts education, in consultation with the DOE, the University of Hawaii, and other organizations;
- (2) Directs SFCA to review, revise, and complete the Hawaii Content and Performance Standards in the Arts for grades K-12, and develop a statewide strategic plan for its implementation, with funding from the Works of Art Special Fund until June 30, 2001; and
- (3) Requires SFCA to include in its annual report its efforts and progress on the Hawaii Content and Performance Standards in the Arts.

In light of current budgetary constraints, your Committee recognizes the difficulty in adequately funding the completion of the arts education standards in grades K-12, which is estimated at \$150,000 for each fiscal year of the upcoming biennium. By providing SFCA with the flexibility to temporarily use the Works of Art Special Fund, your Committee believes that this alternative source of funding complements the missions and goals of SFCA.

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. 1011, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1011, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1842 Finance on S.B. No. 1452

The purpose of this bill is to strengthen the protection of the consumer rights of patients receiving health care under managed care plans (MCPs) and from health maintenance organizations (HMOs).

Among other things, this bill:

- (1) Requires the Insurance Commissioner to conduct:
 - (a) A survey and educational program of all MCPs to determine if deficiencies exist or improvements are required; and
 - (b) A program to promote public awareness and education about MCPs and take steps to ensure that all MCPs are accredited;
- (2) Establishes the Health Insurance Revolving Fund (Revolving Fund) to be used to hire medical experts to serve on review panels, provide expert medical opinions, or conduct a public awareness and education program about MCPs;
- (3) Requires mutual benefit societies, HMOs, and others offering health benefits or services to:
 - (a) Pay a one-time assessment to the Revolving Fund; and
 - (b) Help pay for the costs of the survey and educational program;
- (4) Establishes a review hearing process to consider an enrollee's appeal of an adverse decision of an MCP; and
- (5) Clarifies the conditions under which a health plan must provide reimbursement for any items or services not necessary to stabilize a patient.

The Department of Health, the Hawaii Medical Association, Kaiser Permanente, Legal Aid Society of Hawaii, the Healthcare Association of Hawaii, the Hawaii Federation of Physicians and Dentists, the Hawaii Health Information Corporation, and an individual testified in support of this measure. The Hawaii Medical Service Association testified in support of the intent of this bill. The Department of Commerce and Consumer Affairs, State Farm Insurance Companies, the Access to Services Subcommittee of the Patient Rights and Responsibilities Task Force, and an individual commented on this bill.

Your Committee has amended this bill by:

- (1) Inserting definitions for "emergency medical condition", "emergency services", and "stabilize"; and
- (2) Making technical, nonsubstantive revisions to conform to correct drafting 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. 1452, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1452, H.D. 3.

Signed by all members of the Committee except Representatives Ahu Isa and Suzuki.

SCRep. 1843 Finance on S.B. No. 1129

The purpose of this bill is to:

- (1) Prescribe continuing education requirements for those working in the insurance industry and licensed by the State;
- (2) Support this continuing education program through increased licensing and other fees that are to be paid into a newly established Insurance Licensing Administration (ILA) special fund, to be used to administer the continuing education program;
- (3) Raise all fees required by section 431:7-101, Hawaii Revised Statutes (HRS), by 50 percent;
- (4) Establish an Insurance Regulation Fund (IRF) into which all assessments, fees, fines, and other moneys collected by the Department of Commerce and Consumer Affairs (DCCA) under Title 24, (Insurance), HRS, except for those paid into the Commissioner's Education and Training Fund, the Drivers Education Fund Underwriters Fee, and the Captive Insurance Administrative Fund, shall be paid. Moneys in the IRF shall be used by DCCA to administer Title 24;
- (5) Repeal the Insurance Examiners Revolving Fund and appointment of examiners, under section 431:2-307, HRS; and
- (6) Provide HEMIC with an exemption from levy under section 386-153, HRS.

The Hawaii Employers' Mutual Insurance Company, Inc. testified in support of this bill. The Department of Commerce and Consumer Affairs, the Hawaii State Association of Life Underwriters, the Hawaii Independent Insurance Agents Association, the Hawaii Insurers Council, and the State Farm Insurance Companies, the Atlas Insurance Agency commented on this bill.

To address concerns regarding state regulations without industry input, your Committee recommends to the Insurance Commissioner that the following organizations be consulted on the scope and nature of courses, providers, and credits under the continuing education program proposed in this bill: Hawaii Chapter of Financial Service Professionals, Chartered Property and Casualty Underwriters, Hawaii State Association of Life Underwriters, Hawaii Independent Insurance Agents Association, State Farm Insurance Companies, and the Hawaii Insurers Council.

Additionally, your Committee wants to note its concern with the 50 percent fee increase.

Your Committee has amended this bill by making technical, nonsubstantive changes for 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. 1129, 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. 1129, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Schatz and Moses.

SCRep. 1844 Finance on S.B. No. 1034

The purpose of this bill is to provide statewide tobacco prevention services and other health-related initiatives by establishing the Hawaii Tobacco Settlement Special Fund (Special Fund).

The Hawaii Medical Association, the Hawaii State Primary Care Association, the American Association of Retired Persons, the Hawaii Family Support Center, the Policy Advisory Board for Elderly Affairs, the Coalition for a Tobacco Free Hawaii, the Hawaii Nurses' Association, Leon and Malia Productions, the Hawaii Health Systems Corporation, the Hawaii Public Health Association, and many individuals testified in support of this measure.

The Department of Health, the American Lung Association of Hawaii, and the American Heart Association of Hawaii testified in support of the intent of this measure. The Departments of Human Services (DHS) and Budget and Finance, the American Cancer Society, the Kauai Tobacco-Free Community Coalition, and several individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Providing that an unspecified percentage of the tobacco settlement shall be deposited into the Special Fund;
- (2) Transferring an unspecified percentage of the Special Fund's allocation to DHS for children's health programs;

- (3) Establishing an Emergency and Budget Reserve Fund into which an unspecified amount of the tobacco settlement shall be transferred; and
- (4) Making technical, nonsubstantive amendments for 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. 1034, 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. 1034, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Suzuki.

SCRep. 1845 Finance on S.B. No. 1583

The purpose of this bill is to promote and support the growth and development of high technology industries in Hawaii.

The Hawaii Island Technology Association, the Estate of James Campbell, and the Department of Education testified in support of this bill. The High Technology Development Corporation, the Department of Business, Economic Development, and Tourism, the Department of Labor and Industrial Relations, and the University of Hawaii testified in support of the intent of this bill. The Department of Taxation, the Tax Foundation of Hawaii, and a member of the public commented on this bill.

Your Committee has amended this bill by:

- (1) Amending the definition of "qualified high technology business" to mean that:
 - (A) The majority activity of the business is performing qualified research in Hawaii; and
 - (B) The business receives most of its income from qualified research expenses, provided that the income is received from:
 - (i) Products sold from, manufactured, or produced in Hawaii; or
 - (ii) Services performed in Hawaii;
- (2) Changing the term "qualified research expenses" to "qualified research" and redefining the term to match section 41(d) of the Internal Research Code, except that the term will not include expenses for research conducted outside Hawaii;
- (3) Amending the proposed Hawaii Internet Tax Freedom Act by:
 - (A) Specifying that the location of a server in Hawaii by any person, will not of itself subject that person to any tax in Hawaii;
 - (B) Deleting the January 1, 2002 repeal date; and
 - (C) Adding conforming language throughout the bill;
- (4) Deleting language in section 17, that finds that all of Hawaii's students must have equal access to the internet;
- (5) Adding a new legislative findings section (section 28) on the need to exempt individuals and Hawaii qualified high technology businesses from taxation on royalties arising out of those businesses or any other source;
- (6) Adding a tax exemption on royalties arising from "other sources" to expand the exemption beyond royalties derived or arising from qualified high technology businesses;
- (7) Adding a new part which assists in the creation of opportunities for high technology companies through the creation of tax credits for investing in high technology businesses and increasing research activities;
- (8) Changing the effective date to taxable years beginning after December 31, 1999 for:
 - (A) The tax exemption for stock options for qualified high technology businesses;
 - (B) The tax exemption for royalties arising from qualified high technology businesses or other sources; and
 - (C) The tax credits for high technology business investment and increasing research activities; and
- (9) 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. 1583, 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. 1583, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1846 Finance on S.B. No. 646

The purpose of this bill, as received, is to improve various aspects of the functioning of state government as follows:

- (1) Part I--Authorizes the Attorney General to charge state agencies for the collection of delinquent accounts;
- (2) Part II--Changes the fee for copying government records that is charged to the public;
- (3) Part III--Authorizes the Barbers Point Naval Air Station Redevelopment Commission to arrange for or provide interim infrastructure services to the owners of properties being conveyed by the Navy; and
- (4) Part IV--Creates a structure for managing the Kapolei Recreational Sports Complex and makes the Stadium Authority responsible for managing it.

For purposes of the public hearing, your Committee circulated a proposed H.D. 3 version of this bill that retains the existing language and adds the following new language:

- (1) Part V--Exempts sales to foreign diplomats from the general excise tax and accommodations furnished to foreign diplomats from the transient accommodations tax;
- (2) Part VI--Establishes the Hawaii Performance Partnerships Board to develop community outcomes of well-being and to increase the use of performance measurement;
- (3) Part VII--Authorizes fees, fines, and other administrative charges collected in the management of public lands to be deposited in the Special Land and Development Fund;
- (4) Part VIII--Provides additional security to lenders on land or interest covered by a lease, patent, license, agreement, or other instruments, and provides flexibility to the Department of Land and Natural Resources to assign or transfer leases based on current industry standards;
- (5) Part IX--Exempts the counties from the public notice requirements of Chapters 103D and 103F, Hawaii Revised Statutes, until December 31, 2000;
- (6) Part X--Authorizes the Director of Finance to invest state funds in federal Agricultural Mortgage Corporation notes and bonds rather than joint stock farm loan bonds; and
- (7) Part XI--Exempts the construction of air cargo operations facilities from the general excise tax and use tax.

The Hawaii Farm Bureau and the Waianae Hawaiian Civic Club testified in support of the H.D. 2 version of this bill, and the Department of Agriculture commented on this measure.

With regard to the proposed H.D. 3 version that was circulated prior to the hearing, the following submitted testimony on specific parts of the bill:

- (1) The Department of Land and Natural Resources (DLNR), the Attorney General's Office, and the Department of Human Services testified in support of Part I; and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of the intent of Part I;
- (2) Hawaii's Thousand Friends testified in support of Part II; the Office of Information Practices testified in support of the intent of Part II; and the Department of Taxation (DOTAX) commented on Part II;
- (3) The Department of Hawaiian Home Lands, the Department of Transportation (DOT), and the Barbers Point Naval Air Station Redevelopment Commission testified in support of Part III;
- (4) The Stadium Authority commented on Part IV;
- (5) DOTAX commented on Part V;
- (6) The Office of the Governor, the Good Beginnings Alliance, and the State Health Planning and Development Agency testified in support of Part VI;
- (7) DLNR testified in support of Part VII;

- (8) DLNR commented on Part VIII;
- (9) The Honolulu Department of Budget and Fiscal Services testified in support of Part IX; and the Department of Accounting and General Services, the Hawaii Newspaper Agency, the Legislative Information Services of Hawaii, and two members of the Honolulu City Council commented on Part IX;
- (10) The Department of Budget and Finance and Salomon Smith Barney, Inc., testified in support of Part X;
- (11) DOT testified in support of Part XI; and DOTAX and Hawaiian Airlines commented on Part XI; and
- (12) The Tax Foundation of Hawaii commented on this measure.

In addition, testimony was submitted regarding individual development accounts (IDAs). The Honolulu Department of Community Services, Bank of Hawaii, Parents and Children Together, Nanakuli Neighborhood Housing Services, American Friends Service Committee, and an individual testified in support of IDAs. Waimanalo Community Development Corporation testified in favor of the intent of IDAs.

The development of the Barbers Point Naval Air Station will affect the entire surrounding area, and your Committee is concerned that the House of Representatives is neither a part of the selection process nor represented on the Barbers Point Naval Air Station Redevelopment Commission. At a minimum, the appointment of a Representative to this Commission should be allowed. In addition, your Committee urges that a Representative from the district or from surrounding areas be included in the selection process if not also on the Commission.

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

- (1) Adding the new substance in the proposed H.D. 3, Parts V to XI;
- (1) Adding a new Part XII Establishing a structure for a special savings account program known as the Individual Development Account Program; and
- (2) Making technical, nonsubstantive revisions for 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. 646, 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. 646, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Ahu Isa and Fox.

SCRep. 1847 Consumer Protection and Commerce on S.B. No. 779

The purpose of this bill is to implement Act 9, Session Laws of Hawaii 1997, authorizing dental hygienists to administer intra-oral block anesthesia, by establishing:

- (1) Educational requirements for the administration of intra-oral block anesthesia; and
- (2) Requirements for documentation to the Board of Dental Examiners regarding certification in the administration of infiltration local anesthesia and intra-oral block anesthesia.

The Professional Licensing Division of the Department of Commerce and Consumer Affairs (DCCA) testified in support of the bill and countered the arguments previously made by proponents of an amendment to allow dental hygienists to administer anesthesia only "in conjunction with the practice of dental hygiene" (the restrictive amendment). DCCA also presented a Deputy Attorney General's recommendations against adding the restrictive amendment, on the grounds that it invites confusion and potentially restricts the practice of dental hygienists and dentists.

The Hawaii Dental Association (HDA), the Maui County Dental Society, the Hawaii Dental Hygienists Association (HDHA), and numerous individual dentists, dental hygienists, and a registered pharmacist supported the bill in its present form. HDHA also highlighted relevant opinions from the supporting testimony of Dr. Stanley F. Malamed, Professor and Chair of Anesthesia & Medicine at the University of Southern California, one of the foremost authorities in this field and an author of the textbook entitled Handbook of Local Anesthesia, a required textbook in 45 out of 52 dental schools in the United States.

A member of the Board of Dental Examiners (Dental Board) testified in support of the bill, explaining that the Dental Board has not had the opportunity to meet to discuss this current bill, but stating that this bill's educational requirements, including the categories of intra-oral infiltration local anesthesia and intra-oral block anesthesia (except for the deletion of blocks 11-13), the course of study of at least thirty-nine hours with a minimum of fifty successful injections and administration of course examination, as well as the curriculum of the course of study, are all consistent with the administrative rules that were adopted by the Dental Board in January 1999. He also requested that this committee report clarify a provision in the educational requirements, that it is not intended that the

Dental Board develop an examination separate from any examinations given as part of the course of study at accredited dental hygiene schools to determine clinical proficiency in administering intra-oral block anesthesia.

Numerous individual dentists and dental hygienists opposed the measure. These testifiers expressed concerns for the safety of patients, particularly of the young and the elderly, and many questioned the adequacy of the training and course requirements in this bill.

The testimony at the hearing clearly indicated that the central issue is whether the bill provides sufficient safeguards for the safety of patients, the consumers of dental and dental hygiene services.

Your Committee shares the concern of all testifiers whose priority is the safety and health of consumers. Therefore, in an effort to achieve consensus on this bill, your Committee initially deferred decisionmaking in order to allow representatives of the interested parties to meet and work out a compromise that would address the safety concerns in dispute. Through an intensive collaborative effort, a proposed S.B. No. 779, S.D. 2, H.D. 2 (House Draft 2), was crafted and presented for your Committee's consideration. Your Committee understands that this House Draft 2 has the support of DCCA, HDA, and HDHA. Moreover, two dentists who were participants in these discussions, Dr. Angela Chinn and Dr. Martin Oishi, have indicated that they do not oppose House Draft 2. Both dentists had been strongly opposed to the original version of the bill. Your Committee commends these parties for their hard work and commitment in attempting to break through any impasse and find creative solutions.

Upon consideration of the proposed House Draft 2, your Committee notes that the amended draft includes continuing education requirements that are intended to address concerns regarding the adequacy of education, training, and experience of dental hygienists to administer anesthesia under various circumstances. Your Committee recognizes that the dental hygienist's practice is closely tied to the dentist under whose supervision and at whose direction the dental hygienist provides all services. Hence, continuing education programs for both of these related professions would be highly beneficial to the safety and health of consumers. Accordingly, your Committee has amended the bill to reflect the contents of House Draft 2.

Specifically, the amendments made to the bill as received are as follows:

- (1) Addition of a new section that requires the Dental Board to develop rules for a continuing education program for dentists and continuing education program for dental hygienists, and provides that after January 1, 2002, at the time of reregistration of a dentist's or dental hygienist's license, the licensee shall present evidence of compliance with the program of continuing education applicable to the licensee's profession;
- (2) Addition of a new section providing for severability of provisions of the Act, in the event of the invalidity of any provision or its application to any person or circumstance;
- (3) Deletion of provisions pertaining to the repeal of the Act upon the adoption of superseding rules by the Dental Board; and
- (4) Insertion of a technical, nonsubstantive amendment to subsection (d) of section 447- , entitled "Educational requirements for intra-oral block anesthesia", in order to clarify that the required examination on proficiency to administer intra-oral block anesthesia is one that is part of the course of study in an accredited dental hygiene school, and not a separate examination developed by the Dental Board.

With respect to the continuing education requirements, your Committee requests that the Dental Board adopt, at a minimum, rules that address the following subject matters:

- (1) Cardiopulmonary resuscitation;
- (2) Updates in local anesthesia; and
- (3) Management of medical emergencies.

Your Committee emphasizes that, by allowing dental hygienists to administer intra-oral block anesthesia, it is not the intent of this bill to encourage the development of production-line dentistry in any form.

On the other hand, it is not the intent of this bill to restrict the current and accepted practice of dentists utilizing dental hygienists to assist the dentists in performing dental procedures under the dentist's direct supervision. Hence, this bill does not restrict the dental hygienist's administration of intra-oral block anesthesia to the scope of practice of dental hygiene services. However, your Committee intends that, when a dental hygienist administers intra-oral block anesthesia in response to the direction of a licensed dentist, it must be done under the direct supervision of the dentist consistent with current law and with the rules of the Dental Board defining "direct supervision."

On the overall questions of safety for consumers and adequacy of the minimum educational requirements for intra-oral block anesthesia, your Committee finds it persuasive that no statistics, study, or other evidence were presented indicating any genuine danger to the health and safety of consumers of dental and dental hygiene services. To the contrary, apparently there is a long-standing history of dental hygienists performing these services safely and competently in other states. Dr. Stanley F. Malamed stated, of the provisions in this bill, that "[a]ll three areas: the hours, course content, and number of injections are more than adequate to ensure didactic studies preparation and clinical competency in the safe and effective delivery of intra-oral nerve block anesthesia. He further

stated that "with exactly these same guidelines", the experience in California since 1975 "has been that these educational programs will produce a dental hygienist who is extremely capable of administering all of the injections listed in SB #779 in a safe and effective manner. Almost a quarter century of clinical experience in California has demonstrated the effectiveness of this curriculum."

Furthermore, your Committee reiterates that the first line of protection for the consumer is comprised of dentists, since anesthesia must be administered under the direct supervision of a licensed dentist. It should be emphasized that, under this bill, the decision of whether to permit a dental hygienist to administer such anesthesia is within the control of the dentist.

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. 779, 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. 779, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Chang, Hiraki, Kaho'ohalahala, Takumi, Yoshinaga and Thielen.

SCRep. 1848 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on S.B. No. 513

The purpose of this bill is to increase the availability of child care by amending section 46-15.35, Hawaii Revised Statutes, to remove the exemption for condominiums, apartments, and townhouses from the section's requirement that family child care homes be considered a residential use of property, and be permitted in all residentially designated zones.

Your Committees received testimony supporting this measure from the Good Beginnings Alliance and People Attentive to Children (PATCH). Numerous concerned individuals including child care providers, persons with and without children, and members of condominium associations also submitted testimony in support. The Department of Human Services, Hawaii State Commission on the Status of Women, and Hawaii Independent Condominium & Cooperative Owners supported the intent of the bill. State Farm, Hawaii Chapter of the Institute of Real Estate Management, and Hawaii Council of Associations of Apartment Owners commented. Testimony opposing this bill was received from the Honolulu Fire Department, Hawaii Association of Realtors, Hawaii Chapter of the Community Associations Institute, and the Associations of Apartment Owners of the Fairway Villa Condominium, Mauna Luan, and Heritage House. Ten owners of condominium apartments also opposed the measure.

Your Committees find that in 1996, the Legislature passed Act 303. The stated purpose of the Act was to remove restrictions on the use of residential property for family child care homes (FCCHs), and encourage the establishment of child care facilities in normal residential surroundings, and an environment conducive to healthy and safe development. Act 303 requested that the Attorney General (AG) report on issues of tort liability, the Americans with Disabilities Act (ADA), and any constitutional concerns relating to residences of a type excluded from the scope of the Act, and to make recommendations as to whether those exemptions should be removed. Your Committees note that these are some of the same issues and concerns raised in testimony before your Committees.

Examining concerns regarding constitutionality under the Contract Clause, and the Act's effect on contracts between common interest community associations and their members, the AG recommended that the State wait for the result of litigation in California, in *Barret v. Dawson*, 98 Daily Journal D.A.R. 1943. On February 26, 1998, the court in *Barret* upheld the challenged California law, finding that "insuring adequate and local day care for working parents is probably about as broad a public purpose as any that might be imagined in the regulatory universe."

The AG questioned the applicability of the ADA to the common elements of a common interest community, but stated that if the ADA applied, it requires removal of existing architectural barriers only if removal is "readily achievable." The AG recommended that the child care provider be required to pay the cost of ADA required modifications, if any.

The AG concluded that there would be an additional risk of liability due to the operation of a FCCH as it affected common areas, and noted that not only was the common interest community liable for injuries in these areas, but that a FCCH is not obligated to carry liability insurance under current law.

With the AG's recommendations as well as safety and other concerns voiced by testifiers in mind, your Committees have amended this measure to remove a limited group of residences from the exemption otherwise granted to condominiums and other apartment owners from the scope of Act 303. Townhouses consisting of units that are free standing or that share a common wall, and where each unit extends from ground to roof, may not prohibit the establishment of FCCHs. Your Committees believe that dwellings of this type do not implicate many of the safety concerns expressed, are less likely to require extensive use of common elements, and less likely to require ADA modifications.

Your Committees do not intend to include within this group, mixed developments consisting of both townhouses and other types of condominiums governed by a single association. Self-governance for these mixed developments as well as for condominiums and apartments that are not townhouses, is not altered in any way by this bill. Instead, these entities retain the ability to authorize or prohibit the establishment of FCCH according to their own bylaws.

Your Committees have also made amendments to the provisions of the bill that address liability, for the purpose of ensuring that an association bears no liability for claims arising from the operation of a FCCH. As amended, these provisions:

- (1) Give both townhouse and other condominium and apartment associations immunity from liability for the operation of a FCCH where:

- (A) The FCCH complies with the ADA, if necessary;
 - (B) The association limits FCCHs to no less than one per cent and no more than three per cent of total units;
 - (C) The FCCH is operated by an owner-occupant; and
 - (D) The FCCH is located below the fifth floor.
- (2) Authorize both townhouse and other condominium and apartment associations to require that the FCCH:
- (A) Indemnify the association against all claims, costs, and attorneys fees related to liability for operation of the FCCH;
 - (B) Reimburse the association for increases in liability insurance premiums attributable to operation of the FCCH;
 - (C) Obtain waivers of claims of liability against the association from parents, guardians, and caretakers of children in the FCCH;
 - (D) Obtain association approved liability insurance for the FCCH and common areas, that is the sole remedy for any injury occurring to FCCH children or their parents, caretakers, or guardians.

Your Committees recognize that these provisions may not entirely dispel the concerns of testifiers, but find that these concerns regarding liability, self governance, and inconvenience, must be balanced against the remedies and safeguards provided in this bill, as well as the substantial and troubling statewide need for child care. Your Committees note that at an earlier hearing of the House companion to this bill, PATCH provided your Committees with the following evidence that the need has in no way been adequately addressed. PATCH stated that:

- (1) In fiscal year 1996-1997, PATCH took calls from 6,828 parents, placing 2,034, and leaving 4,796 children without care; and
- (2) In fiscal year 1997-1998, PATCH took calls from 6,619 parents needing child care, and were able to place 3,565, leaving 3,054 children without care.

Your Committees find that the provision of safe, accessible, and quality child care would benefit the entire community--the employed, those needing employment, or those who could become employed but for lack of child care, employers, and the children of this community--and have accordingly amended this measure to encourage further productive discussion and resolution of the issues presented herein.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 513, 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. 513, S.D. 2, H.D. 2.

Signed by all members of the Committees except Representatives Hiraki, Kaho'ohalahala, Takumi, Yoshinaga, Pendleton and Thielen.

(Representatives Auwae, Halford, Rath and Whalen voted no.)

SCRep. 1849 Finance on H.C.R. No. 48

The purpose of this concurrent resolution is to support voyager submarines' proposal to place two derelict vessels at its operations site to create an artificial reef.

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. 48, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Suzuki, Fox, Marumoto and Meyer.

SCRep. 1850 Finance on H.C.R. No. 74

The purpose of this concurrent resolution is to authorize the Board of Land and Natural Resources to issue easements or leases to a private landowner for fast and submerged lands in Keauhou, North Kona, Hawaii, for the staining and periodic maintenance of gunnited areas.

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. 74, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Suzuki, Fox, Marumoto and Meyer.

SCRep. 1851 Consumer Protection and Commerce on H.R. No. 184

The purpose of this resolution is to promote, encourage, and stimulate private transportation businesses and related businesses engaged in the tourism industry by requesting the Governor to abide by the policies as specified in the measure.

Testimony in support of this resolution was submitted by E Noa Corporation and Charley's Taxi & Limousine.

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. 184, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Hiraki, Kaho'ohalahala, Takumi, Yoshinaga and Thielen.

SCRep. 1852 Consumer Protection and Commerce on H.C.R. No. 201

The purpose of this concurrent resolution is to promote, encourage, and stimulate private transportation businesses and related businesses engaged in the tourism industry by requesting the Governor to abide by the policies as specified in the measure.

Testimony in support of this concurrent resolution was submitted by E Noa Corporation and Charley's Taxi & Limousine.

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. 201, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Hiraki, Kaho'ohalahala, Takumi, Yoshinaga and Thielen.

SCRep. 1853 Consumer Protection and Commerce on H.C.R. No. 27

The purpose of this concurrent resolution is to encourage the government and the telecommunications industry to continue their efforts to find cost-effective service solutions to provide cable access and advanced telecommunications infrastructure in remote rural areas of the State.

GTE submitted testimony in support of the intent of this measure, with a suggested amendment. Oceanic Cablevision, Hawaiian Cablevision, Hawaiian Cablevision of Hilo, and Sun Cablevision of Hawaii (divisions of Time Warner Entertainment Company, L.P.) submitted testimony indicating that their goals and commitments are consistent with the goals enumerated in this resolution.

Your Committee has amended the bill to make a technical, nonsubstantive amendment to correct a typographical error, as suggested by GTE.

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. 27, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 27, H.D. 2.

Signed by all members of the Committee except Representatives Chang, Hiraki, Kaho'ohalahala, Takumi, Yoshinaga and Thielen.

SCRep. 1854 Finance on H.R. No. 7

The purpose of this resolution is to urge the United States Congress to expand and make permanent the temporary Visa Waiver Program established under the Immigration Control and Reform Act of 1986.

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. 7, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1855 Finance on H.C.R. No. 4

The purpose of this concurrent resolution is to urge the United States Congress to expand and make permanent the temporary Visa Waiver Program established under the Immigration Control and Reform Act of 1986.

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. 4, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1856 **Finance on H.R. No. 8**

The purpose of this resolution is to urge all independent diversified agriculture farmers to work together through their respective commodity advisory groups to promote, market, distribute, and export Hawaii-made products and Hawaii-grown crops.

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. 8, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1857 **Finance on H.C.R. No. 5**

The purpose of this concurrent resolution is to urge all independent diversified agriculture farmers to work together through their respective commodity advisory groups to promote, market, distribute, and export Hawaii-made products and Hawaii-grown crops.

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. 5, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1858 **Finance on H.R. No. 9**

The purpose of this resolution is to encourage the State Department of Transportation and the county governments to consider alternative access routes to major communities currently served by a single access roadway.

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. 9, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1859 **Finance on H.C.R. No. 6**

The purpose of this concurrent resolution is to encourage the State Department of Transportation and the county governments to consider alternative access routes to major communities currently served by a single access roadway.

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. 6, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1860 **Finance on H.R. No. 10**

The purpose of this resolution is to urge the Board of Education and the Superintendent of Education to restructure the Department of Education to ensure accountability at all levels.

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. 10, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1861 **Finance on H.C.R. No. 7**

The purpose of this concurrent resolution is to urge the Board of Education and the Superintendent of Education to restructure the Department of Education to ensure accountability at all levels.

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. 7, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1862 **Finance on H.R. No. 11**

The purpose of this resolution is to request Hawaii's Congressional Delegation to obtain additional Federal funds for the education of military dependents.

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. 11, H.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1863 **Finance on H.C.R. No. 8**

The purpose of this concurrent resolution is to request Hawaii's Congressional Delegation to obtain additional Federal funds for the education of military dependents.

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. 8, H.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Kahikina, Luke, Fox, Marumoto and Meyer.

SCRep. 1864 **Finance on H.R. No. 15**

The purpose of this resolution is to urge the Executive Office on Aging, in partnership with Hospice Hawaii, to educate healthcare providers and the general public on the benefits of hospice.

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. 15, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1865 **Finance on H.C.R. No. 12**

The purpose of this concurrent resolution is to urge the Executive Office on Aging, in partnership with Hospice Hawaii, to educate healthcare providers and the general public on the benefits of hospice.

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. 12, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1866 **Finance on H.R. No. 19**

The purpose of this resolution is to express support and encouragement for the Department of Transportation's initiative to identify, protect, and enhance Hawaii's heritage roads.

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. 19, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1867 **Finance on H.C.R. No. 17**

The purpose of this concurrent resolution is to express support and encouragement for the Department of Transportation's initiative to identify, protect, and enhance Hawaii's heritage roads.

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. 17, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1868 **Finance on H.R. No. 22**

The purpose of this resolution is to urge the Department of Public Safety, the Hawaii Paroling Authority, and the Judiciary to explore and fund alternatives to incarceration for nonviolent female offenders.

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. 22, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1869 Finance on H.C.R. No. 35

The purpose of this concurrent resolution is to urge the Department of Public Safety, the Hawaii Paroling Authority, and the Judiciary to explore and fund alternatives to incarceration for nonviolent female offenders.

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. 35, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1870 Finance on H.R. No. 26

The purpose of this resolution is to support approval of the Ford Island development project by the U.S. Congress.

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. 26, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1871 Finance on H.C.R. No. 45

The purpose of this concurrent resolution is to support approval of the Ford Island development project by the U.S. Congress.

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. 45, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1872 Finance on H.C.R. No. 47

The purpose of this concurrent resolution is to urge the Honolulu City Council to adopt resolution No. 98-226, proposing amendments to Chapter 21, Revised Ordinances of Honolulu 1990, relating to zoning of adult establishments.

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. 47, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1873 Finance on H.R. No. 48

The purpose of this resolution is to request the Department of Public Safety to use all available information to proceed with the systematic identification of inmates currently incarcerated who have dual occurring diagnoses of mental disorders and alcohol or substance abuse.

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. 48, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1874 Finance on H.C.R. No. 60

The purpose of this concurrent resolution is to request the Department of Public Safety to use all available information to proceed with the systematic identification of inmates currently incarcerated who have dual occurring diagnoses of mental disorders and alcohol or substance abuse.

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. 60, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1875 Finance on H.R. No. 52

The purpose of this resolution is to urge the U.S. Congress to enact legislation that amends the Social Security Act to prohibit the Federal Government from receiving any share of the funds awarded in the tobacco settlement that was reached in 1998 between the States and the tobacco industry.

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. 52, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1876 **Finance on H.C.R. No. 54**

The purpose of this concurrent resolution, as received, is to request a Hawaii State Law on employment of severely handicapped persons.

Your Committee has amended this measure by replacing the term "handicapped" with "disabled".

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. 54, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 54, H.D. 1.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1877 **Finance on H.C.R. No. 63**

The purpose of this concurrent resolution is to request the Office of Youth Services to revise its strategic plan.

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. 63, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1878 **Finance on H.R. No. 54**

The purpose of this resolution is to request the Attorney General to convene a working group to look at domestic violence policies and procedures of the criminal justice system on Oahu and identify gaps.

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. 54, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1879 **Finance on H.C.R. No. 65**

The purpose of this concurrent resolution is to request the Attorney General to convene a working group to look at domestic violence policies and procedures of the criminal justice system on Oahu and identify gaps.

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. 65, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1880 **Finance on H.R. No. 55**

The purpose of this resolution is to request the Department of Commerce and Consumer Affairs to conduct a study and to take action to prohibit discriminatory pricing practices in the provision of services.

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. 55, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1881 **Finance on H.C.R. No. 66**

The purpose of this concurrent resolution is to request the Department of Commerce and Consumer Affairs to conduct a study and to take action to prohibit discriminatory pricing practices in the provision of services.

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. 66, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1882 **Finance on H.C.R. No. 69**

The purpose of this concurrent resolution is to request the Department of Agriculture to implement a fruit fly free zone, beginning with a pilot project in Puna, Hawaii, to determine whether this is an effective way to address quarantine barriers and to keep designated areas free of fruit flies.

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. 69, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1883 **Finance on H.R. No. 58**

The purpose of this resolution is to request the Department of Agriculture to implement a fruit fly free zone, beginning with a pilot project in Puna, Hawaii, to determine whether this is an effective way to address quarantine barriers and to keep designated areas full of fruit flies.

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. 58, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1884 **Finance on H.C.R. No. 73**

The purpose of this concurrent resolution is to request the Governor to convene a task force to establish criteria by which all state departments and their attached agencies shall rank all purchases of services that are issued by those departments or agencies.

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. 73, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1885 **Finance on H.R. No. 62**

The purpose of this resolution is to request the Hawaii Tourism Authority to include sports tourism in its long-range plan for tourism.

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. 62, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1886 **Finance on H.C.R. No. 75**

The purpose of this concurrent resolution is to request the Hawaii Tourism Authority to include sports tourism in its long-range plan for tourism.

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. 75, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1887 **Finance on H.R. No. 63**

The purpose of this resolution is to request a collaborative partnership to increase the number of children who have an opportunity to eat a nutritious breakfast in the public and private schools, pre-schools, and group care.

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. 63, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1888 **Finance on H.C.R. No. 76**

The purpose of this concurrent resolution is to request a collaborative partnership to increase the number of children who have an opportunity to eat a nutritious breakfast in the public and private schools, pre-schools, and group care.

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. 76, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1889 Finance on H.R. No. 66

The purpose of this resolution is to establish a joint legislative committee on child and adolescent mental 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. 66, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1890 Finance on H.C.R. No. 79

The purpose of this concurrent resolution is to establish a joint legislative committee on child and adolescent mental 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. 79, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1891 Finance on H.C.R. No. 80

The purpose of this concurrent resolution is to request a cost-benefit analysis of prevention and early intervention services.

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. 80, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1892 Finance on H.R. No. 68

The purpose of this resolution is to request the convening of a task force to determine alternatives to incarceration and recommend systemic changes for the proper treatment of individuals needing mental health services.

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. 68, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1893 Finance on H.C.R. No. 81

The purpose of this concurrent resolution is to request the convening of a task force to determine alternatives to incarceration and recommend systemic changes for the proper treatment of individuals needing mental health services.

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. 81, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1894 Finance on H.R. No. 77

The purpose of this resolution is to request the College of Tropical Agriculture and Human Resources of the University of Hawaii at Manoa and the College of Agriculture, Forestry, and Natural Resource Management of the University of Hawaii at Hilo to explore ways to collaborate and cooperate for the benefit of statewide agriculture.

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. 77, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1895 Finance on H.C.R. No. 88

The purpose of this concurrent resolution is to request the College of Tropical Agriculture and Human Resources of the University of Hawaii at Manoa and the College of Agriculture, Forestry, and Natural Resource Management of the University of Hawaii at Hilo to explore ways to collaborate and cooperate for the benefit of statewide agriculture.

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. 88, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1896 Finance on H.R. No. 83

The purpose of this resolution is to encourage all schools in Hawaii to include music as a regular and integral part of their core curriculum."

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. 83, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1897 Finance on H.C.R. No. 94

The purpose of this concurrent resolution is to encourage all schools in Hawaii to include music as a regular and integral part of their core curriculum,"

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. 94, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1898 Finance on H.R. No. 119

The purpose of this resolution is to support the establishment of a Center for Environmental and Cultural Tourism at the University of Hawaii at Hilo.

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, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1899 Finance on H.C.R. No. 132

The purpose of this concurrent resolution is to support the establishment of a Center for Environmental and Cultural Tourism at the University of Hawaii at Hilo.

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. 132, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1900 Finance on H.R. No. 122

The purpose of this resolution is to request the Office of Planning to establish working groups on each island to identify, examine, and resolve outstanding land issues and their impact on the Hawaiian and native Hawaiian peoples and culture.

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 Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1901 Finance on H.C.R. No. 135

The purpose of this concurrent resolution is to request the Office of Planning to establish working groups on each island to identify, examine, and resolve outstanding land issues and their impact on the Hawaiian and native Hawaiian peoples and culture.

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. 135, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1902 Finance on H.R. No. 149

The purpose of this resolution is to support and recognize Individual Development Accounts as effective and important mechanisms for asset building that should be used to complement existing income-based social policy in Hawaii.

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, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1903 **Finance on H.C.R. No. 169**

The purpose of this concurrent resolution is to recognize and support Individual Development Accounts as effective and important mechanisms for asset building that should be used to complement existing income-based social policy in Hawaii.

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. 169, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1904 **Finance on H.C.R. No. 170**

The purpose of this concurrent resolution is to request the Auditor to identify to the extent feasible, the population of persons in this State needing additional mental health and substance abuse services coverage, and to the extent possible, identify the cost of providing additional coverage to this group.

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. 170, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1905 **Finance on H.C.R. No. 171**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the impact of adopting a State version of the federal Religious Freedom Restoration Act.

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. 171, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1906 **Finance on H.C.R. No. 172**

The purpose of this concurrent resolution is to request the Office of Hawaiian Affairs to study the feasibility of funding historical signage for the King Kamehameha I statue.

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. 172, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Goodenow, Kahikina, Luke, Suzuki, Fox, Marumoto and Meyer.

SCRep. 1907 **Finance on H.C.R. No. 178**

The purpose of this concurrent resolution is to strongly support the Caring...for Life Foundation as the coordinating agency to form a public-private partnership to act as the single entity in accordance with the recommendations of the Hawaii Long-Term Care Task Force as contained in its final report.

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. 178, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1908 **Finance on H.R. No. 169**

The purpose of this resolution is to request the various state departments to develop and implement programs and services to assist displaced employees of Pioneer Mill to obtain other employment opportunities.

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. 169, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1909 Finance on H.C.R. No. 186

The purpose of this concurrent resolution is to request the various state departments to develop and implement programs and services to assist displaced employees of Pioneer Mill to obtain other employment opportunities.

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. 186, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1910 Finance on H.C.R. No. 190

The purpose of this concurrent resolution is to urge the Department of Health to extend the services of the Neuropsychology Department until appropriate and adequate alternatives are found.

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. 190, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1911 Finance on H.R. No. 179

The purpose of this resolution is to urge Hawaii's Congressional Delegation to vigorously pursue and obtain an increase in federal funding of IDEA to the level of at least 40 percent of total costs to fulfill the commitment made when enacting the mandate.

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, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1912 Finance on H.C.R. No. 195

The purpose of this concurrent resolution is to urge Hawaii's Congressional Delegation to vigorously pursue and obtain an increase in federal funding of IDEA to the level of at least 40 percent of total costs to fulfill the commitment made when enacting the mandate.

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. 195, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1913 Finance on H.R. No. 180

The purpose of this resolution is to request the Office of Information Practices (OIP) to coordinate a comprehensive analysis of current protections of the privacy of personal information.

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. 180, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1914 Finance on H.C.R. No. 196

The purpose of this concurrent resolution is to request the Office of Information Practices (OIP) to coordinate a comprehensive analysis of current protections of the privacy of personal information.

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, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1915 Finance on H.C.R. No. 203

The purpose of this concurrent resolution is to urge the federal government to support the efforts of Hawaii's Congressional Delegation to amend the Social Security Act provisions regarding administrative fees to process state supplements.

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. 203, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1916 **Finance on H.R. No. 186**

The purpose of this resolution is to encourage the Department of Agriculture and the Department of Business, Economic Development, and Tourism to investigate the feasibility of using agricultural products and tourism in furthering the concept of "Hawaii, the Health State", with the goal of developing a health industry.

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. 186, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1917 **Finance on H.C.R. No. 205**

The purpose of this concurrent resolution is to encourage the Department of Agriculture and the Department of Business, Economic Development, and Tourism to investigate the feasibility of using agricultural products and tourism in furthering the concept of "Hawaii, the Health State", with the goal of developing a health industry.

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. 205, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1918 **Finance on H.R. No. 188**

The purpose of this resolution is to urge the Division of State Parks of the Department of Land and Natural Resources to conduct a feasibility study to consider the kinds of improvements that must be made to the Kukaniloko historic site.

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. 188, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1919 **Finance on H.C.R. No. 207**

The purpose of this concurrent resolution is to urge the Division of State Parks of the Department of Land and Natural Resources to conduct a feasibility study to consider the kinds of improvements that must be made to the Kukaniloko historic site.

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. 207, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1920 **Finance on H.R. No. 194**

The purpose of this resolution is to request the Department of Land and Natural Resources, the private sector, military, and other concerned organizations to form a Task Force to facilitate and create non-exclusive artificial near-shore habitats where appropriate and desired by the local community.

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. 194, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1921 **Finance on H.C.R. No. 216**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources, the private sector, military, and other concerned organizations to form a Task Force to facilitate and create non-exclusive artificial near-shore habitats where appropriate and desired by the local community.

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. 216, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1922 **Finance on H.R. No. 196**

The purpose of this resolution is to request the Governor to establish a task force to develop a statewide program for Hawaii's schools that focuses on strong academic standards, assessment testing, and accountability.

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. 196, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1923 **Finance on H.C.R. No. 218**

The purpose of this concurrent resolution is to request the Governor to establish a task force to develop a statewide program for Hawaii's schools that focuses on strong academic standards, assessment testing, and accountability.

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. 218, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1924 **Finance on H.C.R. No. 219**

The purpose of this concurrent resolution is to urge the United States Congress, the President of the United States, and the United States Secretary of Health and Human Services to support United States Senator Daniel K. Akaka, United States Senator Daniel K. Inouye, United States Representative Neil Abercrombie, and United States Representative Patsy T. Mink's federal legislation to amend the Social Security Act to increase Hawaii's FMAP in consideration of the state's high cost of living.

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. 219, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1925 **Finance on H.R. No. 197**

The purpose of this resolution is to urge the Department of Transportation and the Department of Budget and Finance to work closely with the air carriers serving Hawaii to develop strategies to effectively reduce airport system costs to achieve low and stable airport landing fees, rates, and charges.

Your Committee would like to recognize the work already being done by the parties involved to achieve such goals.

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. 197, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1926 **Finance on H.C.R. No. 220**

The purpose of this concurrent resolution is to urge the Department of Transportation and the Department of Budget and Finance to work closely with the air carriers serving Hawaii to develop strategies to effectively reduce airport system costs to achieve low and stable airport landing fees, rates, and charges.

Your Committee would like to recognize the work already being done by the parties involved to achieve such goals.

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. 220, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1927 **Finance on H.C.R. No. 230**

The purpose of this concurrent resolution is to request that the Department of Business, Economic Development, and Tourism and the Department of Taxation, with the assistance of the Legislative Reference Bureau, study the feasibility of replacing the income and general excise taxes with a new retail sales tax or other tax.

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. 230, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1928 **Finance on H.C.R. No. 232**

The purpose of this concurrent resolution is to request the Department of Human Services (DHS) to include infant and child CPR training and certification in DHS's administrative rules governing licensure and registration for all childcare providers.

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. 232, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1929 **Finance on H.C.R. No. 233**

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to study the impact of establishing a shoreline fishery management area in the vicinity of Hanapepe Salt Pond and Burns Field, with particular emphasis on Kuunakaiole.

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. 233, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1930 **Finance on H.C.R. No. 234**

The purpose of this concurrent resolution is to request the Kamehameha Schools Bernice Pauahi Bishop Estate to conduct a feasibility study on establishing an elementary school on the island of Kauai.

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. 234, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1931 **Finance on H.R. No. 205**

The purpose of this resolution is to request the University of Hawaii to increase its efforts to recruit students from Asian Pacific countries to study medicine at the John A. Burns School of Medicine and to secure research funds for the John A. Burns School of Medicine.

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. 205, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1932 **Finance on H.C.R. No. 236**

The purpose of this concurrent resolution is to request the University of Hawaii to increase its efforts to recruit students from Asian Pacific countries to study medicine at the John A. Burns School of Medicine and to secure research funds for the John A. Burns School of Medicine.

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. 236, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1933 **Finance on H.R. No. 206**

The purpose of this resolution is to request the Governor and the Chairperson of the Board of Education to appoint a temporary advisory commission to recommend a new finance structure for lower education.

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. 206, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1934 **Finance on H.C.R. No. 237**

The purpose of this concurrent resolution is to request the Governor and the Chairperson of the Board of Education to appoint a temporary advisory commission to recommend a new finance structure for lower education.

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. 237, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1935 **Finance on H.R. No. 225**

The purpose of this resolution is to request the University of Hawaii Environmental Center, with assistance from the Department of Health and legislative staff, to convene an advisory task force to study the various proposals introduced during the Regular Session of 1999, to remedy perceived deficiencies in the requirements and procedures of the environmental impact statements law.

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. 225, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1936 **Finance on H.C.R. No. 256**

The purpose of this concurrent resolution is to request the University of Hawaii Environmental Center, with assistance from the Department of Health and legislative staff, to convene an advisory task force to study the various proposals introduced during the Regular Session of 1999, to remedy perceived deficiencies in the requirements and procedures of the environmental impact statements law.

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 Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1937 **Finance on H.R. No. 227**

The purpose of this resolution is to request the Department of Labor and Industrial Relations to conduct a study to determine whether there is a history of discrimination against women or minority groups with regard to wages, assignment, or access to jobs, or other terms and conditions of employment.

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. 227, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1938 **Finance on H.C.R. No. 258**

The purpose of this concurrent resolution is to request the Department of Labor and Industrial Relations to conduct a study to determine whether there is a history of discrimination against women or minority groups with regard to wages, assignment, or access to jobs, or other terms and conditions of employment.

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. 258, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1939 **Finance on H.R. No. 228**

The purpose of this resolution is to support the goal of securing a "living wage" for workers in the State of Hawaii.

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, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1940 **Finance on H.C.R. No. 259**

The purpose of this concurrent resolution is to support the goal of securing a "living wage" for workers in the State of Hawaii.

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, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1941 Finance on H.R. No. 230

The purpose of this resolution is to request the Hawaii Forestry and Communities Executive Council and the Department of Health to convene a meeting of affected stakeholders to consider resources that are needed to attract carbon investments that mitigate global warming.

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. 230, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1942 Finance on H.C.R. No. 261

The purpose of this concurrent resolution is to request the Hawaii Forestry and Communities Executive Council and the Department of Health to convene a meeting of affected stakeholders to consider resources that are needed to attract carbon investments that mitigate global warming.

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. 261, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Marumoto and Meyer.

SCRep. 1943 Finance on H.C.R. No. 62

The purpose of this concurrent resolution is to urge the U.S. Congress to enact legislation that amends the Social Security Act to prohibit the Federal Government from receiving any share of the funds awarded in the tobacco settlement that was reached in 1998 between the States and the tobacco industry.

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. 62, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1944 Finance on H.C.R. No. 18

The purpose of this concurrent resolution is to urge the Board of Education to expand family and parenting classes training and guidance for high school students.

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. 18, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ahu Isa, Luke, Fox, Marumoto and Meyer.

SCRep. 1945 Judiciary and Hawaiian Affairs on H.R. No. 17

The purpose of this measure is to urge the U.S. Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (Convention) and to support the Convention's continuing goals.

Testimony in support of this resolution was received from the Hawaii State Commission on the Status of Women, the Violence Prevention Consortium, the Hawaii Civil Rights Commission, the Domestic Violence Clearinghouse and Legal Hotline, the Hawaii Women's Political Caucus, and members of the public.

Your Committee finds that the Convention provides a comprehensive framework to protect women's rights within political, cultural, economic, social, and family contexts, by providing a uniform and universal definition of discrimination.

Your Committee has amended this resolution by:

- (1) Deleting the requirement that a copy of the resolution be transmitted to every member of the United States Senate; and
- (2) 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 Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 17, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 17, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Chang, Lee, Yoshinaga and Thielen.

SCRep. 1946 Judiciary and Hawaiian Affairs on H.C.R. No. 15

The purpose of this measure is to urge the U.S. Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (Convention) and to support the Convention's continuing goals.

Testimony in support of this concurrent resolution was received from the Hawaii State Commission on the Status of Women, the Violence Prevention Consortium, the Hawaii Civil Rights Commission, the Domestic Violence Clearinghouse and Legal Hotline, the Hawaii Women's Political Caucus, and members of the public.

Your Committee finds that the Convention provides a comprehensive framework to protect women's rights within political, cultural, economic, social, and family contexts, by providing a uniform and universal definition of discrimination.

Your Committee has amended this concurrent resolution by:

- (1) Deleting the requirement that a copy of the resolution be transmitted to every member of the United States Senate; and
- (2) 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 Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 15, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 15, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Chang, Lee, Yoshinaga and Thielen.

SCRep. 1947 Public Safety and Military Affairs and Energy and Environmental Protection on H.R. No. 45

The purpose of this resolution, as received by your Committees, is to urge the Army to take steps to file an environmental impact statement (EIS) for all future training and related activities at the Makua Military Reservation.

Your Committees, being aware that the thrust of this resolution as received is the subject of litigation, believes that it would be prudent to await the outcome of the court's decision.

Your Committees find that while the Army prepared a draft EIS in 1979, held public hearings, and filed a final document with the EPA, this document requires updating with environmental assessments prior to each new live-fire training exercise, or change in the general mission at Makua.

Your Committees further find that the Army as well as other branches of the military who conduct exercises at Makua must be made aware of the historic, environmental, and community concerns that apply and also recommends that the Army improve its coordination with Waianae community organizations and the U.S. Fish and Wildlife Service, prior to the initiation of new exercises.

Earthjustice, Life of the Land, the Hawaiian Political Action Council of Hawaii, American Friends, Hawaii's Thousand Friends, and a number of individuals submitted testimony in support of this resolution. The Military Affairs Council of the Chamber of Commerce testified in opposition to the resolution.

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

- (1) Changing the title to omit reference to an EIS and inserting a request for greater public involvement and improved information exchange with regard to all new military exercises;
- (2) Deleting "whereas" clauses that make reference to preparation of an EIS; and
- (3) Adding "be it resolved" clauses that:
 - (a) Request that an environmental assessment be prepared for public review for each new exercise and any change in mission at the Makua Military Reservation;
 - (b) Request that all branches of the Armed Forces, prior to use of the Makua Valley Training Facility, be fully informed of the historical and environmental sensitivities at Makua and consult with the surrounding communities prior to any exercise at Makua;
 - (c) Request that the Army actively consult with the surrounding communities regarding the findings and recommendations of the U.S. Fish and Wildlife Service prior to the commencement of all live fire exercises;
 - (d) Request that the Army conduct water and sediment testing for chemical contamination in streams and streambeds, and the mouths of those streams that flow to the ocean or muliwai;

- (e) Request that the Department of Land and Natural Resources revisit the State's lease of Makua Valley Land to the Army, particularly the terms which relate to the condition of the land prior to turnover to the State at the end of the lease.
- (f) Expand the list of organizations to receive certified copies of this concurrent resolution to include: Earth Justice, Ukanipo Heiau Advisory Council, the Waianae Military & Civilian Advisory Council, and the Commander in Chief, Pacific.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 45, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 45, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Kanoho, Meyer and Pendleton.

SCRep. 1948 Public Safety and Military Affairs and Energy and Environmental Protection on H.C.R. No. 56

The purpose of this concurrent resolution, as received by your Committees, is to urge the Army to take steps to file an environmental impact statement (EIS) for all future training and related activities at the Makua Military Reservation.

Your Committees, being aware that the thrust of this resolution as received is the subject of litigation, believes that it would be prudent to await the outcome of the court's decision.

Your Committees find that while the Army prepared a draft EIS in 1979, held public hearings, and filed a final document with the EPA, this document requires updating with environmental assessments prior to each new live-fire training exercise, or change in the general mission at Makua.

Your Committees further find that the Army as well as other branches of the military who conduct exercises at Makua must be made aware of the historic, environmental, and community concerns that apply and also recommends that the Army improve its coordination with Waianae community organizations and the U.S. Fish and Wildlife Service, prior to the initiation of new exercises.

Earthjustice, Life of the Land, the Hawaiian Political Action Council of Hawaii, American Friends, Hawaii's Thousand Friends, and a number of individuals submitted testimony in support of this resolution. The Military Affairs Council of the Chamber of Commerce testified in opposition to the resolution.

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

- (1) Changing the title to omit reference to an EIS and inserting a request for greater public involvement and improved information exchange with regard to all new military exercises;
- (2) Deleting "whereas" clauses that make reference to preparation of an EIS; and
- (3) Adding "be it resolved" clauses that:
 - (a) Request that an environmental assessment be prepared for public review for each new exercise and any change in mission at the Makua Military Reservation;
 - (b) Request that all branches of the Armed Forces, prior to use of the Makua Valley Training Facility, be fully informed of the historical and environmental sensitivities at Makua and consult with the surrounding communities prior to any exercise at Makua;
 - (c) Request that the Army actively consult with the surrounding communities regarding the findings and recommendations of the U.S. Fish and Wildlife Service prior to the commencement of all live fire exercises;
 - (d) Request that the Army conduct water and sediment testing for chemical contamination in streams and streambeds, and the mouths of those streams that flow to the ocean or muliwai;
 - (e) Request that the Department of Land and Natural Resources revisit the State's lease of Makua Valley Land to the Army, particularly the terms which relate to the condition of the land prior to turnover to the State at the end of the lease.
 - (f) Expand the list of organizations to receive certified copies of this concurrent resolution to include: Earth Justice, Ukanipo Heiau Advisory Council, the Waianae Military & Civilian Advisory Council, and the Commander in Chief, Pacific.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 56, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 56, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Kanoho, Meyer and Pendleton.

SCRep. 1949 Higher Education on H.C.R. No. 20

The purpose of this concurrent resolution is to request specific state agencies and appropriate private sector firms to develop strategies and coordinate initiatives to facilitate the growth of Hawaii's biotechnology industry.

Testimony in support of this measure was submitted by the School of Ocean and Earth Science and Technology and the College of Tropical Agriculture and Human Resources of the University of Hawaii at Manoa, the Board of Agriculture, and the Department of Business, Economic Development, and Tourism.

Your Committee finds that biotechnology is an area of high potential for development in Hawaii because of its natural assets and scientific expertise. For example, Hawaii offers year-round growing cycles and is free from many diseases and viruses that plague other tropical locations. Hawaii's ocean resources offer some of the cleanest water in the world, with near-shore access to cold, nutrient-rich deep water. World-class biotechnology research and development is conducted at the University of Hawaii and the Hawaii Agriculture Research Center.

A number of businesses using biotechnology have been established in Hawaii, starting a fledgling biotechnology industry here. However, for Hawaii to secure a significant niche in the global development of biotechnology, a strategic plan must be developed to coordinate resources. This measure calls for the development of such a plan.

During the hearing, the discussion raised the issue that there are barriers to the development of a biotechnology industry in Hawaii. These barriers should be considered in the development of the plan

Your Committee has amended the measure by:

- (1) Adding a statement that barriers to the development of the biotechnology industry in Hawaii exist;
- (2) Adding the identification of these barriers and ways in which they can be overcome or eliminated in developing strategies to facilitate the growth of biotechnology; and
- (2) Making technical, nonsubstantive revisions for style and clarity.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 20, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 20, H.D. 1.

Signed by all members of the Committee except Representatives Takai, Okamura and Santiago.

SCRep. 1950 Economic Development and Business Concerns on H.C.R. No. 223

The purpose of this concurrent resolution, as received by your Committee, is to encourage the Los Angeles Teamsters Union to assist the State in moving the television show "Baywatch" to Hawaii.

For purposes of public hearing, your Committee circulated a proposed H.D. 1 version that changed the title and substituted the substance of the concurrent resolution with language that would:

- (1) Request the Public Utilities Commission (PUC) to investigate, report, and take action on various telecommunications issues, including, but not limited to:
 - (a) Reporting on the implication of the circuit court's April 1, 1999 order regarding the authority and powers of the PUC;
 - (b) Providing information on consumer complaints made to each telecommunications carrier or to the PUC regarding telecommunications service; and
 - (c) Reporting on the status of the proposed GTE/Bell Atlantic merger, which is currently before the PUC; and
- (2) Request the PUC to report its findings and recommendations to the Legislature prior to the 2000 Regular Session.

No testimony was submitted on the original resolution.

Testimony in support of the proposed draft was submitted by TelHawaii, GST Telecom, Oceanic Communications, AT&T, and the member of the State House of Representatives from the Fourth District. Testimony in support of the intent of this measure was submitted by the Department of Business, Economic Development, and Tourism. The PUC and GTE Hawaiian Tel testified in opposition to this measure.

Your Committee has amended the proposed draft by:

- (1) Deleting language requesting the PUC to appeal the circuit court order of April 1, 1999; and
- (2) Making technical, nonsubstantive changes for purposes of clarity and style.

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. 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 Herkes, Ahu Isa, Ito, Saiki and Suzuki.

SCRep. 1951 Ocean Recreation and Marine Resources on S.C.R. No. 43

The purpose of this concurrent resolution is to authorize the Department of Land and Natural Resources (DLNR) to issue a non-exclusive easement to Voyager Submarines Hawaii, Inc. (Voyager) for the use of state-owned submerged lands.

The issuance of a non-exclusive easement will allow Voyager to sink two specially prepared derelict vessels, thereby creating an artificial reef which can be viewed by Voyager's submarine passengers.

Your Committee received testimony in favor of this concurrent resolution from the Department of Business, Economic Development, and Tourism, DLNR, BOATS/Hawaii Inc., and Atlantis Adventures.

Your Committee finds that Voyager has met all requirements needed for issuance of a non-exclusive easement and recommends its authorization.

Your Committee further finds that the non-exclusive use of the installed artificial reef will benefit several potential users, such as fishers and divers.

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 S.C.R. No. 43, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Garcia, Kanoho and Meyer.

SCRep. 1952 Ocean Recreation and Marine Resources on S.C.R. No. 118

The purpose of this measure is to:

- (1) Request the Department of Land and Natural Resources to work with the County of Hawaii and all concerned parties to develop a master plan for keeping Pohoiki Boat Ramp safe and clean; and
- (2) Request that mediation services, such as those provided by the Center for Alternative Dispute Resolution in the Judiciary, be utilized by the Board of Land and Natural Resources in the event that negotiating compromises acceptable to all concerned parties becomes difficult.

Your Committee received testimony from the Board of Land and Natural Resources in specific support of the use of mediation services as recommended in this measure.

Your Committee finds that there are problems of congestion, competing uses, and potential safety hazards at Pohoiki Boat Ramp. The development of a master plan for the area surrounding Pohoiki Boat Ramp is a sound, long-term approach to identifying problems and possible solutions.

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 S.C.R. No. 118, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Garcia, Kanoho and Meyer.

SCRep. 1953 Ocean Recreation and Marine Resources on S.C.R. No. 165

The purpose of this concurrent resolution is to request that the Department of Land and Natural Resources (DLNR), the Military, and other organizations utilizing our marine resources establish a task force with the purpose of creating additional near-shore reef habitats, as desired by the community, in Hawaii.

Your Committee received testimony from DLNR in support of the intent of this measure.

Your Committee finds that Hawaii's natural reefs and fisheries are among our most valuable natural resources and that they are of significant cultural, recreational, and commercial value to the people of Hawaii.

Your Committee further finds that our near-shore fisheries are in a state of decline and that efforts to conserve these resources are imperative to prevent the irreversible effects of overfishing.

Your Committee further finds that a task force of marine specialists and recreational users could make significant progress in restoring our fisheries by encouraging the creation of artificial reef habitats. Your Committee further finds artificial reef habitats to be effective in the restoration of fish populations and marine ecosystems.

Your Committee has amended this measure by:

- (1) Removing the adopt-a-reef program from its provisions and by specifying that no artificial reef habitat should be created for the exclusive use of any party;
- (2) Adding a representative from the University of Hawaii Sea Grant Extension service and from DBEDT's Ocean Resources Branch to the task force; and
- (3) Making technical, nonsubstantive changes for the purposes of style and clarity.

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 S.C.R. No. 165, 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. 165, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Garcia, Kanoho and Meyer.

SCRep. 1954 Health on S.C.R. No. 65

The purpose of this measure is to request the Department of Health to study the feasibility of recycling roofing materials into economically viable products.

Testimony in support of this measure was received from the Hawaii Roofing Contractors Association and in support of the intent of the measure from the Department of Health.

Your Committee finds that establishing new recycling programs within the State is essential to preserving the healthy environment our State thrives on. Roofing materials that are removed and discarded almost every ten years pose a potential threat. Your Committee finds that it is in the best interests of the entire State to pursue these important issues.

Your Committee heard testimony from the Department of Health that there is only a limited staff available for working on reuse and recovery programs for construction and demolition materials, a category that includes roofing materials. Your Committee finds that with the assistance of the Hawaii Roofing Contractors Association, the Department of Health and the Department of Business, Economic Development, and Tourism would be able to identify more quickly, alternatives to allowing discarded roofing materials to enter the waste stream. At the same time, a new recycling niche industry may be established within the State.

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. 65, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Stegmaier and McDermott.

SCRep. 1955 Health on S.C.R. No. 151

The purpose of this Concurrent Resolution is to request the Department of Health to develop and implement a five-year statewide, comprehensive strategic plan for services and supports for individuals with developmental disabilities.

Section 333F-2(a), Hawaii Revised Statutes, requires the Department of Health to ". . . develop, lead, administer, coordinate, monitor, evaluate, and set direction for a comprehensive system of supports and services for persons with developmental disabilities or mental retardation. . ." The Developmental Disabilities Division last developed a plan for 1990-1994, entitled "A Plan for Services for Persons with developmental Disabilities or Mental Retardation, 1990-1994." This Concurrent Resolution requests the Department of Health to produce another five-year plan, considering the development of significant changes in the developmental disabilities service system.

The Concurrent Resolution requests the Department of Human Services to participate in the development and implementation of the plan and requests the Department of Health to include the collective bargaining exclusive representatives of the Department of Health employees in the development and implementation of the plan. The Department of Health is to report to the Legislature on the plan and its implementation before the Regular Sessions of 2002, 2003, 2004, 2005, and 2006.

Your Committee received testimony in support of this measure from the Department of Health, the Office of Hawaiian Affairs, the State Planning Council on Developmental Disabilities, the HGEA-AFSCME, and the Commission on Persons with Disabilities.

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. 151, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Stegmaier and McDermott.

SCRep. 1956 Health on S.C.R. No. 111

The purpose of this Concurrent Resolution is to request the Insurance Commissioner to convene a working group to study the use of genetic information and test results for insurance coverage purposes.

Your Committee finds that current law prohibits discrimination based on genetic information. A total ban on use of genetic information in long-term care insurance coverage by insurance companies has been challenged by the insurance industry, which wants to be able to use medical information for risk classification. However, improper use of such information can be extremely harmful to the persons tested. An individual must have the right "not to know" about the individual's genetic future, as each individual has a small number of nonworking genes that may have absolutely no impact on the individual's health, or may cause disease at any time. Many people prefer not to be made aware of these potential risks. An individual may not want to know about this information not just for the individual's own sake, but also because the individual shares genetic information with family members. Forced knowledge of an individual's genetic future can lead to severe personal and family trauma, including suicide.

Your Committee finds that a discussion and study of all sides of this issue would assist the Legislature by defining the issues.

Testimony in support of this resolution was received from the Department of Health, the Hawaii Medical Association, AARP, and the Commission on Persons with Disabilities. Testimony in opposition was received from two attorneys. Comments were received from the American Cancer Society.

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. 111, S.D. 1, and recommends that it be referred to the Committee on Consumer Protection and Commerce.

Signed by all members of the Committee except Representatives Kawakami, Lee, Stegmaier and McDermott.

SCRep. 1957 Health and Labor and Public Employment on S.C.R. No. 64

The purpose of this concurrent resolution is to request the Commission on Persons with Disabilities, the Department of Human Services' Vocational Rehabilitation and Services for the Blind Division, and the Department of Human Resources to convene to:

- (1) Conduct a comprehensive review of Hawaii state law on the employment of persons with severe disabilities; and
- (2) Report the findings, recommendations, and any proposed legislation to the Legislature prior to the Regular Session of 2000.

The Department of Human Services, the Hawaii State Coordinating Council on Deafness, the State Planning Council on Developmental Disabilities, the Commission on Persons with Disabilities, the Department of Human Resources Development, Ka Kuli Advocates, and the Aloha State Association of the Deaf testified in support of this measure. The Department of Health supported the intent of the measure.

Your Committees have amended this measure by replacing the term "handicapped" with "disabled."

As affirmed by the records of votes of the members of your Committees on Health and Labor and Public Employment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 64, S.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as S.C.R. No. 64, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Goodenow, Hiraki, Lee, Nakasone, Okamura, Stegmaier and McDermott.

SCRep. 1958 Health and Labor and Public Employment on S.C.R. No. 112

The purpose of this Concurrent Resolution is to urge the development and use of workplace safety protocols addressing needlestick injuries.

In particular, this Concurrent Resolution resolves that all health care systems in the State have in place by January 1, 2000, workplace safety protocols addressing needlestick injuries and safer medical devices, including retractable syringes, to assure workplace safety.

Your Committees received testimony in favor of this measure from the Department of Health, the University of Hawaii School of Nursing, the Hawaii Nurses' Association, and the Hawaii Government Employees Association.

Your Committees find that needlestick injuries can transmit various illnesses, including hepatitis B and C and the human immunodeficiency virus, to nurses and other health care workers caring for patients in publicly operated hospitals, clinics, and community settings. Needlestick injuries are an occupational hazard because of the frequency with which they occur and the severe health effects they can produce, including severe psychological stress because of the threat of infection after an exposure occurs.

Your Committees further find that the Occupational Safety and Health Administration has collected information on strategies that have been successfully implemented in the workplace to reduce the likelihood of contaminated needle injuries through the use of safer medical devices. Nevertheless, while there are now safety features such as protective shields over the needles or mechanisms that automatically retract the needle after use, most health care facilities continue to use unsafe needles. Your Committees therefore agree that all health care systems in the State must develop and use workplace safety protocols addressing needlestick injuries and safer medical devices to better protect nurses and other health care workers from contaminated needles.

As affirmed by the records of votes of the members of your Committees on Health and Labor and Public Employment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 112, S.D. 1, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Goodenow, Hiraki, Lee, Nakasone, Okamura, Stegmaier and McDermott.

SCRep. 1959 Health on S.C.R. No. 149

The purpose of this concurrent resolution is to request the Commission on Persons with Disabilities (Commission) to conduct a comprehensive review to assess services for deaf, hard of hearing, and deaf-blind persons.

The Department of Human Services (DHS), Ka Kuli ADVOCATES, and the Aloha State Association of the Deaf testified in support of this measure. The Commission testified in support of the intent of this measure. The Hawaii State Coordinating Council on Deafness commented on this measure.

Your Committee recognizes that the provision of auxiliary aids and services are necessary for the effective completion of the study. Therefore, it is your Committee's belief that funds must be appropriated to make this study accessible to deaf, hard of hearing, and deaf-blind persons.

Your Committee has amended this concurrent resolution by:

- (1) Requesting the Legislative Reference Bureau (LRB), in conjunction with the Commission and DHS's Vocational Rehabilitation and Services for the Blind Division, to conduct the comprehensive review, rather than request the Commission to conduct the comprehensive review;
- (2) Specifying that a proviso be included in the General Appropriations Act of 1999 to provide necessary funds for auxiliary aids and services in conducting the study and in assisting in the work of the task force;
- (3) Requesting LRB, rather than the Commission, to submit the interim report and the final report to the Legislature;
- (4) Clarifying that LRB assist in drafting any proposed legislation as a result of the study;
- (5) Requesting that the Director of Human Services receive a copy of this concurrent resolution; and
- (6) Making technical, nonsubstantive amendments for 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 S.C.R. No. 149, S.D. 2, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 149, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Lee and Stegmaier.

SCRep. 1960 Education on S.C.R. No. 28

The purpose of this Concurrent Resolution is to encourage all schools in Hawaii to include music as a regular and integral part of their core curriculum.

In addition, this Concurrent Resolution requests the Department of Education to collaborate with the Task Force on Music Education in Hawaii to ensure that music education is incorporated into Hawaii content and performance standards and each school in Hawaii. The department is also requested to report to the Legislature on compliance and progress of the state-operated schools and programs before the convening of the Regular Session of 2000, and to continue this process at three-year intervals.

Your Committee received testimony in favor of this measure from the Superintendent of Education.

Your Committee finds that music education should be a required subject in all schools in the State. Recent research has provided conclusive evidence that education in music can have a significant and positive impact on the development of the brain and intelligence. Nevertheless, your Committee finds that there are inconsistencies in the implementation of music education programs in the public schools of Hawaii. Your Committee finds that the implementation of this Concurrent Resolution will help to reduce problems of inequality in the provision of music education by providing for the inclusion of music as an integral part of the core curriculum in each of Hawaii's schools.

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. 28, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Okamura, Morihara, Santiago and McDermott.

SCRep. 1961 Education on S.C.R. No. 210

The purpose of this measure is to request the Department of Education to conduct a study on the plan to move sixth grade students from elementary schools to intermediate schools in order to implement the middle school program.

Specifically, this measure requests the Department of Education to:

- (1) Investigate and consider the concerns of affected parents and communities;
- (2) Investigate and consider the concerns of sixth grade students, as well as other elementary and intermediate school-aged students;
- (3) Determine the anticipated funding needs and resource adjustments of the Department of Education and affected schools;
- (4) Evaluate whether the "means" described in the middle school plan are appropriate given the desired "ends" of the middle school program;
- (5) Evaluate alternatives to the middle school plan, such as combining seventh and eighth grades with elementary schools; and
- (6) Submit a status report to the Legislature before June 30, 1999, and a final report containing findings and recommendations to the Legislature prior to the Regular Session of 2000.

Your Committee received testimony in support of this measure from Life of the Land. Testimony in opposition to this measure was submitted by the Department of Education.

Your Committee finds that policy decisions concerning curriculum, teaching, and learning in the public school system should be made by the Board of Education, the Superintendent of Education, and the Department of Education only after meaningful consultation with their most important "customers"--public school students and the parents and guardians of public school students. The decision to move sixth grade students from elementary schools to intermediate schools in order to implement the middle school program should be made only after thoughtfully weighing the costs of this program, and the cost to other programs, and any statistically significant improvements in student achievement. Objective criteria and quantitative data, as well as subjective criteria and qualitative data, should be thoroughly examined before making this policy decision.

Until these factors are thoroughly examined and thoughtfully weighed, your Committee believes that it would be unwise for the the Board of Education, the Superintendent of Education, and the Department of Education to proceed any further with the implementation of the middle school plan. Existing middle schools should be used by the Board, the Superintendent, and the Department to thoroughly examine the costs and benefits of further implementing the middle school 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 S.C.R. No. 210, S.D. 2, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Okamura, Morihara and McDermott.

SCRep. 1962 Education on S.C.R. No. 145

The purpose of this concurrent resolution is to request the Board of Education and the Department of Education to:

- (1) Identify the full cost of educating federally-connected children with disabilities as allowed by the Federal Impact Aid formulas, including special education programs and equipment, to maximize Impact Aid paid to the State;
- (2) Determine if students are making progress toward predetermined goals;
- (3) Provide a report on how funds were used toward special education programs, teacher salaries, and equipment, including assistive devices; and

- (4) Submit findings and recommendations to the Legislature prior to the convening of the Regular Session of 2000.

The Department of Education testified in support of the measure.

Your Committee finds that Hawaii now spends in excess of \$200 million per year to provide services to students with special needs. Your Committee also finds that Hawaii is required to educate a disproportionate share of military dependents who, by federal law, qualify for a free and appropriate education because the State is considered to be the only overseas port for military families with special needs children.

Your Committee feels strongly that Hawaii's Congressional Delegation should be urged to vigorously pursue and obtain:

- (1) An increase in federal funding for the education of military dependents in Hawaii's schools who have special needs, to cover the total cost of services required under federal laws, and the Felix v. Waihee consent decree; and
- (2) An increase in the impact aid formula that better reflects the true cost of educating federally-connected students in Hawaii.

Accordingly, the title and contents of S.C.R. No. 145 have been deleted and replaced with the contents of H.C.R. No. 8, H.D. 2, which was heard and passed by your Committee earlier this Session, and which reflects the above findings and beliefs.

As amended, the new title reads: "REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN ADDITIONAL FEDERAL FUNDS FOR THE EDUCATION OF MILITARY DEPENDENTS."

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. 145, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 145, H.D. 1.

Signed by all members of the Committee except Representatives Okamura, Morihara and McDermott.

SCRep. 1963 Human Services and Housing on S.C.R. No. 18

The purpose of this concurrent resolution is to request:

- (1) The Governor to incorporate assistive technology considerations and language in all administration measures relating to persons with disabilities; and
- (2) The Department of Business, Economic Development, and Tourism (DBEDT) to develop incentives to encourage out-of-state businesses and vendors that provide assistive technology devices in Hawaii to increase their supplies to Hawaii.

The State Planning Council on Developmental Disabilities and the Hawaii Assistive Technology Training and Services testified in support of this concurrent resolution. DBEDT and the Commission on Persons with Disabilities testified in support of the intent of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 18, and recommends that it be referred to the Committee on Finance.

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

SCRep. 1964 Human Services and Housing on S.C.R. No. 77

The purpose of this concurrent resolution is to request the Child Protective Services Roundtable to form a task force to continue discussion on a variety of child protective issues.

The Department of Human Services and the Department of the Prosecuting Attorney for the City and County of Honolulu testified in support of the measure.

Your Committee has amended this concurrent resolution by:

- (1) Changing all references to "Child Protective Services Roundtable" to "Child Protection Legislative Roundtable" (CPL Roundtable) to accurately reflect the Roundtable's name;
- (2) Amending the title so that it reads: "REQUESTING THE CHILD PROTECTION LEGISLATIVE ROUNDTABLE AND THE APPLESEED PUBLIC INTEREST LAW FOUNDATION TO EXAMINE AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE";
- (3) Inserting language referencing the Appleseed Public Interest Law Foundation's assistance in reviewing, analyzing, and making recommendations for statutory revisions relating to child protection laws;

- (4) Requesting the CPL Roundtable to also:
- (a) Examine the issue of recruitment and retainment of social workers in the Child Protective Services System, Department of Human Services; and
 - (b) Receive and review the findings and recommendations of the comprehensive assessment of state child protection statutes performed by the Appleseed Public Interest Law Foundation; and
- (5) Making technical, nonsubstantive amendments for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee concur with the intent and purpose of S.C.R. No. 77, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 77, H.D. 1.

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

SCRep. 1965 Human Services and Housing on S.C.R. No. 194

The purpose of this concurrent resolution is to:

- (1) Show the Legislature's recognition and support of Individual Development Accounts (IDA) as effective and important; and
- (2) Request the Department of Human Services, the Housing and Community Development Corporation of Hawaii, and the Department of Business, Economic Development, and Tourism to collaborate with IDA practitioners and support organizations to assist in the development of IDAs in Hawaii.

The Housing and Community Development Corporation of Hawaii and the Department of Human Services testified in support of this concurrent resolution. The Hawaii State Commission on the Status of Women testified in support of the intent of this concurrent resolution.

Upon further consideration, your Committee has deleted the contents of this measure and inserted the contents of a proposed H.D. 1 that was circulated during the public hearing.

Your Committee has amended this measure by:

- (1) Requesting the Department of Education, the Department of Health, the University of Hawaii, the county departments of parks and recreation, the Division of Parks and Recreation of the County of Kauai, the Hawaii Recreation and Parks Association, the Hawaii Alliance of Health, Physical Education, Recreation, and Dance, the Hawaii Chapter of the American Academy of Pediatricians, and other agencies and organizations that serve children and youth, to develop standards and benchmarks for physical fitness and physical activity which can be used as tools to measure fitness of student and participants;
- (2) Changing the title to read, "URGING THE COLLABORATION OF THE DEPARTMENT OF HEALTH, DEPARTMENT OF EDUCATION, THE UNIVERSITY OF HAWAII, COUNTY DEPARTMENTS OF PARKS AND RECREATION, AND OTHER AGENCIES AND ORGANIZATIONS TO IMPROVE THE FITNESS AND PHYSICAL ACTIVITY OF HAWAII'S CHILDREN AND YOUTH"; and
- (3) Requesting the Department of Education to submit:
 - (A) The standards and benchmarks for physical education; and
 - (B) A schedule for periodic physical fitness assessments as designed by the Department of Education's Standards-Based Reform Strategic Plan for assessment and accountability,

to the Legislature not later than 20 days prior to the convening of the Regular Session of 2001, or sooner.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 194, 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. 194, S.D. 1, H.D. 1.

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

SCRep. 1966 Agriculture on S.C.R. No. 34

The purpose of this Concurrent Resolution is to urge

the University of Hawaii College of Tropical Agriculture and Human Resources and its extension service, with the assistance from the Department of Agriculture, and the Department of Business, Economic Development, and Tourism, to develop a coordinated plan to provide assistance and support to home gardeners who may be interested in forming community-based home organic produce cooperatives.

Testimonies in support of this concurrent resolution were received from the College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, the Department of Agriculture, the Department of Business, Economic Development, and Tourism, and the Office of Hawaiian Affairs.

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. 34, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ahu Isa, Herkes, Ito, Morihara and Whalen.

SCRep. 1967 Culture and the Arts on S.C.R. No. 58

The purpose of this concurrent resolution is to ask the State Foundation on Culture and the Arts (SFCA) and the Office of Hawaiian Affairs (OHA) to work with Halau Haloa, the National Academy of Hawaiian Performing Arts, to complete the planning for the eighth Pacific Festival of Arts.

Testimony in support of this measure was received from SFCA; Halau Haloa; the Ewa Beach Community Association; Pohai Na Pua O Laka; Waianae Hawaiian Civic Club; Kuhaihalau Pa Olapa Kahiko; Hala Hana Keaka; Iliulaokalani Coalition; Halau O Kekuhi; the World Invitational Hula Festival; Halau Hula O Mililani, Ka Lahui Hawaii; the Hawaii Academy of Arts, Music, and Dance; and several individuals.

Your Committee finds that the Pacific Festival of Arts is a great opportunity to showcase Hawaii's traditional native artists and artisans. With the support of SFCA and OHA working together with Halau Haloa, Hawaii will be well represented at the eighth annual Pacific Festival of Arts.

As affirmed by the record of votes of the members of your Committee on Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 58, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 1968 Culture and the Arts on S.C.R. No. 110

The purpose of this concurrent resolution is to request that the Hawaii Council of Heritage and Culture consider a month-long celebration in honor of Hawaii's diverse cultures.

The Hawaii Tourism Authority submitted comments.

Your Committee finds that by honoring Hawaii's diverse cultures we can learn to value the differences in ethnicity and foster racial tolerance. A month-long celebration will allow each culture to better understand each other's culture's rich traditions.

Your Committee also finds that a month-long celebration will help Hawaii's tourism industry by promoting the uniqueness of Hawaii's multi-ethnic cultures.

As affirmed by the record of votes of the members of your Committee on Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 110, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 1969 Higher Education on S.C.R. No. 105

The purpose of this Concurrent Resolution is to request the University of Hawaii Community Colleges to establish and operate the Pacific Center for Advanced Technology Training and Education.

This Concurrent Resolution also requests the Community Colleges to have the center serve as a resource for new businesses searching for a technologically competent workforce.

Your Committee finds that establishing the center in the Community Colleges will enable the Community Colleges to develop a coordinated one-stop approach to the design and delivery of customized training for the growing high technology industry in the State. The center will serve as proof to businesses in Hawaii, the nation, and around the world that the Community Colleges can meet their specialized training and education requirements.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 105, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Okamura and McDermott.

SCRep. 1970 Higher Education and Health on S.C.R. No. 91

The purpose of this measure is to request the Department of Health and the University of Hawaii School of Public Health to develop an action plan to enhance their collaborative relationship, including the establishment of goals and objectives to accomplish a more formal partnership between the two entities.

In addition, this measure requests the Department of Health to report its findings and recommendations to the Legislature twenty days before the convening of the Regular Session of 2000.

Your Committees received testimony in support of this measure from the Department of Health and the University of Hawaii School of Public Health. In addition, the School of Public Health verbally agreed to submit the above mentioned findings and recommendations to the Legislature after concerns were voiced by the Department of Health about the appropriateness of requesting the Department to address matters that were within the rightful jurisdiction of the Board of Regents of the University of Hawaii.

Your Committees find that the University of Hawaii Schools of Medicine, Nursing, and Public Health form the basis for the multidisciplinary practice of preventive health care. Medicine, nursing, and public health support one another's efforts to promote "wellness" in people. Preventive health care has become increasingly popular with patients and health care professionals, employees and employers, and insurance companies because it makes people feel better and saves money.

For the foregoing reasons, your Committees believe it essential that the Department of Health and the University of Hawaii School of Public Health collaborate to the fullest extent possible to ensure that the Department is well-informed of recent developments, while the School of Public Health is kept apprised of activities in the field. This type of collaborative working arrangement is essential to ensuring that state government makes the best possible use of its agencies and resources to protect and promote the health of its people.

As affirmed by the records of votes of the members of your Committees on Higher Education and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 91, S.D. 1, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Ito, Kahikina, Kawakami, Lee, Okamura and McDermott.

SCRep. 1971 Ocean Recreation and Marine Resources on S.C.R. No. 195

The purpose of this concurrent resolution is to authorize the Board of Land and Natural Resources (BLNR) to issue easements or leases to a private land owner for fast and submerged lands in Keauhou, North Kona, Hawaii, for the staining and periodic maintenance of shoreline areas.

Your Committee received testimony in support of this resolution from the Board of Land and Natural Resources.

Your Committee finds that this measure will allow the above private land owner to stain state-owned lands that are seaward of and adjacent to their private property in order to make them less visibly intrusive.

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 S.C.R. No. 195, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Garcia.

SCRep. 1972 Human Services and Housing on S.C.R. No. 144

The purpose of this concurrent resolution is to urge the U.S. Department of Housing and Urban Development to approve Hawaii's HOPE VI grant application and to urge the Housing and Community Development Corporation of Hawaii (HCDCH) to apply for the HOPE VI program annually to revitalize Hawaii's public housing projects.

Testimony in support of this measure was submitted by HCDCH.

Your Committee finds that housing is a critical issue in Hawaii. HOPE VI is a federally funded program aimed at revitalizing severely distressed public housing projects by providing grants to refurbish or replace existing housing structures. If the HOPE VI application is approved, the State may receive up to \$35,000,000 in funds.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 144, S.D. 1, and recommends that it be referred to the Committee on Finance.

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

SCRep. 1973 Energy and Environmental Protection on S.C.R. No. 202

The purpose of this concurrent resolution is to request the convening of a meeting to consider means to attract carbon investments to mitigate global warming through sustainable forestry in Hawaii.

Your Committee recognizes that efforts to strengthen Hawaii's sustainable forest industry would benefit the state economy and mitigate global warming, as forests serve to reduce the overall net emissions of greenhouse gases into the atmosphere. Therefore, your Committee encourages the meeting participants to also consider the benefits of growing annual crops as well as developing agricultural greenbelts in addressing the global warming issue.

The Department of Land and Natural Resources, the Department of Hawaiian Home Lands, and Martin & MacArthur testified in support of the measure.

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. 202, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Schatz and Takumi.

SCRep. 1974 Labor and Public Employment and Economic Development and Business Concerns on S.C.R. No. 53

The purpose of this concurrent resolution is to repeal the exemption from withholding for nonresident employees of contractors in the construction industry and require that their wages be subject to withholding regardless of residency by requiring the Department of Taxation to amend section 18-235-61-04, Hawaii Administrative Rules.

The Department of Taxation and Senator Cal Kawamoto commented on this measure.

As affirmed by the records of votes of the members of your Committees on Labor and Public Employment 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. 53, S.D. 1, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Hiraki, Kaho'ohalahala, Morihara, Okamura, Saiki and Whalen.
(Representatives Halford, Moses and Rath voted no.)

SCRep. 1975 Labor and Public Employment on S.C.R. No. 201

The purpose of this concurrent resolution is to:

- (1) Require the Department of Labor and Industrial Relations (DLIR) and the Department of Commerce and Consumer Affairs to jointly convene to:
 - (A) Discuss policies and procedures to enforce workers' compensation coverage requirements; and
 - (B) Publish a list of those contractors that do not carry workers' compensation insurance; and
- (2) Require DLIR to cross-check this list of contractors with unemployment insurance reports, temporary disability insurance reports, and pre-paid health care reports.

The Subcontractors Association of Hawaii testified in support of this measure. DLIR submitted comments on this measure.

Your Committee respectfully requests the Department of Commerce and Consumer Affairs to:

- (1) Address concerns raised in DLIR's testimony with regards to accessing the results of the Regulated Industries Complaint Office's 1997 workers' compensation symposium to:
 - (A) Gain a better understanding of the magnitude of the current problem; and
 - (B) Decide what alternatives are best to address this problem; and
- (2) Address the appropriateness of cross-checking the list to ensure accuracy after publication of such list, rather than cross-checking the list prior to publication.

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 S.C.R. No. 201 and recommends that it be referred to the Committee on Consumer Protection and Commerce.

Signed by all members of the Committee except Representatives Catalani, Hamakawa, Hiraki and Okamura.

SCRep. 1976 Human Services and Housing and Judiciary and Hawaiian Affairs on S.C.R. No. 86

The purpose of this concurrent resolution is to request the State Auditor to:

- (1) Conduct a follow-up management audit of the Child Support Enforcement Agency; and
- (2) Report its findings and recommendation to the Legislature prior to the convening of the Regular Session of 2000.

The Attorney General commented on the measure.

Your Committees find that while the Child Support Enforcement Agency (CSEA) has streamlined caseflow, begun to reconcile financial and case records, made improvements to safeguard data integrity, and submitted a reorganization plan, CSEA, the Auditor, and the Legislature still receive complaints by parents that overcharging and errors in recordkeeping continue to occur. Therefore, a follow-up management audit of CSEA is warranted.

As affirmed by the records of votes of the members of your Committees on Human Services and Housing and Judiciary and Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 86, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representatives Cachola, Hiraki, Kawakami, Lee, Yoshinaga, Pendleton, Thielen and Whalen.

SCRep. 1977 Human Services and Housing and Judiciary and Hawaiian Affairs on S.C.R. No. 184

The purpose of this concurrent resolution is to request the Legislative Reference Bureau (LRB) to study Hawaii's domestic violence and abuse laws, including laws relating to protective orders.

The Hawaii State Commission on the Status of Women, the Hawaii State Coalition Against Domestic Violence, Child & Family Service, the Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Catholic Conference, and Domestic Violence Clearinghouse and Legal Hotline testified in support of this measure. The Judiciary testified in support of the intent of this measure. The Office of the Public Defender commented on this measure.

Your Committees have amended this concurrent resolution by:

- (1) Requesting the Department of the Attorney General to establish a task force to study Hawaii's domestic violence and abuse laws, including laws relating to protective orders, rather than requesting LRB to conduct the study;
- (2) Changing the parameters of the study;
- (3) Requesting the task force, rather than LRB, to submit its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2000 Regular Session;
- (4) Requesting LRB to assist the task force in the study;
- (5) Specifying that the Acting Director of LRB receive a copy of this concurrent resolution; and
- (6) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Housing and Judiciary and Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 184, S.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 184, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Cachola, Hiraki, Kawakami, Lee, Yoshinaga, Pendleton, Thielen and Whalen.

SCRep. 1978 Human Services and Housing on S.C.R. No. 199

The purpose of this measure is to urge Congress, the President of the United States, and the Secretary of Health and Human Services to support federal legislation to amend the Social Security Act to increase Hawaii's federal medical assistance percentage in consideration of the State's high cost of living.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and the Hawaii Long Term Care Association.

Despite the importance of this measure to the people of Hawaii and the strong support for it voiced by the Department of Accounting and General Services and the Hawaii Long Term Care Association, your Committee has amended this measure to express its support for North Atlantic Treaty Organization, United States, and Hawaii-based military and humanitarian efforts to ensure the safety and well-being of children and families in Kosovo.

Your Committee finds it impossible to comprehend the wanton brutality and savagery of the systematic war being waged by Serbian military and paramilitary forces against the civilian, ethnic Albanian population of Kosovo. The looting and burning of homes and villages, and the murdering and raping of civilians, is overshadowed only by the "ethnic cleansing" that has forced thousands of women, children, and infants to evacuate in the cold and rain without food or rest and with only the clothes on their backs as their only alternative to death. The lack of food, shelter, clothing, and safety is exacting a horrendous toll on children and infants, who are dying of starvation, hypothermia, and disease, and suffering incalculable emotional pain as their fathers, brothers, and uncles are herded away and murdered before their eyes. All armed conflict and hostilities in the Kosovo region must come to a quick end for the sake of these children and families.

Your Committee wishes to express its love and prayers for ethnic Albanian children and families in Kosovo and in refugee camps in neighboring countries and Macedonia; and to express its hopes and prayers for a quick end to all armed conflict and hostilities in the Kosovo region for the sake of these children and families.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 199, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as S.C.R. No. 199, H.D. 1.

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

SCRep. 1979 Consumer Protection and Commerce on S.C.R. No. 26

The purpose of this concurrent resolution is to request that the Legislative Auditor assess the social and financial effects of mandating that marriage and family therapy be included as a mental health and alcohol or drug abuse treatment insurance benefit under section 431M, Hawaii Revised Statutes.

Your Committee received testimony in support of this concurrent resolution from the Hawai'i Association for Marriage and Family Therapy, Samaritan Counseling Center of Hawaii, Benefit Capital Financial Services, Inc., many marriage and family therapists, and other concerned individuals including physicians and counselors. The Hawaii Psychological Association submitted testimony requesting that this concurrent resolution be held in committee.

Your Committee received testimony that marriage and family therapy is a specialty concerned with the health of families, and not included in any other mental health licenses. Your Committee also heard that including marriage and family therapists as insurance reimbursable providers under chapter 431M will benefit the State because the State would not have to bear the cost of insurer reimbursed marriage and family therapist services provided under the Felix consent decree. There was also testimony that marriage and family therapists would not only expand the range of appropriate services available to the poor under Med Quest, and to the community in general, but would also provide consumers with a less costly alternative to specialized psychiatric services.

Your Committee finds that the study required by this concurrent resolution will enable the Legislature to better assess these statements and will provide a firm basis for any future legislation.

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. 26, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Chang, Hiraki, Morita, Halford, Rath and Thielen.

SCRep. 1980 Consumer Protection and Commerce on S.C.R. No. 30

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a policy and issue study concerning the undergrounding of overhead utility facilities.

The Department of Design and Construction of the City and County of Honolulu, GTE Hawaiian Tel, Na Leo Pohai, and two individuals testified in support of this measure. Hawaiian Electric Company, Inc., and the Department of Transportation supported the intent of the measure. The Legislative Reference Bureau and Kauai Electric commented on the 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 S.C.R. No. 30, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Chang, Hiraki, Morita, Halford, Rath and Thielen.

SCRep. 1981 Consumer Protection and Commerce on S.C.R. No. 152

The purpose of this concurrent resolution is to request that the Hawaii Patient Bill of Rights and Responsibilities Task Force (Task Force) convened by the Insurance Commissioner make a thorough study of the issues relating to the use of the term "medical necessity" in the context of the health insurance industry.

The Hawaii Medical Service Association submitted testimony in support of this measure. The State Insurance Commissioner commented that the Task Force is willing to study the issues outlined in 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 S.C.R. No. 152, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Chang, Hiraki, Morita, Halford, Rath and Thielen.

SCRep. 1982 Consumer Protection and Commerce on S.C.R. No. 188

The purpose of this concurrent resolution is to request the Department of Human Resources Development (DHRD) to create a job classification for advanced practice registered nurses.

This measure also requests DHRD to submit a report of the actions taken to create a job classification for advanced practice registered nurses, to the Legislature prior to the 2000 Regular Session.

The Hawai'i Nurses' Association and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified 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 S.C.R. No. 188 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Chang, Hiraki, Morita, Halford, Rath and Thielen.

SCRep. 1983 Agriculture and Energy and Environmental Protection on S.C.R. No. 132

The purpose of this concurrent resolution is to request the United States Environmental Protection Agency to implement the 1996 Food Quality Protection Act using sound science and real-world data from the data call-in process for realistic risk assessments.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, Hawaii Coffee Association, Hawaiian Commercial & Sugar Co., Hawaii Pest Control Association, Hawaii Agriculture Research Center, Pineapple Growers Association, Hawaii Food Manufacturers Association, Hawaii Pork Industry Association, UAP, Hawaii Export Nursery Association, Hawaii Macadamia Nut Association, Hawaii Papaya Industry Association, Murrayair Limited, Brewer Environmental Industries, RESCUE Hawaii, Maui Pineapple Company, Gay & Robinson, Inc., Sugarland Farms, Inc., and the Pineapple Growers Association of Hawaii. The Department of Health testified in support of the intent of this measure.

Your Committees recognize that the safe, responsible, and environmentally sound use of pesticides have significantly improved the quality of life in the State. This measure helps to assure that the 1996 Food Quality Protection Act is implemented in a way that does not jeopardize the safety, availability, or affordability of agricultural products, public health and safety, and the natural environment, among other things.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy and Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 132, S.D. 1, and recommend its adoption.

Signed by all members of the Committees except Representatives Ahu Isa, Herkes, Ito, Kanoho, Morihara, Schatz, Meyer and Whalen.

SCRep. 1984 Energy and Environmental Protection and Water and Land Use on S.C.R. No. 104

The purpose of this concurrent resolution is to request the President of the United States to establish the State of Hawaii as a global laboratory for research on threatened, endangered, and extinct species issues.

It is your Committees' understanding that the Department of Land and Natural Resources (DLNR) is currently working with a consortium of federal, state, and private agencies to develop a multi-agency federal initiative to safeguard Hawaii's unique species through public-private partnerships. This measure facilitates efforts to protect and maintain Hawaii's threatened, endangered, and extinct species.

DLNR testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Energy and Environmental Protection and Water and Land Use that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 104, S.D. 1, and recommend its adoption.

Signed by all members of the Committees except Representatives Schatz and Takumi.

SCRep. 1985 Consumer Protection and Commerce on S.C.R. No. 201

The purpose of this concurrent resolution is to:

- (1) Require the Department of Labor and Industrial Relations (DLIR) and the Department of Commerce and Consumer Affairs to jointly convene to:
 - (A) Discuss policies and procedures to enforce workers' compensation coverage requirements; and
 - (B) Publish a list of those contractors that do not carry workers' compensation insurance; and
- (2) Require DLIR to cross-check this list of contractors with unemployment insurance reports, temporary disability insurance reports, and pre-paid health care reports.

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. 201 and recommends its adoption.

Signed by all members of the Committee except Representatives Cachola, Chang, Hiraki, Morita, Halford, Rath and Thielen.

SCRep. 1986 Judiciary and Hawaiian Affairs on S.C.R. No. 45

The purpose of this resolution is to urge the United States Government to restore redress funds to compensate individuals of Japanese ancestry who were unjustly interned during World War II.

Testimony in support of this measure was received from the Hawaii Civil Rights Commission, Japanese American Citizens League of Honolulu, American Friends Service Committee, the Office of Hawaiian Affairs and concerned individuals.

Your Committee finds that the funds appropriated by the federal government for redress payments to individuals of Japanese ancestry who were unjustly interned during World War II have been fully expended. Therefore, there are insufficient funds to pay all of the remaining claims by Japanese Americans and Japanese Latin Americans. Your Committee believes that additional federal funds need to be appropriated to satisfy these remaining claims and to fulfill the intent of the Civil Liberties Act of 1988.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 45, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Hiraki, Morita, Yoshinaga, Pendleton and Whalen.

SCRep. 1987 Culture and the Arts on S.C.R. No. 130

The purpose of this concurrent resolution is to request the United States Postal Service and the members of the Citizens' Stamp Advisory Committee to issue a commemorative stamp and stationery to honor Spark M. Matsunaga.

Testimony in support of this measure was received by the Office of Veteran Services and the Hawaii State Commission on the Status of Women.

Your Committee finds that Spark M. Matsunaga (1916-1990), United States Senator and Congressman, and decorated World War II hero who dedicated his life and career to achieving liberty and justice for all people, should be honored through a commemorative stamp and stationery for all to recognize his outstanding and exemplary achievements.

Your Committee also finds that the late Senator Matsunaga and his brothers-in-arms in the 100th Infantry Battalion and the 442nd Regimental Combat Team amassed an astonishing number of individual and unit awards, making the 100th Infantry Battalion and the 442nd Regimental Combat Team one of the most decorated military units in U.S. history.

Your Committee has amended this concurrent resolution by:

- (1) Requesting the United States Postal Service and the members of the Citizens' Stamp Advisory Committee to also recognize with a stamp and commemorative stationery, the 100th Infantry Battalion and the 442nd Regimental Combat Team;
- (2) Amending its title to read: "REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE COMMEMORATIVE STAMPS AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1912-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO, AND THE 100TH INFANTRY BATTALION AND THE 442ND REGIMENTAL COMBAT TEAM FOR THEIR SACRIFICES AND ACTS OF VALOR DURING WORLD WAR II;"
and
- (3) Making technical, nonsubstantive revisions for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 130, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 130, H.D. 1.

Signed by all members of the Committee except Representative Ito.

SCRep. 1988 Education on S.C.R. No. 186

The purpose of this concurrent resolution is to recognize the Hawaii Council of Private Schools for its work and to request it to prepare a biennial report of its duties and functions, the process, procedures, and requirements for licensing private schools, and its future plans and activities.

Testimony in support of the intent of this measure was submitted by the Hawaii Council of Private Schools.

Your Committee has amended this measure by revising the title to reflect amendments made by the Senate in the S.D. 1 version, to recognize the Hawaii Council of Private Schools for its excellent work with Hawaii's private schools.

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. 186, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 186, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Okamura, Morihara, Santiago and McDermott.

SCRep. 1989 Judiciary and Hawaiian Affairs on S.C.R. No. 219

The purpose of this concurrent resolution is to request the Hawaii Supreme Court to study the issues related to the practice of gift-giving by court reporters.

Testimony in support of this concurrent resolution was received from the Judiciary, Hawaii Shorthand Court Reports' Association, and Hilo Reporters.

Your Committee finds that concern has been raised over whether the giving and receiving of gifts affects the neutrality of court reporters and therefore, the veracity of transcripts produced by gift-giving court reporters. This concern may affect the perception by the public of the neutrality of the judicial process.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 219, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Chang, Garcia, Hiraki, Yoshinaga, Thielen and Whalen.

SCRep. 1990 Finance on S.C.R. No. 43

The purpose of this concurrent resolution is to express Legislative support for proposed artificial reef and derelict wreck placement on the Voyager Submarines, Hawaii dive site, Oahu, Hawaii.

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. 43, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 1991 Finance on S.C.R. No. 195

The purpose of this concurrent resolution is to authorize the lease of both fast and submerged lands at Keauhou, North Kona, on the island of Hawaii to a private entity for maintenance purposes.

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. 195, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 1992 **Finance on S.C.R. No. 3**

The purpose of this concurrent resolution is to request the United State Congress to approve the Ford Island Development Project.

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. 3, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 1993 **Finance on S.C.R. No. 20**

The purpose of this concurrent resolution is to urge the United State Congress to expand and make permanent the temporary visa waiver program established under the Immigration Control and Reform Act of 1986.

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. 20, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 1994 **Finance on S.C.R. No. 26**

The purpose of this concurrent resolution is to request the Auditor to study the social and financial effects of mandating the inclusion of marriage and family therapy within mental health and alcohol and drug abuse treatment insurance benefits.

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. 26, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 1995 **Finance on S.C.R. No. 28**

The purpose of this concurrent resolution is to encourage all schools in Hawaii to include music as a regular and integral part of their core curriculum.

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 Goodenow, Fox, Marumoto and Meyer.

SCRep. 1996 **Finance on S.C.R. No. 30**

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a policy and issue study concerning the undergrounding of overhead utility facilities.

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. 30, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 1997 **Finance on S.C.R. No. 33**

The purpose of this concurrent resolution is to request urgent attention to an expeditious plan of action to restore Kaunalapau Harbor.

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. 33, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 1998 **Finance on S.C.R. No. 34**

The purpose of this concurrent resolution is to urge support for home organic produce cooperatives.

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. 34, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 1999 **Finance on S.C.R. No. 53**

The purpose of this concurrent resolution is to request the Department of Taxation to amend its rules for employers paying State withholding taxes for nonresidents.

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. 53, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.
(Representative Moses voted no.)

SCRep. 2000 **Finance on S.C.R. No. 58**

The purpose of this concurrent resolution is to urge the State Foundation on Culture and Arts and the Office of Hawaiian Affairs to work expeditiously with Halau Haloa, the National Academy of Hawaiian Performing Arts, to complete the planning for the eighth Pacific Festival of Arts.

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. 58, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2001 **Finance on S.C.R. No. 65**

The purpose of this concurrent resolution is to request support from the Department of Health in establishing a roofing material recycling program.

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. 65, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2002 **Finance on S.C.R. No. 77**

The purpose of this concurrent resolution is to request the Child Protection Legislative Roundtable and the Appleseed Public Interest Law Foundation to examine and discuss selected issues relating to child abuse.

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. 77, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2003 **Finance on S.C.R. No. 86**

The purpose of this concurrent resolution is to request the State Auditor to conduct a follow-up management audit of the Child Support Enforcement Agency.

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. 86, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2004 **Finance on S.C.R. No. 105**

The purpose of this concurrent resolution is to request the University of Hawaii Community Colleges to establish and operate the Pacific Center for Advanced Technology Training and Education.

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. 105, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2005 Finance on S.C.R. No. 110

The purpose of this concurrent resolution is to request that the Hawaii Council of Heritage and Culture consider a month-long celebration in honor of Hawaii's diverse cultures.

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. 110, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2006 Finance on S.C.R. No. 112

The purpose of this concurrent resolution is to urge the development and use of workplace safety protocols addressing needlestick injuries.

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. 112, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2007 Finance on S.C.R. No. 118

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources to work in partnership with the County of Hawaii and all concerned parties to develop a master plan for keeping Pohoiki Boat Ramp safe and clean now and in the future.

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. 118, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2008 Finance on S.C.R. No. 144

The purpose of this concurrent resolution is to support the State of Hawaii's Hope VI Grant Application to assist public housing projects and urge the United States Department of Housing and Urban Development to act favorably on the application.

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. 144, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2009 Finance on S.C.R. No. 145

The purpose of this concurrent resolution is to request Hawaii's Congressional Delegation to obtain additional federal funds for the education of military dependents.

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. 145, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, fox, Marumoto and Meyer.

SCRep. 2010 Finance on S.C.R. No. 151

The purpose of this concurrent resolution is to request the Department of Health to develop and implement a five-year statewide, comprehensive strategic plan for services and supports for individuals with developmental disabilities or mental retardation.

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. 151, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2011 Finance on S.C.R. No. 152

The purpose of this concurrent resolution is to request the Hawaii Patient Bill of Rights and Responsibilities Task Force to make a thorough study of the issues relating to the use of the term "medical necessity" to determine the most appropriate definition of "medical necessity," or to develop new terms to better resolve the issues examined.

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. 152, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2012 Finance on S.C.R. No. 165

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources, private sector, military, and other concerned organizations to form a task force to facilitate and create non-exclusive artificial near-shore habitats where appropriate and desired by the local community.

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. 165, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2013 Finance on S.C.R. No. 188

The purpose of this concurrent resolution is to request the Department of Human Resources Development to create a job classification for advanced practice registered nurses.

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. 188, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2014 Finance on S.C.R. No. 194

The purpose of this concurrent resolution is to urge the collaboration of the Department of Health, Department of Education, the University of Hawaii, County Departments of Parks and Recreation, and other agencies and organizations to improve the fitness and physical activity of Hawaii's children and youth.

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. 194, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2015 Finance on S.C.R. No. 199

The purpose of this concurrent resolution is to express support for North Atlantic Treaty Organization, United States, and Hawaii-based military and humanitarian efforts to ensure the safety and well-being of children and families in Kosovo.

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. 199, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2016 Finance on S.C.R. No. 18

The purpose of this concurrent resolution is to request:

- (1) the Governor to incorporate assistive technology considerations and language in all administration measures relating to persons with disabilities; and
- (2) the Department of Business, Economic Development, and Tourism to develop incentives to encourage out-of-state businesses and vendors that provide assistive technology devices in Hawaii to increase their supplies to Hawaii.

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. 18, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2017 Finance on S.C.R. No. 202

The purpose of this concurrent resolution is to request the Hawaii Forestry and Communities Executive Council and the Department of Health to convene a meeting of affected stakeholders to consider means to attract carbon investments to mitigate global warming through sustainable forestry in Hawaii.

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 Goodenow, Fox, Marumoto and Meyer.

SCRep. 2018 **Finance on S.C.R. No. 210**

The purpose of this concurrent resolution is to request the Department of Education to conduct a study on the plan to move sixth grade students from elementary schools to intermediate schools.

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. 210, S.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2019 **Finance on S.C.R. No. 64**

The purpose of this concurrent resolution is to request a comprehensive review of Hawaii state law on the employment of severely disabled persons.

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. 64, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2020 **Finance on S.C.R. No. 184**

The purpose of this concurrent resolution is to request the Department of the Attorney General to establish a task force to study Hawaii's laws relating to domestic violence.

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, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2021 **Finance on S.C.R. No. 91**

The purpose of this concurrent resolution is to urge the Department of Health and the University of Hawaii School of Public Health to jointly establish goals and objectives to accomplish a more formal partnership between the two entities.

In addition, this measure requests the Department of Health to report findings and recommendations to the Legislature twenty days before the convening of the Regular Session of 2000.

Your Committee has amended this measure by requesting the School of Public Health to report findings and recommendations to the Legislature twenty days before the convening of the Regular Session of 2000.

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. 91, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 91, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2022 **Finance on S.C.R. No. 149**

The purpose of this concurrent resolution, as received, is to request the Legislative Reference Bureau (LRB), in conjunction with the Commission on Persons with Disabilities (Commission), and the Department of Health's Vocational Rehabilitation and Services for Blind Division, to conduct a comprehensive review to assess services for deaf, hard of hearing, and deaf-blind populations.

Among other things, this measure specifies that a proviso be included in the General Appropriations Act of 1999 to provide necessary funds for auxiliary aids and services in conducting the study and in assisting in the work of the task force.

Your Committee has amended this measure by:

- (1) deleting the proviso language;
- (2) designating the Commission as the lead agency, with the assistance of LRB, to conduct the comprehensive review; and

- (3) requesting the Commission, instead of LRB, to submit an interim report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2000, and a final report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2001.

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. 149, S.D. 2, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 149, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Goodenow, Fox, Marumoto and Meyer.

SCRep. 2023 Human Services and Housing on S.C.R. No. 4

The purpose of this concurrent resolution is to recognize the contributions and needs of older adults by observing 1999 as the International Year of Older Persons.

The Hawaii State Commission on the Status of Women, the Executive Office on Aging, and the Hawaii Long Term Care Association testified in support of this measure.

Your Committee supports the intergenerational collaboration between the young and old, and suggests recognizing the State's participation in this worldwide event at the Millennium Young People's Congress, which is scheduled to be held in Honolulu in October, 1999, to facilitate this process.

Your Committee has amended this measure by:

- (1) Adding a provision regarding intergenerational interactions; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 4, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 4, S.D. 1, H.D. 1.

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

SCRep. 2024 Human Services and Housing on H.R. No. 218

The purpose of this measure is to request the Governor, in collaboration with affected state agencies, the counties, the business sector, and communities of faith, to convene a Fatherhood Task Force to promote strong families through positive fathering initiatives.

In addition, this measure requests the Fatherhood Task Force to:

- (1) Examine public and private employment practices and initiate and support those practices that enhance the importance of fatherhood and father-friendly policies;
- (2) Promote the importance of father-friendly policies and stress the importance of fathers in actions and programs by public and private agencies that receive funding from the State;
- (3) Support the Hawaii Coalition for Dads, a collaboration of private and public agencies committed to exploring the needs of fathers and creating initiative supporting fatherhood;
- (4) Declare June Fathers Month with June 26, 1999 as the date of the first annual Father's Celebration;
- (5) Evaluate whether the State's education system promotes the qualities and importance of positive fatherhood and propose changes to achieve this goal;
- (6) Recommend and encourage other programs and activities by public agencies, community organizations, and communities of faith to promote positive fatherhood, including developing resources for children who are being raised without a positive father figure; and
- (7) Submit its findings and recommendations, including any proposed legislation, to the Legislature before the convening of the Regular Session of 2000.

Your Committee finds that researchers have posited that the decline of fatherhood is a major force behind many of the most disturbing problems that plague American society: crime and delinquency; teen-age pregnancy; deteriorating educational achievement; depression, substance abuse, and alienation among adolescents; and the growing number of women and children living in poverty. Your Committee also finds that family policy and family service programs have long ignored or marginalized fathers and the important role they play within the family structure, and that policy and programming must be changed to focus on fathers as an essential component of strengthening and supporting families if these problems are to be successfully addressed.

Your Committee has amended this measure by:

- (1) Requesting the Governor to support the convening of a Fatherhood Task Force by the Hawaii Coalition for Dads to promote strong families through positive fathering initiatives;
- (2) Expressing the Legislature's support for and appreciation of the efforts of the Hawaii Coalition of Dads to carry out the activities described in paragraphs (1), (2), (4), (5), and (6) above; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 218, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 218, H.D. 1.

Signed by all members of the Committee except Representatives Santiago and Pendleton.

SCRep. 2025 Human Services and Housing on H.R. No. 219

The purpose of this resolution is to:

- (1) Request the United Nations to establish and support a center for the health, welfare, and rights of children and youth in Hawaii; and
- (2) Respectfully request support for the center from the President of the United States and the U.S. Congress.

The Millennium Young People's Congress and two individuals testified in support of the measure.

Your Committee finds that the research of issues and alternatives pertinent to our children's future deserves a center where advocacy, policy implementation, and strategy for the health, welfare, and rights of children can be promoted, as well as provide children with a forum for legislation, funding, and global communications. Hawaii's location in the middle of the Pacific will provide an excellent and strategic location for such a center.

Your Committee has amended this resolution by:

- (1) Changing the focus of the request to UNICEF;
- (2) Amending the title, for the purpose of clarity, to read: "REQUESTING THE UNITED NATIONS CHILDREN'S FUND (UNICEF) TO ESTABLISH A CENTER FOR THE HEALTH, WELFARE, AND RIGHTS OF CHILDREN AND YOUTH IN HAWAII, AND RESPECTFULLY REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE U.S. CONGRESS TO SUPPORT THE CENTER;" and
- (3) Directing that a certified copy of the resolution be transmitted to the President of the UNICEF Executive Board.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 219, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 219, H.D. 1.

Signed by all members of the Committee except Representatives Santiago and Pendleton.