

SCRep. 1212-06 Consumer Protection & Commerce on S.B. No. 3283

The purpose of this bill is to develop and maintain a statewide comprehensive health care workforce map and database by appropriating an unspecified amount for the State Health Planning and Development Agency (SHPDA).

SHPDA and a concerned individual testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the appropriation amount to \$500,000; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3283, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 3283, S.D. 1, H.D. 1.

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

SCRep. 1213-06 Economic Development & Business Concerns on S.B. No. 2542

The purpose of this bill is to diversify Hawaii's economy by appropriating funds for the Department of Business, Economic Development, and Tourism's (DBEDT) Hawaii Community-Based Economic Development Technical and Financial Assistance Program.

The Office of Hawaiian Affairs, Hawaii Alliance of Nonprofit Organizations, Empower Oahu, Kipahulu Ohana, Hawaii Alliance for Community-Based Economic Development, Honolulu Community Action Program, Kona Pacific Farmers Cooperative, and Papakolea testified in support of this bill. DBEDT supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2542, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Herkes, Ching and Marumoto.

SCRep. 1214-06 Economic Development & Business Concerns on S.B. No. 2546

The purpose of this bill is to improve Hawaii's construction industry by establishing a task force within the Department of Labor and Industrial Relations (DLIR) to study the feasibility of a Hawaii Construction Authority (Construction Authority). The Construction Authority would have the responsibility of developing and implementing a strategic, long-range construction development plan for the State of Hawaii and streamlining the construction process.

Prior to the public hearing, your Committee circulated a proposed draft that replaced the contents of this bill with the language of H.B. No. 2181, H.D. 2 (Proposed H.D. 1), and received testimony on the Proposed H.D. 1. Specifically, the Proposed H.D. 1:

- (1) Establishes the Hawaii Innovations Partnership Corporation (Corporation), to be administratively attached to the Department of Budget and Finance (B&F), to promote economic development in advanced technology, life sciences, and renewable energy;
- (2) Establishes the Hawaii Innovations Partnership Special Fund (Special Fund) to be used for operating costs and professional investor services;
- (3) Establishes the Hawaii Innovations Partnership Research and Development Fund to be used for research and development grants for the Research and Development Grant Program established in this measure and for technical business support for funded projects;
- (4) Establishes the Hawaii Innovations Partnership Investment Fund to be used for investments under the Venture Capital Investment Program established in this measure, and for technical business support for funded projects;
- (5) Appropriates \$100,000,000 to the Special Fund; and
- (6) Appropriates one-half percent of the general revenues in fiscal years 2007-2008, 2008-2009, 2009-2010, and 2010-2011 to the Special Fund.

The High Technology Development Corporation, University of Hawaii, Hawaii Science and Technology Council, HR Biopetroleum, NovaSol, Hawaii Biotech, Inc., Hawaii Pacific Health, Nanopoint, Hawaii Venture Capital Association, Hawaii Crop Improvement Association, PacifiCap Group, LLC., and a concerned individual testified in support of this bill. Enterprise Honolulu supported this measure with amendments. The Department of Business, Economic Development, and Tourism (DBEDT) and Hawaii Strategic Development Corporation supported the intent of this measure. B&F opposed this measure. The Hawaii Building and Construction Trades Council, AFL-CIO, and Plumbers and Pipefitters Union Local 675 offered comments.

Your Committee has amended this bill by:

- (1) Replacing its contents with the Proposed H.D. 1; and
- (2) Requiring the Corporation to submit a complete and detailed annual report to the Legislature containing performance metrics.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2546, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2546, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Chang, Ching and Marumoto.

SCRep. 1215-06 Labor & Public Employment on S.B. No. 87

The purpose of this bill is to assist substitute teachers of the Department of Education (DOE) by:

- (1) Establishing a separate collective bargaining unit for substitute teachers, including part-time substitute teachers working less than one-half of a full-time equivalent position; and
- (2) Providing an option for substitute teachers to join an appropriate and existing bargaining unit.

The Hawaii Government Employees Association, Substitute Teachers Professional Alliance, Inc., and a concerned individual testified in support of this measure. The Department of Human Resources Development offered comments.

Substitute teachers provide a valuable service to the State's educational system. However, these individuals are currently without any form of representation within the public school system. It has been brought to the attention of your Committee that substitute teachers are at times treated differently by school administrators and their peers depending upon the situation at the public school to which the substitute is assigned. Substitute teachers were also recently forced to file a class action lawsuit to recover back pay from DOE.

Your Committee finds that these problems may have been avoided if substitute teachers had proper representation through a collective bargaining unit. The creation of such a unit for substitute teachers would allow for fair and equal representation and give them the ability to collectively bargain for better working conditions.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 87, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Souki.

SCRep. 1216-06 Labor & Public Employment on S.B. No. 2190

The purpose of this bill is to provide relief to employers by providing adjustments to the calculation of unemployment insurance contributions paid for by employers for a period of one year. Among other things, this measure also:

- (1) Increases the maximum potential benefits paid to an eligible individual in a benefit year to 30 times the individual's weekly benefit amount;
- (2) Increases the cap on the maximum weekly benefit amount to 80 percent of the individual's average weekly wage beginning in 2007 and to 90 percent in 2012;
- (3) Increases the threshold for deducting wages earned in a benefit week to \$150; and
- (4) Specifies that the exclusion from benefits to employees terminated for misconduct shall be based upon willful and wanton misconduct.

Hawaii State AFL-CIO, Hawaii State Teachers Association, and Star Protection Agency testified in support of this bill. The Department of Labor and Industrial Relations testified in support of this bill in part and opposition to this bill in part. The Associated Builders and Contractors Inc., Hawaii Chapter, supported the tax break provision of this measure. The Building Industry Association-Hawaii, The Hawaii Business League, National Federation of Independent Business-Hawaii, Bowen Hunsaker Hirai Certified Public Accountants, HSI Mechanical Inc., Society for Human Resource Managers-Hawaii Chapter, Outrigger Hotels, and The Chamber of Commerce of Hawaii opposed this bill. The Department of the Attorney General, ILWU Local 142, General Contractors Association of Hawaii, Retail Merchants of Hawaii, and a concerned individual submitted comments.

Currently, the unemployment trust fund contains approximately \$457 million. Your Committee notes that with a surging economy and one of the lowest unemployment rates in the nation, payment of unemployment claims has had a minimal impact upon the current balance of the unemployment trust fund. By lowering the maximum taxable wage base for contributions to the unemployment insurance fund, your Committee believes that businesses, especially small businesses, will receive tax relief that will allow further stimulation of the economy as these businesses use their cost savings for expanded growth without jeopardizing the stability of the fund.

However, your Committee understands the concerns raised regarding the additional unemployment benefits and that the reserves of the Unemployment Compensation Fund may be depleted should Hawaii face a serious and lengthy economic downturn such as was experienced during the first Gulf War in the early 1990s.

Additionally, your Committee finds that many children, particularly those working in family-owned businesses, continue to work in the employ of their parents after reaching the age of 21. Removing the maximum age restriction on the unemployment insurance contribution exemption for children who are employed by a parent will further assist these businesses.

Taking all these factors into consideration, your Committee has amended this measure by deleting its contents and replacing it with language that:

- (1) Removes the maximum age restriction on the unemployment insurance contribution exemption for children who are employed by a parent;

- (2) Lowers the maximum taxable wage base for contributions to the unemployment insurance fund to the federal minimum of \$7,000 for the 2006 and 2007 calendar years; and
- (3) Provides for an automatic repeal of the tax relief provided for in this bill should the economy take a significant downturn.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2190, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2190, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Souki.

SCRep. 1217-06 Labor & Public Employment on S.B. No. 3009

The purpose of this bill is to ensure that a fair and equitable civil service system is used for a majority of employees in public service by changing the status of public employment positions that are statutorily exempt from civil service to civil service positions. This measure conforms to the intent and purpose of Act 253, Session Laws of Hawaii 2000, better known as the "Civil Service Reform Act."

This bill also:

- (1) Repeals the provision of Act 88, Session Laws of Hawaii 2001, allowing for civil service positions transferred from the now-defunct Public Employees Health Fund to the Hawaii Employer-Union Health Benefits Trust Fund to become exempt when the position is vacated; and
- (2) Extends the sunset date of Act 128, Session Laws of Hawaii 2004, which, among other things, allows civil service exempt employees with six consecutive years of service to apply for intra- and inter-departmental transfers or promotions.

Several concerned individuals testified in support of this bill. The Hawaii Government Employees Association supported the intent of this measure. The Department of Land and Natural Resources, Public Utilities Commission, Hawaii Community Development Authority (HCDA), and Department of Commerce and Consumer Affairs opposed parts of this bill. The Department of Human Resources Development (DHRD) and the Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund submitted comments.

Your Committee finds that the number of exempt civil service positions in the State should be limited to the greatest extent possible in order to preserve the principle that the civil service shall comprise all positions in the State. This ensures that the rights and privileges of civil service are provided whenever possible. The proliferation of exempt positions in the State over the years tends to undermine this principle. Placing limits on the number of exempt positions and regularly monitoring the implementation of those limits will help preserve the integrity of the civil service system.

As the state's human resources department, DHRD is the most appropriate entity to monitor the status of the conversion of these positions from exempt to civil service and provide the background and reasoning for converting or not converting particular positions. Therefore, your Committee finds that DHRD is the proper agency to report this and other appropriate information to the Legislature.

However, your Committee understands the need to have exempt positions for highly skilled, highly qualified positions that need immediate recruitment and that requiring conversion of certain exempt positions to civil service may have a detrimental effect on the operations of government.

Accordingly, your Committee has amended this measure by:

- (1) Allowing rather than requiring the conversion of various exempt positions within state government;
- (2) Deleting the requirement that the HCDA convert its exempt positions to civil service positions;
- (3) Deleting the provision extending the sunset date of Act 128, Session Laws of Hawaii 2004, which, among other things, allows civil service exempt employees with six consecutive years of service to apply for intra- and inter-departmental transfers or promotions;
- (4) Requiring DHRD and HGEA to work collaboratively to establish a logical, workable, and fair process for converting exempt positions in various departments to civil service positions;
- (5) Establishing parameters for criteria to formulate a logical, workable, and fair process for converting positions in various departments from exempt to civil service positions;
- (6) Allowing an employee who occupies an exempt position for at least one year at the time it is replaced by a civil service position to have a one-time election to remain exempt from civil service, provided that once that position is vacated by the employee, the position shall be converted to civil service;
- (7) Requiring that an employee who occupies an exempt position at the time it is replaced by a civil service position to be appointed to the civil service position that replaces the employee's exempt position if the employee has occupied the position for at least one year; and
- (8) Requiring an employee's compensation to be determined according to the applicable collective bargaining agreement or supplemental agreement covering exempt employees without loss of seniority, prior service credit, accrued vacation, accrued sick leave, or other employee benefits, when an employee is appointed to a replacement civil service position.

This bill has also been amended by:

- (1) Changing its effective date to July 1, 2006; and

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3009, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3009, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Souki.

SCRep. 1218-06 Consumer Protection & Commerce on S.B. No. 2545

The purpose of this bill is to allow condominium disputes over the interpretation, application, or enforcement of the condominium law or the association's declaration, bylaws, or house rules to be resolved in an administrative hearing. Specifically, this bill:

- (1) Moves the pilot program for condominium management dispute resolution (Dispute Resolution Program) from the condominium law in Chapter 514A, Hawaii Revised Statutes (HRS), into Chapter 514B, HRS, the recodified condominium law; and
- (2) Provides that the Dispute Resolution Program will be in effect for two years;

The Hawaii Council of Associations of Apartment Owners, Hawaii Independent Condominium & Cooperative Owners, and several concerned individuals supported this bill. The Office of Administrative Hearings of the Department of Commerce and Consumer Affairs commented on this bill.

Your Committee finds that the administrative hearing offered by this bill is available to persons who have participated unsuccessfully in dispute mediation. It therefore excludes more complex disputes involving matters such as actions to collect assessments and personal injury claims. Your Committee also notes that the Dispute Resolution Program in this bill will be available only to condominium property regimes that are subject to Chapter 514B, HRS, either because they were created after its July 1, 2006, effective date, or because they have elected to be governed by the chapter.

Your Committee has amended this bill by:

- (1) Changing its sunset date to June 30, 2009; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2545, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2545, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1219-06 Housing on S.B. No. 2461

The purpose of this bill is to appropriate funds for various programs on Maui, including:

- (1) Hale Mahaolu for phase one of the Hale Mahaolu Ehiku affordable housing development and a personal care program;
- (2) Maui Economic Opportunity, Inc., for a new base yard site and for plans, design, and construction of a permanent transit facility; and
- (3) Hale Makua for phase one of a federally mandated fire sprinkler system in the Hale Makua – Wailuku facility.

The Housing and Community Development Corporation of Hawaii, Hale Mahaolu, Joint Advocacy Committee on Senior Affairs, Hale Makua, and concerned individuals testified in support of this bill. The Department of Human Services supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2461, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Arakaki.

SCRep. 1220-06 Housing on S.B. No. 2984

The purpose of this bill is to assist displaced Kalapana families by appropriating funds into the Kikala-Keokea Housing Revolving Fund to provide low-interest home construction loans for Kikala-Keokea leaseholders and to fund related activities.

The Office of Hawaiian Affairs supported this bill. The Housing and Community Development Corporation of Hawaii supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the expending agency to the Hawaii Housing Finance and Development Administration; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2984, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2984, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1221-06 Economic Development & Business Concerns on S.B. No. 2997

The purpose of this measure is to provide for certain exemptions to the Hawaii public procurement code.

Specifically, this measure would provide exemptions from the Hawaii public procurement code for:

- (1) The services of contractors under contract with a governmental body for the purpose of preparing a report or study for submission to the Legislature;
- (2) The Hawaii Strategic Development Corporation; and
- (3) The National Energy Laboratory of Hawaii Authority.

This measure would also restore the procurement code exemption for the High Technology Development Corporation.

Your Committee received testimony in favor of this measure from the Hawaii Strategic Development Corporation and the High Technology Development Corporation. The Legislative Reference Bureau supported extending an exemption to contractors preparing reports or studies for submittal to the Legislature. The State Procurement Office, the American Council of Engineering Companies, and the Coalition of Hawaii Engineering and Architectural Professionals submitted testimony in opposition. The Department of Accounting and General Services provided testimony stating the measure was unnecessary.

The University of Hawaii submitted testimony in support of this measure, with a request for an amendment to restore the University of Hawaii's exemption from the procurement code. At this time, your Committee is unable to amend this measure to incorporate the exemption for the University of Hawaii and requests that the House Committee on Finance consider restoring the exemption for the University of Hawaii. The restoration of the exemption for the University of Hawaii will grant the University the flexibility it needs to be a major engine for the economic diversification of the State.

Your Committee notes that contracting for the preparation of a report or study to be submitted to the Legislature many times may not afford the time to comply with the procurement code in order to file a timely report or study to the Legislature. Providing this exemption would greatly benefit the Legislature in its own work.

With regard to the exemption for the Hawaii Strategic Development Corporation, your Committee notes that the primary purpose of the Corporation is the provision of venture capital investment financing. Your Committee does not believe that this function is in the nature of a "procurement". Finally, with regard to the exemptions for the High Technology Corporation and the National Energy Laboratory of Hawaii Authority, your Committee believes that both entities are involved on the cutting edge of technology and require the flexibility that an exemption from the procurement code could provide.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2997, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Herkes, Ching and Marumoto.

SCRep. 1222-06 Housing on S.B. No. 2958

The purpose of this bill is to address Hawaii's affordable housing and homeless issues by, among other things:

- (1) Appropriating funds for various affordable housing and homeless assistance programs and projects;
- (2) Amending the composition of the Board of Directors of the Housing and Community Development Corporation of Hawaii (HCDCH);
- (3) Setting aside five percent of state low-income public housing units for grandparents who are primary caregivers for grandchildren;
- (4) Authorizing the use of State Rent Supplement Program (SRSP) funds for project-based operating subsidies for state low-income housing units transferred to private organizations to manage and operate the units;
- (5) Expanding eligibility for the Low-income Housing Tax Credit to include construction of new affordable housing units and the rehabilitation of existing affordable housing units;
- (6) Establishing a Mortgage Credit Certificate program to provide tax credits for interest paid on mortgages; and
- (7) Authorizing the transfer of state lands from the Department of Land and Natural Resources (DLNR) to the Hawaii Housing Finance and Development Administration (HHFDA) for affordable housing development.

The State Council on Developmental Disabilities, Affordable Housing and Homeless Alliance, League of Women Voters of Hawaii, Hawaii Association of Realtors, Honolulu Habitat for Humanity, AARP Hawaii, A Woman's Voice International, Na Tutu, Grandparents Raising Grandchildren Coalition, Partners in Care, Institute for Human Services, Inc., Hawaii Disability Rights Center, Habitat for Humanity Hawaii, and several concerned individuals supported this bill. HCDCH and the Policy Board for Elder Affairs supported the intent of this measure in part. The Department of Taxation, Attorney General (AG), Executive Office on Aging, and Tax Foundation of Hawaii offered comments.

Your Committee notes that it received testimony from the AG that there are legal concerns with regard to the provisions allowing special consideration to grandparents in public housing who care for their grandchildren. Your Committee acknowledges those concerns, but has chosen to leave those provisions in the bill until a formal opinion is issued by the AG and to encourage further discussion to find alternative solutions.

Your Committee also recognizes testimony received from HCDCH that asks for deletion of the requirement that a housing project, to be considered for transfer to another entity for rehabilitation, must no longer be suitable for its original use and be intended for demolition.

Additionally, your Committee is supportive of many of the provisions included in this measure as received. However, your Committee has considered and passed other measures that included similar provisions.

Accordingly, your Committee has amended this bill by:

- (1) Removing its contents except for provisions that:
 - (A) Allow SRSP funds to be used for project-based operating subsidies for state low-income housing units that are transferred to private organizations for management and operation;
 - (B) Allow individuals receiving public assistance to qualify as tenants for public housing;
 - (C) Authorize the transfer of state lands from DLNR to HHFDA for affordable housing development; and
 - (D) Set aside five percent of state low-income public housing units for grandparents who are primary caregivers for grandchildren, and other related provisions;

and
- (2) Inserting provisions that, among other things:
 - (A) Remove the requirement that a housing project, to be considered for transfer to another entity for rehabilitation, must no longer be suitable for its original use and intended for demolition;
 - (B) Extend from June 30, 2007, to June 30, 2009, the use of the Rental Housing Trust Fund (RHTF) for grants for rental units for households at or below 30 percent of the median family income;
 - (C) Increase from 30 to 65 percent the conveyance tax allocation to RHTF;
 - (D) Authorize the lease of parcels deemed suitable for affordable housing at \$1 per year for up to 50 years for self-help development;
 - (E) Appropriate \$20,000,000 for homeless services and transitional housing programs;
 - (F) Appropriate \$10,000,000 to repair and modernize vacant units in federal and state public housing projects;
 - (G) Appropriate \$400,000 for interim construction loans for up to ten homes to be developed as self-help ownership homes;
 - (H) Appropriate \$6,800,000 for HHFDA to acquire the Kulana Nani property from Kamehameha Schools and retain the property as affordable housing;
 - (I) Appropriate funds to renovate existing structures at Kalaeloa to provide shelter to homeless veterans;
 - (J) Change the effective date to July 1, 2010, to encourage further discussion; and
 - (K) Make technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2958, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2958, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1223-06 Consumer Protection & Commerce on S.B. No. 2917

The purpose of this bill is to ensure that health insurance premiums are not excessive, inadequate, or unfairly discriminatory, by extending the sunset date of the health insurance rate regulation law in article 14F of chapter 431, Hawaii Revised Statutes (HRS), four years, to July 1, 2010.

The Insurance Commissioner of the Department of Commerce and Consumer Affairs, Hawaii Chapter American Physical Therapy Association, and Kookaa Council supported the bill. Kaiser Permanente opposed the bill. Benefit Plan Consultants commented on the bill.

Your Committee also received testimony on a proposed H.D. 2 that was circulated by your Committee. The Hawaii State Teachers Association, Hawaii Chapter American Physical Therapy Association, and Summerlin Life & Health Insurance Company opposed the proposed bill. The Insurance Commissioner commented.

Your Committee has amended this bill by adopting the proposed H.D. 2 and amendments suggested by the Insurance Commissioner. The amended bill changes article 14F, HRS, by:

- (1) Providing that rates must be reasonable in relation to "the costs of" the benefits provided;
- (2) Requiring a rate filing to be accompanied by supporting information;
- (3) Providing that supporting and supplementary rating information that health insurance plans (plans) file with the Commissioner along with proposed rates, is confidential, proprietary information not subject to public inspection;
- (4) Reducing from 90 to 30 days, the waiting period after which the rate becomes effective unless disapproved by the Commissioner, and increasing from 15 to 30 days the permissible extension of the period;
- (5) Providing that certain plans, and plans with rates based totally or in part on the individual group's claim experience must submit descriptions of rate methodology sufficient to allow determination of costs plus a reasonable rate of return and must make available upon request, complete supporting and supplementary rating information;
- (6) Specifying that the Commissioner must send a plan notice of rate disapproval within the 30-day waiting period, or any 30-day extension of the waiting period;
- (7) Requiring the Commissioner to specify the actuarial, statutory, and regulatory basis for disapproval of a rate, including a detailed explanation of the application of these that resulted in disapproval;
- (8) Providing that if a plan has no legally effective rates because of a disapproval, the Commissioner must establish interim rates:
 - (A) Within ten days of disapproval;
 - (B) That are sufficient to protect plan and enrollee interests, assure plan solvency, health care delivery, and prevent impairment of enrollee benefits; and
 - (C) That are no less than the median between the existing rate and the disapproved rate;
- (9) Allowing the Commissioner, when there is a difference between approved and interim rates, to allow a plan to exact a surcharge on premiums or order the difference to be applied to stabilize future rates or be refunded to current plan enrollees;
- (10) Requiring the Commissioner, when challenging an effective rate, to include in the notice of hearing the specific factual and legal grounds for the Commissioner's challenge, and issue a notice of disapproval of the rate within 30 days of the hearing; and
- (11) Specifying that the persons allowed to challenge any effective rate are "enrollees of a managed care plan" and "organizations that purchase health insurance from a managed care plan", and that the challenger bears the burden of proof of showing the rate does not comply with article 14F, Hawaii Revised Statutes.

Your Committee finds that these amendments will reduce the burden of rate regulation on plans and their enrollees by streamlining the rate disapproval process and making regulation more predictable and transparent.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2917, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2917, H.D. 2.

Signed by all members of the Committee except Representatives Kanohe, Karamatsu, Sonson and Stonebraker.

SCRep. 1224-06 Judiciary on S.B. No. 3077

The purpose of this bill is to amend the land conservation laws by:

- (1) Requiring the Department of Land and Natural Resources (DLNR) to consult with the Senate President and Speaker of the House of Representatives when:
 - (A) Preparing a resource land acquisition plan; and
 - (B) Making recommendations to the Board of Land and Natural Resources (BLNR) on the acquisition of lands having value as a resource to the State;

and
- (2) Requiring BLNR to consult with the Senate President and Speaker of the House of Representatives when:
 - (A) Acquiring, selling, leasing, or otherwise conveying lands having value as a resource to the State; and
 - (B) Making grants to state agencies, counties, and nonprofit land conservation organizations for purchase or acquisition of interests or rights in lands having value as a resource to the State.

DLNR and the Trust for Public Land testified in support of this bill. The Department of Agriculture, Hawaii Agriculture Research Center, and the Nature Conservancy of Hawai'i provided comments.

Several testifiers suggested an amendment to make an appropriation from the Land Conservation Fund to preserve federal Farm and Ranch Land Protection Program funding. Your Committee respectfully requests the Committee on Finance to consider this matter.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3077, S.D. 2, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Caldwell.
(Representatives Souki and Marumoto voted no.)

SCRep. 1225-06 Judiciary on S.B. No. 2156

The purpose of this bill is to explicitly authorize the Office of the Auditor (Auditor) to examine and inspect all files, records, and documents of the Department of Taxation (DOTAX), including the tax returns of any taxpayer, for the purposes of carrying out its auditing or other investigative duties under Chapter 23, Hawaii Revised Statutes.

The Auditor supported this bill. DOTAX opposed this measure. The Tax Foundation of Hawaii offered comments.

Your Committee has amended this bill by:

- (1) Requiring the Auditor to implement internal policies to protect private personal information to ensure that confidential information found in DOTAX records remain confidential; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2156, S.D. 2, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2156, S.D. 2, H.D. 1.

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

SCRep. 1226-06 Judiciary on S.B. No. 2476

The purpose of this bill is to regulate State-controlled lands by, among other things:

- (1) Establishing an order of intestate succession for the transfer of certificate of occupation or homestead lease in the case of death;
- (2) Providing conditions for a tenant-at-will to receive a reinstatement of certificate of occupation, lease, right-of-purchase lease, or cash freehold agreement;
- (3) Requiring legislative approval for the sale, exchange, lease, or similar disposition of land held in title by the Hawaii Community Development Authority (HCDA), within the Kakaako Community Development District (Kakaako District), and located makai of Ala Moana Boulevard; and
- (4) Prohibiting residential projects on state lands in the Kakaako District located makai of Ala Moana Boulevard.

The Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 and concerned individuals opposed this bill. The High Technology Development Corporation offered comments.

Prior to the public hearing, your Committee circulated and received testimony on a proposed draft (Proposed H.D. 2). The Proposed H.D. 2, specifically:

- (1) Requires legislative approval for the sale, exchange, lease, or similar disposition of land held in title by HCDA, within the Kakaako District, and located makai of Ala Moana Boulevard; and
- (2) Prohibits residential projects on state lands in the Kakaako District located makai of Ala Moana Boulevard.

Numerous concerned citizens supported the Proposed H.D. 2. Save Our Kaka'ako Makai, Friends of Kewalo Basin Park Association, Save Our Kaka'ako Coalition, and numerous concerned individuals supported the Proposed H.D. 2 with an amendment. HCDA opposed the Proposed H.D. 2. The Hawaii Government Employees Association offered comments.

Your Committee has amended this bill by:

- (1) Substituting its contents with the Proposed H.D. 2; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

Your Committee notes suggestions to exclude properties under one acre in size and to remove leases from the new provisions, as well as questions raised about a potential discrepancy between provisions that exempt land dispositions in Kakaako Makai relating to the Reserved Housing Program from the requirement of legislative approval, while also expressly prohibiting residential projects on state lands in the same location. However, your Committee is advancing this bill for further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2476, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2476, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1227-06 Judiciary on S.B. No. 2485

The purpose of this bill is to authorize the Department of Budget and Finance (B&F) to issue special purpose revenue bonds (SPRBs) to assist agricultural businesses operating on important agricultural lands.

The Department of Agriculture, Land Use Research Foundation of Hawaii, Hawaii Agriculture Research Center, Hawaii Crop Improvement Association, Meadow Gold Dairies, Pineapple Growers Association of Hawaii, and a concerned individual supported this bill. Earthjustice opposed this measure. B&F provided comments.

Your Committee finds that the preservation of important agricultural lands is a significant issue. However, concerns were raised about the potential adverse effect of funding irrigation system improvements that may divert water from streams in a way that harms native stream life, cultural uses, and ecosystem balance. Water is a public trust resource that the State must protect, and discussions about methods to preserve natural streams, including the establishment of scientifically-based instream flow standards are necessary in finding comprehensive solutions.

Your Committee further finds that certain terms in this bill may restrict the flexibility of future Legislatures in supporting a wider range of agricultural projects. First, requiring agricultural businesses to operate on important agricultural lands instead of any type of agricultural lands will limit the projects that may be considered for SPRB financing. And second, the term, "agricultural businesses", may prove similarly restrictive. On the other hand, substituting a broader term such as "agricultural enterprises" would provide greater flexibility for future Legislatures. The use of "agricultural enterprises" is also consistent with other parts of chapter 39A, Hawaii Revised Statutes, that refer to manufacturing enterprises, processing enterprises, and industrial enterprises.

Accordingly, your Committee has amended this bill by:

- (1) Expanding the scope of the SPRBs to apply to any agricultural land; and
- (2) Replacing references to "agricultural businesses" with "agricultural enterprises".

Technical, nonsubstantive amendments were also made for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2485, S.D. 2, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2485, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1228-06 Judiciary on S.B. No. 3084

The purpose of this bill is to facilitate the appraisal process required to acquire "Lands Having Value as a Resource to the State" (Resource Value Lands) by, among other things:

- (1) Allowing the State the authority to review, approve, and accept existing appraisals if the appraisal was completed within one year and performed according to accepted professional standards;
- (2) Allowing the State to contract with no more than three disinterested appraisers for completion of an independent appraisal;
- (3) Authorizing the purchase of Resource Value Lands for a sum greater than the highest value fixed by the appraiser only if the higher value is determined to be justified by an independent appraiser; provided that this authorization shall not apply to Resource Value Lands acquired by condemnation.

The Hawaii Agriculture Research Center, The Nature Conservancy of Hawaii, and The Trust for Public Land testified in support of this bill. The Department of Land and Natural Resources did not oppose this measure.

Your Committee has amended this bill by:

- (1) Exempting donated lands from appraisal requirements; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3084, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 3084, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1229-06 Judiciary on S.B. No. 2479

The purpose of this bill is to amend Article VII, section 12, of the Constitution of the State of Hawaii, to authorize the issuance of, and use of proceeds from, special purpose revenue bonds (SPRB) to assist agricultural businesses operating on important agricultural lands.

The Department of Agriculture, University of Hawaii College of Tropical Agriculture and Human Resources, Hawaii Crop Improvement Association, Land Use Research Foundation of Hawaii, Meadow Gold Dairies, and Pineapple Growers Association of Hawaii testified in support of this bill. The Hawaii Agriculture Research Center supported the intent of this measure. Earthjustice opposed this measure. The Department of Budget and Finance offered comments.

Your Committee finds that the preservation of agricultural lands is a significant issue. However, concerns were raised about the potential adverse effects of funding irrigation system improvements that may divert water from streams in a way that harms native stream life,

cultural uses, and ecosystem balance. Water is a public trust resource that the State must protect, and discussions about methods to preserve natural streams, including the establishment of scientifically-based instream flow standards are necessary in finding comprehensive solutions.

Your Committee has amended this bill by:

- (1) Replacing the term "agricultural businesses" with "agricultural enterprises," to be consistent with existing SPRB authorizations;
- (2) Expanding the issuance of SPRB for agricultural enterprises operating on agricultural lands, instead of *important* agricultural lands, to provide less restrictive and broader authorization which may enable a wider range of projects to be eligible for SPRB financing for agricultural purposes; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2479, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2479, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1230-06 Judiciary on S.B. No. 2600

The purpose of this bill is to amend the statutory requirements for court documents, processes, and certificates by:

- (1) Clarifying that court process records or documents may be created, retained, and stored electronically and converted to electronic form;
- (2) Modifying the requirements for court seals; and
- (3) Allowing court documents and records to be electronically signed and sealed.

The Judiciary and the Honolulu Police Department testified in support of this bill.

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

- (1) Require the seal of a court to be in the custody or control of the clerk of the court;
- (2) Allow the seal of the court to be impressed, embossed, stamped, or electronically imprinted upon a court document, process, or certificate; and
- (3) Provide that any requirement that a court document, process, or certificate be signed, certified, acknowledged, verified, exemplified, attested, or made under oath or seal, is satisfied if the document bears an electronic seal of the court and an electronic image of the signature or electronic facsimile signature of the judge, clerk, or other authorized person.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2600, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2600, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1231-06 Judiciary on S.B. No. 3124

The purpose of this bill is to amend the law pertaining to the University of Hawaii Board of Regents (Board) by clarifying Board members' requirements and terms of office.

The Department of the Attorney General submitted comments.

Your Committee has amended this bill by:

- (1) Amending the terms of office of Board members to address issues of transition;
- (2) Removing the provision that if a Board member is to be appointed to a second term of five years, the Senate must consider the question of whether to reconfirm the member at least 125 days prior to the conclusion of the member's first five-year term;
- (3) Changing the effective date to July 1, 2006; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3124, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Caldwell.
(Representative Marumoto voted no.)

SCRep. 1232-06 Judiciary on S.B. No. 2606

The purpose of this bill is to remove the need for a court order to effect the escheat of bail money that has not been declared forfeited and that remains unclaimed for at least two years after final disposition of the case for which the money was deposited.

The Judiciary supported this bill.

Your Committee has amended this bill by:

- (1) Providing that bail money that has not been declared forfeited and that remains unclaimed for at least two years after final disposition of the case for which the money was deposited shall be presumed abandoned under the Uniform Unclaimed Property Act; and
- (2) Specifying that this bill applies to all bail money held at the time of its enactment, or at any time thereafter.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2606, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2606, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1233-06 Health on S.B. No. 2727

The purpose of this bill is to allow moneys from the neurotrauma special fund to be used for direct services to individuals with neurotrauma.

Specifically, this bill allows moneys from the neurotrauma special fund to be used for services that assist individuals with neurotraumatic injuries, including but not limited to cognitive therapy, personal assistance, respite care, and day health programs. Furthermore, the bill requires the Department of Human Services to apply for a federal traumatic brain injury waiver no later than December 31, 2006.

Your Committee received testimony in support of this bill from the Hawaii Disability Rights Center, the Hawaii Psychological Association, and three individuals. The Department of Human Services submitted comments. The Department of Health expressed concerns and offered several suggestions to amend the bill.

Upon further consideration, your Committee has amended this bill by making the two changes suggested by the Department of Health, as follows:

- (1) Deleting the enumeration of specific services to be provided in section 2 of the bill and clarifying that the services are direct services; and
- (2) Delaying the deadline to apply for the federal waiver from December 31, 2006, to December 31, 2007, in section 3 of the bill because the data necessary for the preparation of the waiver application will take until at least June 30, 2007, to be collected.

Your Committee believes that this bill will provide the necessary funds through the neurotrauma special fund to assist individuals with neurotraumatic injuries.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2727, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2727, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1234-06 Health on S.B. No. 2961

The purpose of this bill is to discourage smoking especially by young people by increasing the tax on cigarettes. This bill also allocates funds to effective sources in the prevention and treatment of cancer caused by smoking such as:

- (1) The Cancer Research Center of Hawaii
- (2) Health promotion and disease prevention programs administered by the Department of Health (DOH); and
- (3) The Hawaii Tobacco Prevention and Control Trust Fund.

The University of Hawaii (UH), Cancer Research Center of Hawaii, DOH, Office of Hawaiian Affairs, Hawaii Community Development Authority, Hawaii Primary Care Association, American Lung Association of Hawaii, Hawaii Dental Association, American Heart Association of Hawaii, Hawaii Biotech, Inc., Hawaii Science and Technology Council, Hawaii Public Health Association, and numerous concerned individuals supported this bill. The High Technology Innovation Corporation supported the intent of this measure. A concerned individual opposed this bill. The Tax Foundation of Hawaii provided comments.

Your Committee has amended this bill by, among other things:

- (1) Deleting the specific excise tax amounts being incrementally increased from 2007 to 2009;
- (2) Changing the percentages of cigarette tax revenues to be allocated to programs to unspecified percentages;
- (3) Deleting the designation of cigarette tax revenues to:

- (A) The Cancer Research Center of Hawaii;
- (B) DOH health promotion and disease prevention programs; and
- (C) The Hawaii Tobacco Prevention and Control Trust Fund;
- (4) Designating cigarette tax revenues to support:
 - (A) UH's John A. Burns School of Medicine;
 - (B) Emergency medical services statewide;
 - (C) The state's trauma care resources; and
 - (D) Community health centers;
- and
- (5) Making technical, nonsubstantive changes for clarity, consistency, 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 is in accord with the intent and purpose of S.B. No. 2961, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2961, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1235-06 Health on S.B. No. 3261

The purpose of this bill is to increase the availability of good dental care by allowing the Board of Dental Examiners to grant licenses to qualified applicants who have not taken and passed the American Board of Dental Examiners examination.

Numerous concerned individuals testified in support of this bill. The Board of Dental Examiners and a concerned individual supported this measure with an amendment. The Hawaii Dental Association and numerous concerned individuals opposed this measure.

Your Committee has amended this bill by:

- (1) Requiring that the qualified applicant have a minimum of 1,000 hours of dentistry practice in the dental specialty for at least five years of lawful practice within a seven-year period;
- (2) Allowing a qualified applicant to receive credit for two of the five years of lawful practice if the applicant has completed a specialty residence training program accredited by the American Dental Association on Dental Accreditation; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, 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 is in accord with the intent and purpose of S.B. No. 3261, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3261, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.
(Representative Cabanilla voted no.)

SCRep. 1236-06 Health/Human Services on S.B. No. 3224

The purpose of this bill is to improve access to psychotropic medications under specific circumstances by strengthening Act 239, Session Laws of Hawaii (SLH) 2005, which increased access for a limited period of three years. Specifically this bill:

- (1) Removes the requirement that a physician must consult with a psychiatrist before prescribing a psychotropic medication;
- (2) Provides access to these medications for all participants in all Hawaii Medicaid medical plans, not just for QUEST plans;
- (3) Makes Act 239, SLH 2005, and these amendments permanent.

The Hawaii Disability Rights Center, National Alliance on Mental Illness, Oahu, Waipahu Aloha Clubhouse, and Hawaii Psychiatric Medical Association supported this bill. The Department of Human Services (DHS) supported the intent of this measure. The Hawaii Association of Health Plans, and Kaiser Permanente opposed this bill. The Department of the Attorney General and Hawaii Medical Service Association provided comments.

Your Committees have amended this bill by, among other things:

- (1) Prohibiting DHS from restricting a physician's ability to treat a mental health consumer by using any prior or retroactive approval process, restrictive formulary, therapeutic substitution, or preferred drug list;
- (2) Broadening the application of the prohibition in paragraph (1) to apply to all Hawaii medical plans, not just those under DOH;
- (3) Reestablishing the sunset date of June 30, 2007; and

- (4) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3224, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3224, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kahikina and Stonebraker.

SCRep. 1237-06 Health/Human Services on S.B. No. 3252

The purpose of this bill is to ensure that a high level of quality care is provided by at-home caregivers by:

- (1) Directing the Executive Office on Aging to coordinate a statewide system of family caregiver support services and policies;
- (2) Appropriating funds to provide for the coordination and development of family caregiver support services; and
- (3) Appropriating funds to the Kupuna Care Services Program.

The City and County of Honolulu's Department of Community Services, American Association of Retired Persons Hawaii, Kokua Council, Policy Advisory Board for Elder Affairs, Moiliili Community Center, Central Oahu Caregivers' Support Group, National Multiple Sclerosis Society, Hawaii Division, and several concerned individuals supported this bill. The Executive Office on Aging supported the intent of this measure.

Your Committees find that caregivers are motivated to provide care to family members because of their values, the preference of the elderly to remain at home with their families, and the high cost of institutional long-term care. While caregivers are noble in their quest to provide for loved ones, it is a difficult task that can have negative consequences in terms of their ability to maintain their employment and income while balancing the demands of caregiving. It is therefore a necessity that those who care for our elderly and disabled receive the assistance and coordination they so desperately need to ensure that their own well-being is not endangered by the good they provide to others.

Your Committees have amended this bill by refocusing the intent to assist a central agency in providing the fullest amount of coordination of support services to family caregivers by, among other things:

- (1) Deleting the appropriation of funds to expand the Kupuna Care Service Program; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3252, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3252, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kahikina and Stonebraker.

SCRep. 1238-06 Energy & Environmental Protection/Consumer Protection & Commerce on S.B. No. 2957

The purpose of this measure is to provide a comprehensive set of proposals to assist the State in achieving energy self-sufficiency.

Specifically, the measure:

- (1) Increases the renewable energy technologies income tax credit for solar thermal and photovoltaic energy systems and removes the tax credits' 2008 sunset date, thereby making them permanent;
- (2) Authorizes the issuance of general obligation bonds for a photovoltaic pilot project in public schools statewide and to bring state facilities into compliance with the State's greenhouse gas and energy consumption reduction goals;
- (3) Requires the incorporation of Leadership in Energy and Environmental Design standards for state-funded buildings;
- (4) Establishes a Pay As You Save pilot project for the purchase of residential solar hot water heater systems;
- (5) Establishes a biodiesel preference in Hawaii's procurement laws; and
- (6) Establishes a Hawaii renewable hydrogen program and hydrogen investment capital fund and provides appropriations therefor.

The Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, Sierra Club, Hawaii Energy Policy Forum, Hawaii Renewable Energy Alliance, PowerLight Solar Electric Systems, Rocky Mountain Institute, Inter-Island Solar Supply, Hawaii Solar Energy Association, Honolulu Seawater Air Conditioning LLC, Hawaii Association of Realtors, and R&R Solar Supply submitted testimony in support of the measure. The Department of Business, Economic Development, and Tourism testified in support of the measure with amendments. The Governor, the Department of Accounting and General Services, the Department of Education, The Gas Company, the American Institute of Architects Hawaii State Council, and the Hawaii Carpenters Union supported the intent of the measure. The Public Utilities Commission, Consumer Advocate, Department of Taxation, Hawaii Natural Energy Institute, Life of the Land, and the Tax Foundation of Hawaii offered comments.

Your Committees have amended the measure by:

- (1) Deleting the original contents of the measure, except for section 10, the purpose of which is to establish a biodiesel preference in Hawaii's procurement law;
- (2) Inserting the amended contents of House Bill No. 2175, H.D. 1, the purpose of which is to provide a framework for energy self-sufficiency for Hawaii by:
 - (A) Increasing the renewable energy technologies income tax credit for certain solar-thermal, wind-powered, and photovoltaic energy systems and removing the tax credit's January 1, 2008, sunset date;
 - (B) Authorizing the issuance of general obligation bonds for a pilot project to install photovoltaic systems at public schools on the islands of Oahu, Hawaii, and Kauai and within the county of Maui;
 - (C) Promoting the use of green building practices by requiring each county agency that issues building, construction, or development-related permits to establish a procedure for priority processing of permit applications for construction projects incorporating energy and environmentally efficient building standards;
 - (D) Authorizing the issuance of general obligation bonds to fund energy efficiency initiatives for state facilities, vehicles, and equipment; and
 - (E) Establishing the pay as you save pilot project to provide residential electric utility users with a financing mechanism to make purchases of residential solar hot water heater systems more affordable;
- (3) Adding appropriation sections to, among other things:
 - (A) Conduct a statewide multi-fuel biofuels production assessment of potential feedstocks, technologies, and economics of the various renewable fuels pathways and the potential for ethanol, biodiesel, and renewable hydrogen production to contribute to Hawaii's near-, mid-, and long-term energy needs;
 - (B) Provide assistance to the agricultural community interested in developing energy projects, especially for the production of biodiesel from energy crops and cellulosic ethanol from agricultural waste streams, and to seek funding that may be available from the United States Departments of Agriculture and Energy, and other external sources; and
 - (C) Provide moneys for the Hawaii Natural Energy Institute to fund a full time hydrogen system program manager position;
- (4) Adding provisions that amend what is to be considered an energy efficient motor vehicle with regard to state purchases of motor vehicles and accelerating the timetable to phase-in energy efficient vehicles into the State's motor vehicle fleet;
- (5) Adding several provisions that will promote the State's position in developing hydrogen-based energy generation technology and utilizing hydrogen generated energy in lieu of petroleum-generated energy;
- (6) Amending the purpose section of the measure to reflect these amendments; and
- (7) Changing the effective date from July 1, 2050, to July 1, 2006.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2957, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2957, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Carroll, Harbin, Ito, Kanoho, Karamatsu, Sonson and Stonebraker.

SCRep. 1239-06 Energy & Environmental Protection/Consumer Protection & Commerce on S.B. No. 3162

The purpose of this bill is to protect and preserve Hawaii's environment by investigating methods to reduce greenhouse emissions.

Specifically, this bill requires the Public Utilities Commission to establish a renewable energy credits trading program to ensure compliance with the State's renewable portfolio standards. This bill further requires the Department of Business, Economic Development, and Tourism to review the feasibility of the State's becoming a member of the Chicago climate exchange. Finally, this bill creates a renewable energy credits trading program advisory committee to assist both the Public Utilities Commission and the Department of Business, Economic Development, and Tourism in their tasks and to submit periodic reports and recommendations to the Legislature.

Your Committees received testimony from The Rocky Mountain Institute, Hawaii Renewable Energy Alliance, Hawaii Solar Energy Association, PowerLight Solar Electric Systems, and Honolulu Seawater Air Conditioning LLC. The Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, and the Sierra Club supported the intent of this bill. The Department of Business, Economic Development, and Tourism, the Public Utilities Commission, and Covanta Energy Group offered comments.

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

- (1) Designating the contents of the bill as part I;
- (2) Deleting the requirement for the Public Utilities Commission to establish a renewable energy credits trading program;
- (3) Deleting the requirement for the Department of Business, Economic Development, and Tourism to review the feasibility of the State's becoming a member of the Chicago climate exchange;

- (4) Requiring the Hawaii Energy Policy Forum to determine the feasibility of the State's becoming a member of the Chicago climate exchange;
- (5) Requiring the Hawaii Energy Policy Forum to establish an advisory committee to:
 - (A) Investigate and determine whether it is feasible and advisable for Hawaii to become a member of the Chicago climate exchange;
 - (B) Investigate whether there are alternative trading mechanisms that may also be advantageous to consider;
 - (C) Establish whether membership in these climate trading exchanges can result in value to Hawaii, particularly regarding the acceleration of Hawaii's transition to a renewable energy-based economy;
 - (D) Evaluate whether there are any risks and tradeoffs;
 - (E) Evaluate whether any value to be gained from membership or participation in a climate exchange will facilitate the achievement of Hawaii's renewable portfolio standards law;
 - (F) Investigate whether other states or local governments are members of these climate exchanges and how their experience could be valuable to Hawaii;
 - (G) Investigate and opine on national and international trends toward greenhouse gas limits, carbon emission caps, and how trading mechanisms might affect Hawaii in the future; and
 - (H) Provide interim reports of findings to the Legislature, the Public Utilities Commission, the Consumer Advocate, the Department of Business, Economic Development, and Tourism, the Department of Health, and interested stakeholders;
- (6) Setting the membership of the advisory committee;
- (7) Requiring the advisory committee to report to the Legislature twenty days prior to the convening of the Regular Session of 2007;
- (8) Appropriating an unspecified amount to the Hawaii Energy Policy Forum to carry out the purposes of part I;
- (9) Inserting the contents of House Bill No. 2848, H.D. 1 2006, as part II of the bill to appropriate \$200,000 to the Hawaii Energy Policy Forum to:
 - (A) Develop a detailed action plan and timeline to implement the recommendations of the Hawaii Energy Policy Forum's "Ten Point Plan" to meet Hawaii's energy goals;
 - (B) Develop tangible goals, objectives, desired outcomes, and actions to implement the energy vision and strategy of the Hawaii Energy Policy Forum;
 - (C) Develop benchmarks for measuring outcomes of energy implementation strategies;
 - (D) Further engage Hawaii's business, government, labor, and community leaders, and integrate them into the policy activities and discussions of the Hawaii Energy Policy Forum;
 - (E) Develop greater community and public awareness about Hawaii's energy needs and the goals and activities of the Hawaii Energy Policy Forum; and
 - (F) Seek additional funding for statewide implementation of and public education regarding the recommendations and goals of the Hawaii Energy Policy Forum.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3162, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3162, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Carroll, Harbin, Ito, Kanoho, Karamatsu, Sonson and Stonebraker.

SCRep. 1240-06 Energy & Environmental Protection/Consumer Protection & Commerce/Judiciary on S.B. No. 3186

The purpose of this measure is to make an appropriation to the Department of Business, Economic Development, and Tourism to reconvene the Hawaii Energy Policy Forum for the purpose of developing an action plan and timeline for the implementation of the vision, concepts, and recommendations for Hawaii's preferred energy future that resulted from a summit meeting convened by the Hawaii Energy Policy Forum in December 2003.

Prior to hearing this measure, your Committees distributed a proposed H.D. 1 that proposed to replace its contents with those of H.B. No. 3115, H.D. 1, with certain additional amendments.

Aloha Petroleum, Ltd. supported the intent of the proposed measure. The Department of Business, Economic Development, and Tourism, Public Utilities Commission, Department of Commerce and Consumer Affairs, Division of Consumer Advocacy, Department of Budget and Finance, The Gas Company, Mid Pac Petroleum, Western States Petroleum Association, Voter Owned Elections, and a concerned individual offered comments. The Kokua Council opposed the proposed measure.

By inserting the amended contents of H.B. No. 3113, H.D. 1, into this measure, your Committees have amended this measure to:

- (1) Amend sections 486H-13 and 486H-16, Hawaii Revised Statutes, by:
 - (A) Adding the Singapore spot daily price in determining the baseline gasoline price, with the lowest three of the four geographic market average weekly prices averaged for the State's baseline gasoline price;
 - (B) In the event of a holiday or holidays in a week, requiring the Public Utilities Commission to use the average of the remaining business days in that week;
 - (C) Deleting the location adjustment factor;
 - (D) Reducing the marketing margin factor;
 - (E) Allocating different percentages of the zone price adjustment to different distributors performing different functions in the distribution system; and
 - (F) Allowing the zone price adjustments and the allocation of the zone price adjustments to be adjusted on a zone by zone basis;
- (2) Establish the petroleum industry monitoring, analysis, and reporting program;
- (3) Establish the petroleum industry monitoring, analysis, and reporting special fund;
- (4) Identify unfair trade practices in the petroleum industry;
- (5) Suspend the maximum pre-tax wholesale gasoline pricing program;
- (6) Repeal the maximum pre-tax wholesale gasoline pricing program, effective January 1, 2011; and
- (7) By making technical nonsubstantive changes for clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3186, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3186, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Carroll, Ito, Kanoho, Karamatsu, B. Oshiro, Sonson and Stonebraker. (Representative Harbin voted no.)

SCRep. 1241-06 Consumer Protection & Commerce/Judiciary on S.B. No. 2143

The purpose of this bill is to protect consumers of money transmission services and prevent money transmission from being used to launder illegal profits and facilitate illegal activities, by licensing and regulating money transmitters.

The Department of Commerce and Consumer Affairs, Honolulu Prosecuting Attorney, Hawaii Bankers Association, Hawaii Credit Union League, Laborers' International Union of North America, Local 368, Non-Bank Funds Transmitters Group, Kwik Money Remittance, and several concerned individuals supported this bill.

Currently the State has no ability to regulate money transmitters. Your Committee finds that this bill will allow the State to monitor the activities of the industry and protect consumers.

Your Committees have amended this bill by changing its effective date to July 1, 2050, to encourage further discussion of the measure.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2143, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2143, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kanoho, B. Oshiro and Stonebraker.

SCRep. 1242-06 Consumer Protection & Commerce/Judiciary on S.B. No. 940

The purpose of this bill is to provide for the expeditious and thorough resolution of medical coverage disputes by, among other things:

- (1) Allowing for review of ERISA-covered managed care plan coverage disputes by an independent review organization;
- (2) Allowing for review of non-ERISA plans by an external review panel;
- (3) Provides for an exemption from state procurement laws in hiring an independent medical expert or independent review organization; and
- (4) Requires an estimate of the amount in controversy be provided by a managed care plan within seven days after receipt of a request for external review.

The Department of Commerce and Consumer Affairs and Hawaii Disability Rights Center supported this bill. HMSA supported the intent of this measure. Kaiser Permanente opposed this bill. The Hawaii Association of Health Plans submitted comments.

Your Committees find that various stakeholders involved in this issue are continuing to work toward a solution. As such, your Committees would like to continue discussion on this matter. Accordingly, your Committees have amended this bill by changing the effective date to July 1, 2050.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 940, S.D. 2, H.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 940, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Kanohe, B. Oshiro and Stonebraker.

SCRep. 1243-06 Consumer Protection & Commerce/Judiciary on S.B. No. 2214

The purpose of this bill is to establish a unified, comprehensive strategy for identifying natural hazards, mitigating the effects of natural disasters, and responding to natural disasters and other emergencies. Specifically, this bill:

- (1) Establishes a Civil Defense Disaster Preparedness Special Fund to fund disaster planning and preparedness and appropriates funds;
- (2) Establishes a Prepared Emergency Response Plan Commission (Commission) to:
 - (A) Develop a unified disaster management strategy;
 - (B) Develop a public education program; and
 - (C) Maintain accurate natural hazard information;
- (3) Requires the Department of Defense (DOD) to adopt and implement the Commission's recommendations and appropriates funds;
- (4) Requires DOD to develop a disaster preparedness emergency shelter plan for residents, visitors, persons with disabilities, and pets;
- (5) Requires a certificate of need health care facilities to establish a disaster preparedness plan;
- (6) Requires the Department of Health (DOH) to study the structural integrity of all hospitals and nursing homes;
- (7) Mandates that DOH by rule require hotels with at least nine units to develop a disaster preparedness plan;
- (8) Requires the counties to:
 - (A) Identify and maintain temporary emergency shelters for the homeless, and appropriates funds for this purpose; and
 - (B) Increase the number of safe emergency shelters;
- (9) Requires that part of the 2005 general fund appropriation for amelioration of physical disasters be expended to establish an emergency cache;
- (10) Establishes in the Public Utilities Commission Law, a rebuttable presumption in tsunami-prone areas in favor of placement of utilities below ground;
- (11) Provides procedures for expenditure by the Governor of Emergency and Budget Reserve Fund moneys for natural disasters and appropriates moneys from the Fund;
- (12) Increases the ceiling on expenditure from the Major Disaster Fund for any single emergency to \$2,000,000;
- (13) Establishes a residential Disaster Assistance Special Fund to reimburse homeowners for property losses due to a disaster;
- (14) Limits the percentage of the National Guard that may be activated by the Governor for purposes other than disaster relief or civil defense; and
- (15) Prohibits price gouging and profiteering during a state disaster.

The Disability and Communications Access Board supported this bill. The Department of Budget and Finance, Hawaii Electric Company, Hawaii Electric Light Company, Maui Electric Company, and Hawaii Association of Realtors supported the intent of this measure. The Department of Business, Economic Development, & Tourism, DOD, DOH, Public Utilities Commission, Hawaii Pacific Health, and Structural Engineers Association of Hawaii supported the intent of this bill and suggested amendments. The Hawaii Hurricane Relief Fund, Hawaii Hotel & Lodging Association, and Outrigger Enterprises, Inc., opposed this measure. The Department of Human Services, Housing and Community Development Corporation of Hawaii, Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Consumer Advocate, and Hawaii Lumber Products Association offered comments.

Your Committees have amended this bill by:

- (1) Adding to the Commission's duties, reviewing dams to identify risks to surrounding and downstream areas from natural hazards or disasters, and recommending measures to mitigate the risk;

- (2) Removing the requirement that DOH by rule require hotels with at least nine units to develop a disaster preparedness plan;
- (3) Adding the requirement that DOH, in assessing the structural integrity of all hospitals and nursing homes consider the likely effects of natural disasters in addition to hurricanes; 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 Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2214, S.D. 2, H.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as S.B. No. 2214, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Kanofo, Morita, B. Oshiro and Stonebraker.

SCRep. 1244-06 Judiciary/Consumer Protection & Commerce on S.B. No. 2248

The purpose of this bill is to require professional solicitors for charitable organizations, when making oral solicitations, to submit to each contributor advance written confirmation of an expected contribution, specifying various details about the solicitor as well as the extent to which a contribution may be tax deductible. This bill also deems a professional fundraising counsel to be a professional solicitor if the fundraising counsel's compensation is related to the amount of contributions received.

The Department of the Attorney General supported this bill. The Small Business Regulatory Review Board opposed this measure.

Your Committees have amended this bill by:

- (1) Changing the effective date to January 1, 2006, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2248, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2248, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kanofo, Morita, B. Oshiro and Stonebraker.

SCRep. 1245-06 Judiciary on S.B. No. 2949

The purpose of this bill is to provide the Office of the Ombudsman the authority to investigate out-of-state, private, or federal correctional facilities that have contracts with the Department of Public Safety to house Hawaii inmates.

The Community Alliance on Prisons, A Woman's Voice International, and several concerned individuals supported this bill. A concerned individual supported this measure with amendments. The Office of the Ombudsman submitted comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2006, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2949, S.D. 2, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2949, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1246-06 Judiciary on S.B. No. 965

The purpose of this measure is to revamp Hawaii's wiretap law by repealing part IV, Electronic Eavesdropping, of chapter 803, Hawaii Revised Statutes (HRS) and replacing it with a new part entitled Wiretapping and Electronic Surveillance.

This bill also amends chapter 641, HRS, relating to appeals, to include denial of permission to intercept a wire, oral, or electronic communication among judicial decisions from which the State may appeal in a criminal case.

The Honolulu Division of the Federal Bureau of Investigation, the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, County of Hawaii Police Department, Office of the Prosecuting Attorney of the County of Kauai, State of Hawaii Organization of Police Officers, Kuliouou/Kalani Iki Neighborhood Board #2, and a concerned individual submitted testimony in support of this bill. The Office of the Public Defender, American Civil Liberties Union of Hawaii, and a concerned individual opposed this measure.

Your Committee has amended this measure by deleting sections 1 and 3 which, respectively, add a new part to chapter 803, HRS, and repeal existing part IV, and instead inserting a new section 2 that retains the existing part IV, with amendments. Specifically, this new section 2:

- (1) Amends section 803-41, HRS, by:
 - (A) Adding definitions of "communication common carrier", "designated judge", "electronic communication service", and "remote computing service"; and

- (B) Amending the definition of "electronic communication" to exclude the portion of a cordless telephone communication transmitted between the handset and base unit, and to include certain electronic funds transfer information stored by a financial institution;
- (2) Incorporates into section 803-42(a), HRS, the conduct prohibited in section 803-B(a)(5) of S.B. No. 965 S.D. 2, relating to unauthorized disclosure with intent to obstruct a criminal investigation;
- (3) Adds "by a person not acting under color of law" to the proviso language of section 803-42(b)(3), HRS, to address concerns about the authority of a court to authorize law enforcement "bugging." See *State v. Lo*, 66 Haw. 653 (1983);
- (4) Amends section 803-42(b), HRS, to permit disclosure of illegally intercepted communication "in the course of publication of truthful information of public concern." See *Bartnicki v. Vopper*, 523 U.S. 514 (2001) (striking as unconstitutional, a provision in the Pennsylvania wiretap statute that would penalize a reporter who broadcast a legally obtained copy of an intercepted communication);
- (5) Amends section 803-46, HRS, by:
- (A) Adding to section 803-46(a), HRS, a requirement that a written memorandum from the Department of the Attorney General accompany each application for an intercept order, with a recommendation that the application be approved or denied; and
- (B) Deleting from section 803-46(b), HRS, the requirement that the applicant appear at an in camera hearing on the application and that the judge appoint independent counsel to oppose the application;
- Consistent with these amendments to section 803-46(a) and (b), HRS, section 1 of this bill establishes within the Department of the Attorney General a surveillance review unit whose responsibilities include the preparation of the memorandum to the court;
- (6) Adds to section 803-46(g)(2), HRS, a provision protecting applications and orders from disclosure absent a showing of good cause, as provided in section 803-J(g)(2) of S.B. No. 965 S.D. 2;
- (7) Amends section 803-47, HRS, to require reports concerning pen registers and trap and trace devices, as provided in section 803-AA of S.B. No. 965 S.D. 2;
- (8) Adds provisions to section 803-47.9, HRS, concerning reasonable cost reimbursement, as provided in section 803-S(b) and (c) of S.B. No. 965 S.D. 2;
- (9) Adds a new section to chapter 803, HRS, to authorize the Attorney General to initiate a civil action to enjoin a felony violation of the wiretap law, as provided in section 803-M of S.B. No. 965 S.D. 2; and
- (10) Makes technical, nonsubstantive changes for purposes of clarity and style.

As noted above, your Committee added a new section 1 to this measure to establish a Surveillance Review Unit within the Department of the AG.

As to section 2 of S.B. No. 965 S.D. 2, section 641-13, HRS, would not apply to an application for an intercept order that is not part of a criminal "case." The state's authority to seek expedited appeal from denial of an intercept application and from a pretrial order granting a motion for suppression of evidence are currently provided for in section 803-46(i)(2), HRS, and section 641-13(7), HRS, respectively. Accordingly, your Committee deleted section 2 of S.B. No. 965 S.D. 2.

Finally, with regard to conformity with federal law, your Committee notes that in countless instances throughout S.B. No. 965 S.D. 2, changes inconsistent with federal law are proposed, even though our current law tracks federal language verbatim.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 965, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 965, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1247-06 Health on S.B. No. 2133

The purpose of this bill is to preserve religious and cultural practices associated with childbirth by allowing hospitals, upon negative findings of infection or hazard, to release the human placenta to the woman from whom it originated.

The Department of Health (DOH), Kaiser Permanente, Healthy Mothers, Healthy Babies Coalition of Hawaii, Japanese American Citizens League of Hawaii, Honolulu Chapter, 'Ahaui Siwila Hawaii O Kapolei, and concerned individuals testified in support of this bill.

Your Committee has amended this bill by deleting its substance and inserting provisions that, among other things:

- (1) Establish within the Department of Budget and Finance and appropriate funds for a Hawaii Health Authority, responsible for the overall health planning for the state;
- (2) Establish and appropriate funds for a Youth Suicide Early Intervention and Prevention Program within DOH;
- (3) Limit the use of mercury-containing vaccines, with preference given to children under 12 years of age and pregnant women;
- (4) Make the effective date of appropriation sections

July 1, 2006; and

- (5) Make 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 is in accord with the intent and purpose of S.B. No. 2133, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2133, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1248-06 Health on S.B. No. 2343

The purpose of this measure is to authorize criminal background checks of persons providing care or having access to the elderly and disabled.

Testimony in support of this measure was received from the Department of Human Services, the Department of Health, the State Council on Developmental Disabilities, the Policy Advisory Board for Elder Affairs, the Kokua Council, the Hawaii Coalition of Care Home Administrators, the Healthcare Association of Hawaii, and a private citizen. The Department of the Attorney General expressed concerns about the bill and suggested amendments.

Your Committee finds that elderly and disabled persons are especially vulnerable. Many of the service providers that they come into contact with on a daily basis are complete strangers. The elderly and disabled need to live in a safe and secure environment. In order to reduce the incidents of abuse of the elderly or disabled, persons who provide care or have access to them should undergo mandatory background checks.

Your Committee notes that the bill requires applicants and prospective operators having direct patient access under the new section in chapter 321 to be subject to criminal history record checks in accordance with section 846-2.7, Hawaii Revised Statutes, which provides that a criminal history record check shall include submission of fingerprints to the Federal Bureau of Investigations. Nevertheless, in view of the testimony by the Attorney General and to ensure the safety of the elderly and disabled, your Committee has amended this measure to clarify that the Department of Health may request criminal history information from the Federal Bureau of Investigation. Your Committee has also clarified that the Department may rely in good faith on criminal history record checks authorized by this bill generally, not just state criminal history record checks. Your Committee has also corrected several obvious typographical errors made to the definition of "Criminal history record name inquiry".

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2343, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2343, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1249-06 Health on S.B. No. 3146

The purpose of this bill is to ensure emergency health care is provided to rural Oahu and Island of Hawaii residents by:

- (1) Appropriating an unspecified sum as a grant-in-aid to the Department of Health (DOH) to contract for intra-island only roto-wing aeromedical services for rural Oahu; and
- (2) Appropriating an unspecified sum as a grant-in-aid to the County of Hawaii for dedicated emergency medical service personnel to staff the aeromedical helicopter unit.

The Queen's Medical Center, Pacific Medical Assets Inc., Hawaii County Fire Department, Hawai'i Nurses' Association, and a concerned individual testified in support of this bill. DOH supported the intent of this measure.

Your Committee has amended this measure by deleting its contents and inserting the substantive provisions of:

- (1) House Bill No. 2187, H.D. 2, which provides a grant-in-aid to the Director of Health to contract for intra-island roto-wing emergency aeromedical services for rural Oahu only, provided that certain conditions and requirements are met;
- (2) House Bill No. 2526, H.D. 2, which provides a grant-in-aid to the County of Hawaii to staff the aeromedical helicopter unit on the Island of Hawaii;
- (3) House Bill No. 1975, H.D. 1, which appropriates funds for two emergency mobile urgent care units stationed at the Fire Departments of the Ocean View and Volcano communities on the Island of Hawaii;
- (4) House Bill No. 2126, H.D. 2, which appropriates funds to establish an emergency medical services ambulance unit that would provide 16-hours-per-day, 7-days-per-week emergency response service to the areas of Lower Mililani, Waipio Gentry, Waikele, Crestview, East Waipahu, Waiawa, and the Pearl City industrial area on Oahu;
- (5) House Bill No. 2884, H.D. 2, which appropriates funds for 24-hour advanced life support ambulance service for the Haiku District on Maui; and
- (6) House Bill No. 2590, H.D. 1, which appropriates funds for emergency services at the Waianae Coast Comprehensive Health Center.

Your Committee has also inserted the effective date of July 1, 2020, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3146, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3146, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1250-06 Health/Human Services on S.B. No. 2630

The purpose of this measure is to appropriate an unspecified amount to provide for the continued operation of developmental disabilities domiciliary homes and apartment complexes.

Your Committees received supporting testimony from the Department of Health, the Department of Human Services, the State Council on Developmental Disabilities, the Association of Retarded Citizens of Kona, Kauai, and Hawaii, Opportunities for the Retarded, Inc., and the Hawaii Disability Rights Center.

Your Committees find that providers of developmental disabilities residential services fulfill a critical need in the community by caring for individuals with developmental disabilities or mental retardation. These providers, however, have not been adequately reimbursed by the State for their services and, as a result, at least nine community-based developmental disabilities residences have closed due to funding shortages. If this trend continues, hundreds of persons with developmental disabilities or mental retardation risk substandard and inadequate care in a severely tight rental housing market.

This measure would address the needs of individuals with developmental disabilities or mental retardation by ensuring the adequate provision of developmental disabilities domiciliary homes and apartment complexes.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2630, S.D. 2, and recommend that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1251-06 Health/Human Services on S.B. No. 3270

The purpose of this measure is to ensure that federally qualified health centers and rural health clinics receive minimum payment for services provided to certain uninsured patients, such as QUEST and medicaid patients, by incorporating a prospective payment mechanism into state law.

This measure also appropriates funds to the Department of Health to provide medical care to the uninsured through nonprofit, community-based health care providers.

Testimony in support of the measure was received from the Hawaii Primary Care Association, the Waianae Coast Comprehensive Health Center, the Molokai Community Health Center, Ho'ola Lahui Hawaii, the Hamakua Health Center, the Waikiki Health Center, the Kalihi-Palama Health Center, the Molokai Ohana Health Care, the Kokua Kalihi Valley, and the Hawaii Psychiatric Medical Association. The Department of Health supported the intent of the measure.

Testimony in opposition to the measure was received from the Department of Human Services. Comments on the measure were received from the Attorney General.

Your Committees understand that federally qualified health centers and rural health clinics provide a needed safety net function by serving a patient population that is for the most part, uninsured or medicaid-eligible. This measure will provide these health centers and clinics with a reasonable and relatively stable system of reimbursement and ensure that state law conforms to the requirements of the federal Social Security Act.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3270, S.D. 2, and recommend that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1252-06 Health/Human Services on S.B. No. 2725

The purpose of this measure is to reduce the incidence of child abuse and neglect by appropriating an unspecified amount to the Healthy Start program.

Your Committees received supporting testimony from the Department of Human Services, Catholic Charities of Hawaii, and the Blueprint for Change organization.

The Healthy Start program is a statewide child abuse and prevention program that identifies high risk families before abuse or neglect can begin. The program provides resources that strengthen family resiliency and link families to community services. Your Committees understand that the proposed appropriation is needed to address a budget shortfall in the program.

Your Committees have amended this measure by:

- (1) Appropriating \$1 rather than an unspecified amount; and
- (2) Changing the effective date to July 1, 2020,

to facilitate further discussion.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2725, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2725, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1253-06 Human Services/Health on S.B. No. 3218

The purpose of this bill is to preserve the cultural needs of native Hawaiian children involved in custody proceedings by, among other things:

- (1) Establishing the Na Kupuna Tribunal (Tribunal) to have exclusive jurisdiction over any child custody proceeding involving a native Hawaiian child;
- (2) Authorizing the Tribunal to accept federal grants for native Hawaiian child and family service programs;
- (3) Requiring the Tribunal to work with certain agencies to prepare a report on the feasibility of providing native Hawaiian children with schools and programs that promote traditional and customary rights, and native Hawaiian national history;
- (4) Establishing a one-year pilot project to implement the Tribunal, with the assistance of the Department of Human Services (DHS), to develop procedures and protocols for the Tribunal; and
- (5) Authorizing the Tribunal to enter into agreements and develop necessary procedures and protocols with DHS and the family court to implement the pilot project.

HCAP Leeward District, Na Kupuna O Wai'anae, the Coalition Against the Involuntary Termination of Parental Rights, Na Kupuna Tribunal, Legacy Coalition, Na Kupuna O Kahana, and several concerned individuals supported this bill. DHS supported the intent of this measure. The Attorney General (AG) and Judiciary offered comments.

Your Committees were educated by the compelling testimony provided by the testifiers on this measure. Representatives of the native Hawaiian community shared their unique situation and discussed the cultural needs of native Hawaiian children. The AG and Judiciary raised serious concerns about this measure. Your Committees hope that stakeholders will work together to resolve these issues.

Your Committees respectfully request interested parties to consider whether the Tribunal can participate as guardians ad litem, particularly in cases involving a native Hawaiian child.

Your Committees acknowledge that this is a complex issue and there was inadequate time to fully consider this proposal to meet legislative deadlines and that this measure is a work-in-progress. Nonetheless, your Committees are sympathetic to the plight of the individuals involved in these situations and are encouraged by DHS's willingness to participate and work with the kupuna.

Accordingly, your Committees have amended this bill by:

- (1) Making changes to the purpose and findings;
- (2) Requiring DHS to take necessary action to assist in the Tribunal's jurisdiction over native Hawaiian child custody proceedings;
- (3) Removing the family court as a coordinator of the pilot project;
- (4) Limiting DHS's services to Tribunal cases to programs and services under DHS's differential response system;
- (5) Establishing the Tribunal Oversight Task Force to oversee the Tribunal's functions and to review the manner in which courts handle cases involving children with cultural needs;
- (6) Changing the effective date to July 1, 2022, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3218, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3218, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1254-06 Public Safety & Military Affairs on S.B. No. 2879

The purpose of this measure is to appropriate an unspecified amount for the operational expenses of the Hawaii Civil Air Patrol.

Your Committee received supporting testimony from the Department of Defense, the Hawaii Wing Commander and former Wing Commander of the Hawaii Civil Air Patrol, and the parent of a Hawaii Civil Air Patrol member.

Your Committee finds that the Hawaii Civil Air Patrol is a volunteer peacetime auxiliary of the United States Air Force with approximately five hundred fifty members. It responds to natural disasters and provides search and rescue, homeland security, and medical emergency transport services to local and national organizations.

The Civil Air Patrol conducts more than ninety-five per cent of the nation's inland search and rescue missions and saves approximately one hundred people every year. The Hawaii Wing of the Civil Air Patrol is also an active participant in counter-drug operations for the federal Drug Enforcement Agency and has assisted in more than one hundred seventy-nine missions in 2003.

This measure would allow the Hawaii Civil Air Patrol to continue its mission of serving the general public and assisting other government agencies as needed.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2879, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Lee, Souki and Stonebraker.

SCRep. 1255-06 Public Safety & Military Affairs on S.B. No. 2882

The purpose of this bill is to help ensure the rescue mission capability of the Hawaii Civil Air Patrol by appropriating funds for a capital improvement project of the Hawaii Civil Air Patrol.

Specifically, this bill appropriates unspecified amounts for the design, construction, and repair of the roof hangar at the Hawaii wing headquarters of the Hawaii Civil Air Patrol.

Your Committee received testimony in support of this bill from the Department of Defense, the Hawaii Civil Air Patrol, and two individuals.

Your Committee finds that the Hawaii Civil Air Patrol--a peacetime auxiliary of the Air Force--seeks to fulfill three missions: to provide search and rescue services and to administer aerospace education and the cadet programs. The Hawaii Civil Air Patrol also actively participates in counter-drug operations in cooperation with the Drug Enforcement Agency and plays a part in disaster relief, homeland security, and medical emergency transport.

Your Committee believes that the appropriation to fund the Hawaii Civil Air Patrol's maintenance and repair project made in this measure will increase the effectiveness of Civil Air Patrol's operations and will allow it to continue its mission to serve the people of Hawaii.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2882, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Lee, Souki and Stonebraker.

SCRep. 1256-06 Public Safety & Military Affairs on S.B. No. 2074

The purpose of this bill is to enhance public safety by appropriating an unspecified amount of funds for a grant-in-aid to the Honolulu Police Department for the development costs of a 3-1-1 non-emergency reporting system.

The American Heart Association testified in support of this bill. The City and County of Honolulu Department of Customer Services, Honolulu Police Department, and Verizon Wireless testified in support of this bill with amendments. T-Mobile USA, Inc., opposed this measure. Cingular Wireless submitted comments.

Your Committee finds that over 45 municipalities across the nation have implemented some form of a 3-1-1 system since the Federal Communications Commission designated 3-1-1 to be used for non-emergency services in 1997. Moreover, the City and County of Honolulu, in accordance with its sister counties, has agreed to take the lead in developing a 3-1-1 system, in cooperation with the State.

Your Committee has amended this measure by:

- (1) Clarifying that the grant-in-aid will also be used for a study to develop a request for proposal for a 3-1-1 non-emergency response system;
- (2) Modifying the purpose section and specifications of the 3-1-1 system accordingly;
- (3) Adding a "limitation of liability" clause;
- (4) Inserting an appropriation amount of \$2,000,000 for the grant-in-aid;
- (5) Specifying that the grant-in-aid is for the City and County of Honolulu; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2074, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2074, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Shimabukuro, Souki and Stonebraker.

SCRep. 1257-06 Education/Labor & Public Employment on S.B. No. 3101

The purpose of this bill is to improve early childhood education in the state by implementing and appropriating funds for the recommendations of the temporary Early Childhood Education Task Force established by Act 151, Session Laws of Hawaii 2005, including:

- (1) Creating the Early Learning Authority to develop, implement, and provide for the sustainability of a coherent, comprehensive early learning system that maximizes public and private resources to provide early learning opportunities for all children in the state up to age eight; and
- (2) Establishing the conceptual framework for Hawaii's early learning system.

The University of Hawaii, Good Beginnings Alliance, Hawaii Educational Policy Center, Waianae Coast Early Childhood Services, Hawaii Association of Independent Schools, American Academy of Pediatrics, Hawaii Chapter, Childcare Business Coalition, KCAA Preschools of Hawaii, Calvary Episcopal Preschool, Good Beginnings Council – Maui, and a concerned individual testified in support of this bill. The Institute for Native Pacific Education and Culture supported this measure with reservations. The Department of Education (DOE), Department of Human Services, Hawaii Association for the Education of Young Children, and Keiki O Ka Aina supported the intent of this bill. A concerned individual offered comments.

Upon consideration, your Committees have amended this bill by replacing its entire contents. As amended, this bill:

- (1) Establishes and appropriates funds for the Early Learning Educational Task Force (Task Force), which:
 - (A) Will develop plans and timelines for a coherent, comprehensive, and sustainable early learning system, including making recommendations for the early learning system and submitting reports to the Governor and Legislature; and
 - (B) Is composed of two working groups, including:
 - (i) The interdepartmental working group which will develop plans to maximize public and private resources to provide early learning opportunities for all children in the state who are four years old by January 1 of that school year; and
 - (ii) The quality assurance working group which will focus on issues of quality in early childhood education;
- (2) Appropriates funds to build upon the existing framework and services for early childhood learning, including:
 - (A) Enhancing junior kindergarten services to ensure children are provided with learning experiences that promote the skills they need to be successful in kindergarten or first grade;
 - (B) Expanding to three new sites DOE's Families for R.E.A.L., an early childhood program that fosters interaction between parents and their children; and
 - (C) Supporting grantees of the Early Head Start and Head Start programs, comprehensive early childhood education programs that serve low-income children and families;

and
- (3) Takes effect on July 1, 2006; provided that the bill shall be repealed on July 1, 2008.

As affirmed by the records of votes of the members of your Committees on Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3101, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3101, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cabanilla, Harbin, M. Oshiro, Shimabukuro, Souki, Ching and Meyer.

SCRep. 1258-06 Education on S.B. No. 2838

The purpose of this bill is to ensure the continued identification, counseling, retention, and education of at-risk high school students by appropriating funds for the Comprehensive School Alienation Program (CSAP).

The Hawaii State Teachers Association testified in support of this bill. Two concerned individuals supported this measure with amendments. The Department of Education (DOE) supported the intent of this bill.

Your Committee finds that the High Core Program (Program), which serves as an alternative learning center in the Central District, is funded in part by CSAP. However, the Program will lose funding because CSAP moneys are subject to the weighted student formula. To maximize funds to serve our alienated youth, your Committee has amended this bill by:

- (1) Specifying that in expending funds appropriated and previously appropriated for fiscal year 2006-2007, DOE shall exempt the allocation of any CSAP moneys to the Program from the weighted student formula.
- (2) Clarifying the purpose section, including providing a description of the Program; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2838, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2838, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cabanilla, Harbin and Ching.

SCRep. 1259-06 Education on S.B. No. 2719

The purpose of this bill is to improve Hawaii's charter school system by adopting many of the priority proposals developed by the Task Force on Charter School Governance that was established by Act 87, Session Laws of Hawaii 2005. Among other things, this bill:

- (1) Provides consistency and clarity for statutes relating to the administration and governance of charter schools by recodifying and reorganizing the statutes into a new chapter;
- (2) Renames the Charter School Review Panel as the Charter School Authorization Panel, expanding its membership, and assigning the latter the role of authorizer;
- (3) Limits the number of new charter schools that may be established annually based in part on the number of existing charter schools that receive accreditation from the Western Association of Schools and Colleges;
- (4) Creates clarity in the establishment of start-up and conversion charter schools;
- (5) Empowers the local school boards to negotiate supplemental collective bargaining agreements with the exclusive representatives of their employees; and
- (6) Enhances and clarifies the powers and duties of the Charter School Administrative Office (CSAO) and its executive director.

The Department of Human Resources Development testified in support of this bill. The Board of Education (BOE) supported this measure with amendments. The Hawaii State Teachers Association, Waiimea Middle School, Kamehameha Schools, and Hookakoo Corporation supported the intent of this bill. The Office of the Auditor opposed this measure in part. The Office of the Governor, Department of Education (DOE), CSAO, Hawaii Government Employees Association, and a concerned individual offered comments.

Your Committee has amended this bill by:

- (1) Clarifying purpose language;
- (2) Renaming the Charter School Authorization Panel to the Charter School Oversight Panel (Panel), and leaves the responsibility for authorizing charter schools with BOE;
- (3) Including in the definition of "conversion charter school" a newly-created school, consisting of programs or sections of existing public school populations that are part of a separate Hawaiian language immersion program and using existing public school facilities;
- (4) Adding the definition of "organizational viability";
- (5) Changing the Panel as follows:
 - (A) Changing the composition of the panel and providing for appointments by BOE from a list of nominees;
 - (B) Providing for staggered terms of the members;
 - (C) Specifying the powers and duties of the Panel, including reviewing applications for new charter schools, making recommendations to BOE for the issuance of new charters, ensuring the success of charter schools, reviewing charter school operations, and revoking a charter if necessary;
- (6) Changing the limit on the number of charter schools;
- (7) Restructuring the process for establishing start-up and conversion charter schools, including those to be operated by a nonprofit organization, and specifying a timeline that culminates in a timely BOE decision that allows for a charter school to start its operations in a given school year;
- (8) Establishing a cap on the amount a nonprofit organization is required to contribute annually per pupil, toward the operation of a conversion charter school;
- (9) Specifying that an application to establish a conversion charter school shall include certification and documentation that the entire school community has voted for the conversion;
- (10) Inserting provisions for existing programs or sections of existing public school populations of a department school that are part of a separate Hawaiian language immersion program and using existing public school facilities, and want to become a conversion charter school;
- (11) Exempting local school boards from Chapter 103D, Hawaii Revised Statutes (HRS), provided they develop internal policies and procedures for procurement consistent with the goals of public accountability and public procurement practices;
- (12) Clarifying that although local school boards are exempt from Chapter 92, HRS, they remain subject to certain provisions;
- (13) Placing the executive director of CSAO (Executive Director) under the direction of BOE in consultation with the charter schools, and requiring annual, separate evaluations of the Executive Director by BOE and the charter schools;

- (14) Clarifying the responsibilities of the Executive Director, including:
 - (A) Providing independent analysis and recommendations on charter school issues;
 - (B) Representing charter schools and the charter school system in communications with BOE, the Governor, and Legislature;
 - (C) Communicating positions, policies, and views of BOE regarding charter schools to policymakers, charter schools, and the public; and
 - (D) Advocating for the development, growth, progress, and success of charter schools and the charter school system;
- (15) Requiring CSAO to include in its annual budget request additional funds to cover the estimated costs associated with the Panel;
- (16) Clarifying civil service provisions for charter school employees as follows:
 - (A) Clarifying that exempt civil service employees of start-up and conversion charter schools receive the same rights, benefits, and privileges as other civil service employees of DOE; and
 - (B) Allowing civil service employees of conversion charter schools who are promoted or take a voluntary demotion to another civil service position within DOE to retain their civil service status;
- (17) Disallowing fringe benefit costs from being charged directly to or deducted from charter school per-pupil allocations, whether or not they are already included in funds distributed to charter schools;
- (18) Providing for administrative rulemaking by the Panel to make adjustments in allocations based on non-compliance with office administrative procedures and panel-approved accountability requirements;
- (19) Including in a charter school's self-evaluation process:
 - (A) Identification of any innovations or research that may assist other public schools; and
 - (B) An evaluation of the school's organizational viability;
- (20) Clarifying that when a local school board is to be replaced, that the charter school's stakeholders and community would have the first opportunity to appoint a new local school board;
- (21) Clarifying collective bargaining provisions for charter school employees;
- (22) Requiring BOE to include or solicit input from CSAO in any substantive discussions of charter school issues;
- (23) Including charter schools as a qualified recipient of funds from the state's Incentive and Innovation Grant Trust Fund;
- (24) Clarifying that DOE has entire charge, control, and responsibility for the conduct of all affairs pertaining to public instruction in public schools that it establishes and operates;
- (25) Clarifying that CSAO may retain and expend certain federal indirect overhead reimbursements for discretionary grants;
- (26) Changing the effective date to July 1, 2020, with certain provisions; and
- (27) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2719, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2719, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cabanilla, Harbin and Ching.

SCRep. 1260-06 Education on S.B. No. 3059

The purpose of this bill is to help students meet educational standards by requiring the Department of Education (DOE) to establish, provide, and maintain a model curriculum for each grade level, with course content that meets the state performance standards and reflect the requirements of the federal No Child Left Behind Act.

The Hawaii Automobile Dealers' Association and REI Food Service, LLC, testified in support of this bill. The Hawaii State Teachers Association supported the intent of this measure. DOE testified that it does not support this bill.

Your Committee has amended this bill by:

- (1) Clarifying that the model curriculum may be adopted by each school complex on a voluntary basis; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3059, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3059, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cabanilla, Harbin and Ching.

SCRep. 1261-06 Consumer Protection & Commerce/Judiciary on S.B. No. 2158

The purpose of this bill is to prevent theft and misuse of social security numbers by requiring the first five digits of an individual's social security number to be redacted from Family Court, Land Court, and Bureau of Conveyances records.

The Honolulu Police Department, Hawaii Bankers Association, and Hawaii Financial Services Association supported this bill. The Judiciary and Consumer Data Industry Association opposed this bill. The Department of Commerce and Consumer Affairs and Department of Land and Natural Resource commented on this measure.

Your Committees have serious concerns about this measure based on testimony that requiring redaction of all social security numbers from Family Court, Land Court, and Bureau of Conveyances records would create a significant burden on the responsible agencies and might impede timely public access to those records. Your Committees are particularly concerned about the impact of this bill on the Judiciary.

Upon consideration, your Committees have replaced the substance of this bill with provisions for a Social Security Number Truncation Task Force (Task Force) to be administered by the Office of Information Practices and to include at least two representatives of the Judiciary who are familiar with the documents affected by this bill. The Task Force is to:

- (1) Review the proposals in this bill;
- (2) Determine whether redaction is necessary and practicable; and
- (3) Provide the Legislature with any proposed legislation.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2158, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2158, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Ito, Kanoho, Morita, Marumoto and Stonebraker.

SCRep. 1262-06 Consumer Protection & Commerce on S.B. No. 2018

The purpose of this bill is to give consumers notice of a Public Utilities Commission (PUC) proceeding that may affect their rates and charges, by requiring applicants for a certificate of public convenience and necessity to provide utility services to the public, to notify any existing patrons or customers of the rates and charges proposed under the application.

The PUC, Consumer Advocate, and Kuilima Estates West Association of Apartment Owners supported this bill.

Your Committee finds that when a company originally created to provide utility services to a private entity subsequently wishes to make its services available to the public, it must first obtain a certificate of public convenience and necessity at a proceeding in which PUC also establishes rates. This bill will ensure that existing consumers of the company's services who will be affected by the new rates, are able to intervene in the PUC proceeding.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2018, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Caldwell, Kanoho, Morita, Sonson and Stonebraker.

SCRep. 1263-06 Labor & Public Employment on S.B. No. 3008

The purpose of this bill is to enhance the enforcement of Hawaii's prevailing wage law by ensuring that a violation of Hawaii's prevailing wage law (Chapter 104, Hawaii Revised Statutes (HRS)) arises with each separate project in which the Department of Labor and Industrial Relations (DLIR) finds that a contractor has failed to comply with the law.

The Hawaii Building and Construction Trades Council, AFL-CIO, International Brotherhood of Electrical Workers, Local 1186, and Laborers-Employers Cooperation and Education Trust testified in support of this bill. DLIR and the Associated Builders and Contractors, Inc., Hawaii Chapter, testified in opposition to this measure.

Under current law, a contractor found to be in violation of Chapter 104, HRS, is considered to have committed only one violation of the law, although multiple acts of violation may be occurring or recurring simultaneously on multiple public work projects performed by the same contractor. A lengthy process for conducting and completing investigations of possible violations by contractors who do not comply with the prevailing wage laws is also problematic, often resulting in contractors not being properly sanctioned or restricted from obtaining contracts for additional public works projects.

Your Committee finds that during the current construction boom, contractors should be allowed to operate on a level playing field and employees should be ensured of being paid prevailing wages when applicable. This measure will prevent contractors who continually violate the law on multiple occasions and on multiple public works projects from circumventing the law and gaining an unfair advantage over complying contractors, and ultimately will prevent workers from being paid less than fair wages.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3008 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Souki.
(Representative Stevens voted no.)

SCRep. 1264-06 Housing on H.R. No. 36

The purpose of this resolution is to request the United States Department of Housing and Urban Development to assist the residents of Palolo and Mutual Housing Association of Hawaii, Inc., to expedite the privatization and renovation of the 118 federal public housing units in Palolo Valley Homes.

The Housing and Community Development Corporation of Hawaii and Mutual Housing Association of Hawaii testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 36 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1265-06 Housing on H.C.R. No. 51

The purpose of this concurrent resolution is to request the United States Department of Housing and Urban Development to assist the residents of Palolo and Mutual Housing Association of Hawaii, Inc., to expedite the privatization and renovation of the 118 federal public housing units in Palolo Valley Homes.

The Housing and Community Development Corporation of Hawaii and Mutual Housing Association of Hawaii testified in support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 51 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1266-06 Transportation on H.R. No. 39

The purpose of this resolution is to attempt to decrease light pollution and save energy by requesting, for the islands of Maui and Hawaii, the Department of Transportation (DOT) to:

- (1) Comply with county ordinances and standards relating to outside lighting at airports and harbors; and
- (2) Provide cut-off or fully shielded lens fixtures to direct artificial lighting downward to prevent diffusion of the light into the atmosphere.

The University of Hawaii and a concerned individual testified in support of this resolution. DOT supported the intent of this measure.

Your Committee finds that the use of fully shielded lighting fixtures will conserve energy and resources while maintaining appropriate outdoor lighting suitable for safety, utility, and security. These types of fixtures are also environmentally friendly.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 39 and recommends its adoption.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1267-06 Transportation on H.C.R. No. 54

The purpose of this concurrent resolution is to decrease light pollution and save energy on the islands of Maui and Hawaii by requesting the Department of Transportation (DOT) to:

- (1) Comply with county ordinances and standards relating to outside lighting at airports and harbors; and
- (2) Provide cut-off or fully shielded lens fixtures to direct artificial lighting downward to prevent diffusion of the light into the atmosphere.

The University of Hawaii and a concerned individual testified in support of this concurrent resolution. DOT supported the intent of this measure.

Your Committee finds that the use of fully shielded lighting fixtures will conserve energy and resources while maintaining appropriate outdoor lighting suitable for safety, utility, and security. These types of fixtures are also environmentally friendly.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 54 and recommends its adoption.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1268-06 Transportation on H.C.R. No. 43

The purpose of this concurrent resolution is to improve highway safety on the Big Island of Hawaii by urging the Department of Transportation (DOT) to:

- (1) Increase the number of safety signs along Mamalahoa Highway and Queen Kaahumanu Highway; and
- (2) Expedite the creation of a divided highway from Kailua-Kona to Kawaihae.

A concerned individual testified in support of this concurrent resolution. DOT supported the intent of this measure.

Your Committee finds that Hawaii County experiences the highest motor vehicle fatality rate in the state. Accidents on the Big Island also occur at a rate higher than most other counties. These incidents often occur on Mamalahoa Highway and Queen Kaahumanu Highway, especially in the area between Kailua-Kona and Kawaihae. Additional warning signs and a divided highway may help alleviate some of the problems causing these motor vehicle collisions.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 43 and recommends its adoption.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1269-06 Transportation on H.C.R. No. 79

The purpose of this concurrent resolution is to preserve ship repair services within Honolulu Harbor by requesting the Harbors Division of the Department of Transportation (DOT) to proceed with executing the ten-year lease approved by the Department of Land and Natural Resources for Pacific Shipyards International.

Pacific Shipyards International, Pacific Diversified Finishes, BAE Systems Hawaii Shipyards, Commercial Marine Electronics, Smith Maritime, Healy Tibbitts Builders Inc., Arise Waco Scaffolding and Equipment, Unitek Insulation, LLC, HSI Electric, Propulsion Controls Engineering, International Paint, LLC, and Hawaii Marine Cleaning, LLC, supported this concurrent resolution. Young Brothers, Limited, and Hawaii Harbor Users Group supported the intent of this measure. DOT opposed this measure.

Pacific Shipyards International provides a vital service to many harbor users. Your Committee finds that having an operating shipyard in Honolulu Harbor is an asset and provides a convenient location for maritime vessels to use. While your Committee understands the concerns raised by DOT regarding the awarding of a long-term lease and the effects this may have on its long-term harbor plans, especially with regards to needed lands for expansion of cargo facilities, the discussion on this matter should be continued.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 79 and recommends its adoption.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1270-06 Transportation on H.C.R. No. 39

The purpose of this concurrent resolution is to assist in the planning and preservation of Hawaii's harbor system by requesting the Department of Transportation (DOT) to establish a Hawaii Port Authority Task Force (Task Force) to determine the feasibility of establishing a Hawaii Port Authority.

DOT, The Ocean Tourism Coalition, and a concerned individual testified in support of this concurrent resolution. The Hawaii Harbor Users Group supported the intent of this measure. The Legislative Committee for the Airports Concessionaires Committee supported this concurrent resolution with amendments. Alexander and Baldwin, Inc., Matson Navigation Company, Inc., and Young Brothers, Limited submitted comments.

Hawaii relies upon its harbors for the movement of cargo between the islands and to and from the rest of the world and depends upon the effectiveness and efficiency of its harbor system. The establishment of a Task Force to determine the feasibility of establishing a Hawaii Port Authority is a first step in ensuring that this valuable resource and economic lifeline is protected.

Your Committee has amended this measure by:

- (1) Removing the Director of the Department of Land and Natural Resources as a member of the Task Force; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 39, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 39, H.D. 1.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1271-06 Transportation on H.C.R. No. 40

The purpose of this concurrent resolution is to continue the efforts to improve Hawaii's harbor system by requesting the Department of Transportation (DOT) to continue to work collaboratively with the Hawaii Harbor Users Group (HHUG) to implement planned improvements and construction to improve cargo terminal and container facilities at Honolulu Harbor, Kahului Harbor, and Hilo Harbor.

This measure also congratulates and commends DOT and HHUG for their fine work and collaboration in completing the HHUG Report.

DOT, HHUG, Hawaii Business Roundtable, Young Brothers, Limited, Hawaii Ship Agents Association, and Maritime Consultants of the Pacific testified in support of this concurrent resolution. Alexander and Baldwin, Inc. supported this measure with amendments.

Your Committee finds that DOT and HHUG has worked well together to begin the arduous task of improving and maintaining Hawaii's commercial harbors, especially with regards to improving and constructing cargo facilities. Including all the harbor stakeholders in the planning process has worked well and should be continued.

However, your Committee has been informed by Alexander and Baldwin Inc. that, while they are currently in negotiations with DOT regarding four acres of land to increase inter-island container and cargo operational area for Kahului Harbor, this land has not yet been designated for harbor use. Accordingly, your Committee has amended this measure by deleting language specifying that four acres of land near Kahului Harbor have already been designated for harbor use by Alexander and Baldwin, Inc.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 40, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 40, H.D. 1.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1272-06 Transportation on H.R. No. 41

The purpose of this resolution is to improve the efficiency of the planning and implementation of capital improvement projects (CIPs) undertaken by the Department of Transportation (DOT) by requesting the Auditor to conduct a management audit of DOT's CIPs.

DOT submitted comments on this measure.

Your Committee finds that an audit of DOT's management of CIPs has never been conducted. Conducting a management audit may improve the efficiency of management of DOT's CIPs, and assist in their expeditious completion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 41 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1273-06 Transportation on H.C.R. No. 56

The purpose of this concurrent resolution is to improve the efficiency of the planning and implementation of capital improvement projects (CIPs) undertaken by the Department of Transportation (DOT) by requesting the Auditor to conduct a management audit of DOT's CIPs.

DOT submitted comments on this measure.

Your Committee finds that an audit of DOT's management of CIPs has never been conducted. Conducting a management audit may improve the efficiency of management of DOT's CIPs, and assist in their expeditious completion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 56 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1274-06 Water, Land, & Ocean Resources/Energy & Environmental Protection on H.C.R. No. 146

The purpose of this concurrent resolution is to preserve the natural beauty of the North Shore of Oahu and proceed cautiously with increased development which could severely impact Honolulu's infrastructure by calling for a rigorous reexamination of the development expansion plan at Turtle Bay Resort.

The Hawaii Association of Realtors, Life of the Land, Windward Ahupua'a Alliance, Faith Action for Community Equity, the Sunset Beach Community Association, and numerous concerned individuals testified in support of this measure. Kusao & Kurahashi, Inc., did not support this concurrent resolution. The Department of Planning and Permitting of the City and County of Honolulu, The Pacific Resource Partnership, and Hawaii Carpenters Union opposed this measure.

Your Committees find that increased development has an impact on, among other things, a community's environment, culture, lifestyle, and infrastructure. Concerns regarding traffic, affordable housing, water quality, other major developments, and cultural heritage were extensively discussed. Your Committees have concerns that over-development will have a severe impact on a community's cultural heritage and its sense of "place"--a place where people work, play, and live. Your Committees believe that the development at Turtle Bay is based on tourism that is not particularly conducive to a community's stability and that more public meetings should be held to discuss this matter further.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 146 and recommend that it be referred to the Committees on Tourism & Culture and Economic Development & Business Concerns.

Signed by all members of the Committee except Representatives Carroll, Waters and Pine.

SCRep. 1275-06 Water, Land, & Ocean Resources on H.R. No. 49

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to conduct a study to assess the feasibility of developing a park in the Kapoho area of Hawaii that includes the Kumukahi Lighthouse.

DLNR opposed this measure.

Your Committee recognizes that this study needs funding, as it is a non-funded request.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 49 and recommends its adoption.

Signed by all members of the Committee except Representatives Berg, Carroll, Waters and Meyer.

SCRep. 1276-06 Water, Land, & Ocean Resources on H.C.R. No. 65

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) to conduct a study to assess the feasibility of developing a park in the Kapoho area of Hawaii that includes the Kumukahi Lighthouse.

DLNR opposed this measure.

Your Committee recognizes that this study needs funding, as it is a non-funded request.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 65 and recommends its adoption.

Signed by all members of the Committee except Representatives Berg, Carroll, Waters and Meyer.

SCRep. 1277-06 Water, Land, & Ocean Resources on H.R. No. 97

The purpose of this resolution is to regulate the uses of the State's small boat harbors in a fair and consistent manner by requesting the Department of Land and Natural Resources (DLNR) to establish user advisory committees for each small boat harbor under the Board of Land and Natural Resource's (BLNR) jurisdiction. Specifically, each user advisory committee would be responsible for advising BLNR on all matters relating to the operation and management of the small boat harbor for which it is responsible.

The Ala Wai Marina Community Association, Hawaii Boaters Political Action Association, and concerned individuals supported this measure. DLNR and a concerned individual supported the intent of this measure.

DLNR raised concerns regarding similar groups formed in the past that could not be sustained due to limited resources and suggested that user advisory committees be formed on a temporary and as-needed basis. Your Committee finds that through rule-making, DLNR can establish user advisory committees in a manner that is most befitting to the needs of each small boat harbor.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 97 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Waters and Thielen.

SCRep. 1278-06 Water, Land, & Ocean Resources on H.C.R. No. 132

The purpose of this concurrent resolution is to regulate the uses of the State's small boat harbors in a fair and consistent manner by requesting the Department of Land and Natural Resources (DLNR) to establish user advisory committees for each small boat harbor under the Board of Land and Natural Resource's (BLNR) jurisdiction. Specifically, each user advisory committee would be responsible for advising BLNR on all matters relating to the operation and management of the small boat harbor for which it is responsible.

The Ala Wai Marina Community Association, Hawaii Boaters Political Action Association, and concerned individuals supported this measure. DLNR and a concerned individual supported the intent of this measure.

DLNR raised concerns regarding similar groups formed in the past that could not be sustained due to limited resources and suggested that user advisory committees be formed on a temporary and as-needed basis. Your Committee finds that through rule-making, DLNR can establish user advisory committees in a manner that is most befitting to the needs of each small boat harbor.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources 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 Carroll, Waters and Thielen.

SCRep. 1279-06 Human Services on H.R. No. 13

The purpose of this resolution is to prompt the Hawaii Youth Correctional Facility (HYCF) to conduct a feasibility study into expanding the scope and spectrum of care programs for incarcerated youths at the facility, specifically in the areas of:

- (1) Alcohol and substance abuse;

- (2) Sex offender rehabilitation;
- (3) Sex victim rehabilitation and treatment;
- (4) Medical health; and
- (5) Mental health care.

The Hawaii Youth Services Network and a concerned citizen testified in support of this measure. Office of Youth Services supported the intent.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 13 and recommends its adoption.

Signed by all members of the Committee except Representatives Hale, Halford and Stonebraker.

SCRep. 1280-06 Human Services on H.R. No. 26

The purpose of this resolution is to develop a working group via the Department of Human Services (DHS) to convene a working group to study the feasibility of implementing procedures in making future foster custody placement decisions. Specifically, the measure seeks to study through the working group:

- (1) What "attachment" is as it pertains to the relationship between a foster child and a caregiver, and how attachment can be considered when determining placement of a child;
- (2) Circumstances under which siblings may be separated, and finding solutions to keep siblings together whenever possible;
- (3) The length of time children should remain in the foster care system and finding solutions to minimize their time in the system, without jeopardizing the children's health or welfare; and
- (4) Whether changes are needed to improve the present model of foster placement, or whether the methods of foster placement require further review and analysis.

The Office of Hawaiian Affairs supported this measure. The Hawaii Foster Parent Association supported with amendments.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 26 and recommends its adoption.

Signed by all members of the Committee except Representatives Hale, Halford and Stonebraker.

SCRep. 1281-06 Human Services on H.C.R. No. 35

The purpose of this concurrent resolution is to develop a working group via the Department of Human Services (DHS) to convene a working group to study the feasibility of implementing procedures in making future foster custody placement decisions. Specifically, the measure seeks to study through the working group:

- (1) What "attachment" is as it pertains to the relationship between a foster child and a caregiver, and how attachment can be considered when determining placement of a child;
- (2) Circumstances under which siblings may be separated, and finding solutions to keep siblings together whenever possible;
- (3) The length of time children should remain in the foster care system and finding solutions to minimize their time in the system, without jeopardizing the children's health or welfare; and
- (4) Whether changes are needed to improve the present model of foster placement, or whether the methods of foster placement require further review and analysis.

The Office of Hawaiian Affairs supported this measure. The Hawaii Foster Parent Association supported with amendments.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 35 and recommends its adoption.

Signed by all members of the Committee except Representatives Hale, Halford and Stonebraker.

SCRep. 1282-06 Human Services on H.R. No. 42

The purpose of this resolution is to relieve the suffering of hungry persons in the United States of America by urging the congressional delegation of Hawaii to support the passage of laws that provide incentives for the charitable contributions of businesses and individuals to hunger relief programs, as well as supporting adequate funding for all federal nutrition programs.

The Hawaii Food Bank and a concerned citizen testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 42 and recommends its adoption.

Signed by all members of the Committee except Representatives Hale, Halford and Stonebraker.

SCRep. 1283-06 Human Services on H.C.R. No. 57

The purpose of this concurrent resolution is to relieve the suffering of hungry persons in the United States of America by urging the congressional delegation of Hawaii to support the passage of laws that provide incentives for the charitable contributions of businesses and individuals to hunger relief programs, as well as supporting adequate funding for all federal nutrition programs.

The Hawaii Food Bank and a concerned citizen testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 57 and recommends its adoption.

Signed by all members of the Committee except Representatives Hale, Halford and Stonebraker.

SCRep. 1284-06 Human Services on H.R. No. 28

The purpose of this resolution is to strongly commend the noteworthy efforts of caregivers. Specifically, this measure:

- (1) Recognizes that the institution of democracy and the foundation of the United States of America is recognition that "we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness" and that the actions of caregivers are exemplary of these core, founding values;
- (2) Postulates that the most basic, common link of humanity is its collective mortality, resulting in both an acknowledgement of our human limitations and a continuum of demand for caregivers;
- (3) Grants high accolade and recognition to all caregivers by recognizing the month of March as Caregiver's Month in the State of Hawaii.

The Queen's Medical Center, Ramiro-Anderson & Talavera Case Management Agency LLC, Case Management Inc., Case Management Council, the Adult Foster Home Association of Hawaii, and numerous concerned citizens testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 28 and recommends its adoption.

Signed by all members of the Committee except Representatives Hale, Kahikina, Halford and Stonebraker.

SCRep. 1285-06 Human Services on H.C.R. No. 41

The purpose of this concurrent resolution is to strongly commend the noteworthy efforts of caregivers. Specifically, this concurrent resolution:

- (1) Recognizes that the institution of democracy and the foundation of the United States of America is recognition that "we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness" and that the actions of caregivers are exemplary of these core, founding values;
- (2) Postulates that the most basic, common link of humanity is its collective mortality, resulting in both an acknowledgement of our human limitations and a continuum of demand for caregivers;
- (3) Grants high accolade and recognition to all caregivers by recognizing the month of March as Caregiver's Month in the State of Hawaii.

The Queen's Medical Center, Ramiro-Anderson & Talavera Case Management Agency LLC, Case Management Inc., Case Management Council, the Adult Foster Home Association of Hawaii, and numerous concerned citizens testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 41 and recommends its adoption.

Signed by all members of the Committee except Representatives Hale, Kahikina, Halford and Stonebraker.

SCRep. 1286-06 Human Services on H.C.R. No. 8

The purpose of this concurrent resolution is to request that the Department of Human Services (DHS) to conduct a study for the purpose of addressing the shortage of infant and toddler child care providers, facilities, and services in the State. Specifically, this measure requests that DHS examine:

- (1) Available data and rationale regarding the shortage of infant and child care providers in the State;
- (2) Existing regulatory and licensing requirements for infant and toddler child care providers, facilities, and services and how these may impact the shortage; and
- (3) Methods by which more infant and toddler child care providers can be recruited and retained to supply facilities and services for infants and toddlers in the State.

The Department of Human Services supported this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 8 and recommends its adoption.

Signed by all members of the Committee except Representatives Hale, Kahikina, Halford and Stonebraker.

SCRep. 1287-06 Tourism & Culture on H.C.R. No. 50

The purpose of this concurrent resolution is to promote Hawaii's products to the world by requesting the Department of Business, Economic Development, and Tourism (DBEDT) to offer Miss Hawaii a contract for serving as the official honorary hostess of Hawaii.

The Miss Hawaii Scholarship Program and a concerned individual supported this measure. DBEDT submitted comments.

Your Committee believes that the Hawaii Tourism Authority (HTA) is the more appropriate agency to manage a contract for the services of Miss Hawaii.

Therefore, your Committee has amended this measure by:

- (1) Specifying that HTA, instead of DBEDT, is requested to offer the Miss Hawaii organization, as agent for Miss Hawaii, a contract for Miss Hawaii's service as the official honorary hostess of the State of Hawaii in promoting Hawaii's visitor industry throughout the world;
- (2) Changing its title to read:

"REQUESTING THE HAWAII TOURISM AUTHORITY TO OFFER THE MISS HAWAII ORGANIZATION, AS AGENT FOR MISS HAWAII, A CONTRACT FOR MISS HAWAII'S SERVICE AS THE OFFICIAL HONORARY HOSTESS OF THE STATE OF HAWAII IN PROMOTING HAWAII'S VISITOR INDUSTRY";
- (3) Clarifying that Miss Hawaii's duties include maile lei openings instead of ribbon cutting; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Tourism & Culture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 50, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 50, H.D. 1.

Signed by all members of the Committee except Representatives Karamatsu, Magaoay and Wakai.

SCRep. 1288-06 Public Safety & Military Affairs on H.C.R. No. 204

The purpose of this concurrent resolution is to request that federal homeland security funding received by the State and the counties be used first and foremost for the development and implementation of a standards-based interoperable communications system between first responders of all government jurisdictions.

Your Committee finds that the use of different frequencies by public safety and emergency response agencies restricts their ability to communicate with one another, thus delaying response time. An interoperable communication system, on the other hand, will enable these groups to communicate more quickly and effectively.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 204 and recommends its adoption.

Signed by all members of the Committee except Representatives Lee, Nakasone, Souki and Stonebraker.

SCRep. 1289-06 Public Safety & Military Affairs on H.R. No. 87

The purpose of this resolution is to urge the Bush Administration and Congress not to reduce the funding for and capabilities of the Army National Guard and Air National Guard.

The Department of Defense, The Chamber of Commerce of Hawaii, Hawaii National Guard Association, and Hawaii National Guard Enlisted Association testified in support of this resolution.

Congress authorized the number of the Army National Guard and Air National Guard to be 350,000 and 106,000, respectively. However, the Bush Administration has proposed to provide only enough funding to support 330,000 Army National Guard troops.

Your Committee believes these budget cuts will undermine the ability of the National Guard to protect and serve the states in important homeland security and natural disaster functions.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 87 and recommends its adoption.

Signed by all members of the Committee except Representatives Lee, Nakasone, Souki and Stonebraker.

SCRep. 1290-06 Public Safety & Military Affairs on H.C.R. No. 120

The purpose of this concurrent resolution is to urge the Bush Administration and Congress not to reduce the funding for and capabilities of the Army National Guard and Air National Guard.

The Department of Defense, The Chamber of Commerce of Hawaii, Hawaii National Guard Association, and Hawaii National Guard Enlisted Association testified in support of this concurrent resolution.

Congress authorized the number of the Army National Guard and Air National Guard to be 350,000 and 106,000, respectively. However, the Bush Administration has proposed to provide only enough funding to support 330,000 Army National Guard troops.

Your Committee believes these budget cuts will undermine the ability of the National Guard to protect and serve the states in important homeland security and natural disaster functions.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 120 and recommends its adoption.

Signed by all members of the Committee except Representatives Lee, Nakasone, Souki and Stonebraker.

SCRep. 1291-06 Public Safety & Military Affairs on H.R. No. 34

The purpose of this resolution is to request the federal government to allow National Guard and reserve members with 20 or more years of service to retire with full retirement benefits.

The Department of Defense (DOD), The Chamber of Commerce of Hawaii, Hawaii National Guard Enlisted Association, Hawaii National Guard Association, and several concerned individuals supported this measure.

Your Committee recognizes that the dedication and commitment of National Guard and military reserve members does come at the cost of disrupting these citizen-soldiers and their families personal and professional lives.

Additionally, DOD realizes a disparity in that National Guard and reserve members must wait to the age of 60 before receiving their benefits. However, a member of the active military with 20 or more years of service receives a pension immediately upon retirement.

Accordingly, your Committee has amended this resolution by:

- (1) Clarifying that the federal government is requested to allow members with 20 years of experience to retire with full benefits at age 55;
- (2) Amending the title to read: "REQUESTING THAT THE FEDERAL GOVERNMENT ALLOW NATIONAL GUARD MEMBERS AND MILITARY RESERVISTS WITH TWENTY OR MORE YEARS OF SERVICE TO RETIRE WITH FULL RETIREMENT BENEFITS AT AGE FIFTY-FIVE"; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 34, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 34, H.D. 1.

Signed by all members of the Committee except Representatives Lee, Nakasone, Souki and Stonebraker.

SCRep. 1292-06 Public Safety & Military Affairs on H.C.R. No. 48

The purpose of this concurrent resolution is to request the federal government to allow National Guard and reserve members with 20 or more years of service to retire with full retirement benefits.

The Department of Defense (DOD), The Chamber of Commerce of Hawaii, Hawaii National Guard Enlisted Association, Hawaii National Guard Association, and several concerned individuals supported this measure.

Your Committee recognizes that the dedication and commitment of National Guard and military reserve members does come at the cost of disrupting these citizen-soldiers and their families personal and professional lives.

Additionally, DOD realizes a disparity in that National Guard and reserve members must wait to the age of 60 before receiving their benefits. However, a member of the active military with 20 or more years of service receives a pension immediately upon retirement.

Accordingly, your Committee has amended this concurrent resolution by:

- (1) Clarifying that the federal government is requested to allow members with 20 years of experience to retire with full benefits at age 55;
- (2) Amending the title to read: "REQUESTING THAT THE FEDERAL GOVERNMENT ALLOW NATIONAL GUARD MEMBERS AND MILITARY RESERVISTS WITH TWENTY OR MORE YEARS OF SERVICE TO RETIRE WITH FULL RETIREMENT BENEFITS AT AGE FIFTY-FIVE"; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 48, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 48, H.D. 1.

Signed by all members of the Committee except Representatives Lee, Nakasone, Souki and Stonebraker.

SCRep. 1293-06 Water, Land, & Ocean Resources on H.C.R. No. 97

The purpose of this concurrent resolution is to ensure the proper protection of cultural remains found in the state by requesting the Auditor to conduct a management audit of the Hawaii State Historic Preservation Division of the Department of Land and Natural Resources (DLNR).

The Office of Hawaiian Affairs, Hawaii Government Employees Association, and a concerned individual testified in support of this concurrent resolution. DLNR opposed this measure.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 97 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Carroll, Waters, and Thielen.

SCRep. 1294-06 Public Safety & Military Affairs on H.C.R. No. 128

The purpose of this concurrent resolution is to request a financial and management audit of the Department of Public Safety's (DPS) Sheriff Division.

DPS supported this measure.

Your Committee finds that the significant backlog of outstanding arrest warrants compromises the public's safety. The findings and recommendations of an audit of the Sheriff Division will help to address the problem and offer solutions.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 128 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Lee, Nakasone, Souki and Stonebraker.

SCRep. 1295-06 Consumer Protection & Commerce/Judiciary on S.B. No. 2159

The purpose of this bill is to increase protections for personal information by:

- (1) Making it a class C felony to knowingly possess, without authorization, confidential personal information; and
- (2) Providing for repeat felony offender sentencing of offenders with prior felony convictions who are convicted of Unauthorized Possession of Confidential Personal Information or of Identity Theft in the Third Degree.

The Department of the Attorney General, Department of Commerce and Consumer Affairs, Honolulu Prosecuting Attorney, Honolulu Police Department, Maui Prosecuting Attorney, AARP Hawaii, Hawaii Bankers Association, and Hawaii Financial Services Association supported the bill. The Consumer Data Industry Association supported the intent of the bill. The American Council of Life Insurers opposed the measure.

Your Committees have amended this bill by replacing its substance with that of H.B. No. 1826, H.D. 1, a measure that passed the House earlier this session. As amended, the bill differs from the S.D. 2 in that it:

- (1) Makes it a class C felony to steal three or more items of mail belonging to three or more unrelated persons in the same or separate incident as part of a common scheme or plan; and
- (2) Becomes effective on January 1, 2020.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2159, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2159, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Ito, Kanoho, Morita, Marumoto and Stonebraker.

SCRep. 1296-06 Consumer Protection & Commerce/Judiciary on S.B. No. 2293

The purpose of this bill is to protect social security numbers (SSNs) from theft and misuse, by prohibiting businesses and state and county agencies from disclosing an individual's SSN to the general public, providing limited exceptions, and establishing penalties for noncompliance.

The Department of Commerce and Consumer Affairs, AARP Hawaii, Hawaii Bankers Association, Hawaii Financial Services Association, and Hawaii Government Employees Association supported this bill. The Consumer Data Industry Association and Property Casualty Insurers Association of America supported the intent of the bill and requested amendments. The American Council of Life Insurers opposed the bill.

Your Committees have amended this bill by replacing its substance with that of H.B. No. 2330, H.D. 1, which was reported out of your Committee earlier this session. As amended, this bill differs from the S.D. 2 in that it:

- (1) Regulates state, but not county agencies;

- (2) Does not contain an exemption for:
 - (A) SSNs on mailed materials that are employer-to-employee communications; and
 - (B) SSNs used to administer a claim, benefit, or procedure relating to an individual's employment;
- (3) Specifically restricts to documents that are mailed, exemptions for SSNs:
 - (A) In documents specifically requested by an individual;
 - (B) Required as part of an application or enrollment process;
 - (C) Used to establish, amend, or terminate an account, contract, or policy; or
 - (D) Used for confirmation when obtaining a credit report;
- (4) Provides exemptions for SSNs:
 - (A) Used as required by state or federal law;
 - (B) Shared by business affiliates;
 - (C) Used for internal verification or administrative purposes; and
 - (D) On recorded documents or those required by law to be open to the public;
- (5) Does not contain a provision stating that a party injured by violation of the chapter may sue for actual damages or damages not less than \$500, whichever is greater;
- (6) Takes effect on July 1, 2096 rather than July 1, 2050; and
- (7) Contains technical, nonsubstantive differences.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2293, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2293, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Ito, Kanoho, Morita, Marumoto and Stonebraker.

SCRep. 1297-06 Health on H.R. No. 15

The purpose of this resolution is to improve health care safety by addressing the critical shortage of nurses in Hawaii. This resolution requests that the Hawaii State Center for Nursing (HSCFN) at the University of Hawaii investigate and recommend a multifaceted approach to ensure an adequate and continuous number of nurses are available to staff our health care facilities.

The University of Hawaii's School of Nursing and Dental Hygiene, Hawaii Nurses Association, and HSCFN supported this resolution. The Hawaii Government Employees Association supported the intent of this measure.

Your Committee finds that recruitment and retention of registered nurses is critical in addressing this shortage of nurses in our health care facilities and action must be taken. HSCFN is optimally placed within our university system to spearhead this initiative and succeed in this challenge to produce a new generation of nurses in Hawaii who are strong in both their numbers and skills.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 15 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representative Cabanilla.

SCRep. 1298-06 Health on H.C.R. No. 22

The purpose of this concurrent resolution is to improve health care safety by addressing the critical shortage of nurses in Hawaii. This concurrent resolution requests that the Hawaii State Center for Nursing (HSCFN) at the University of Hawaii investigate and recommend a multifaceted approach to ensure an adequate and continuous number of nurses are available to staff our health care facilities.

The University of Hawaii's School of Nursing and Dental Hygiene, Hawaii Nurses Association, and HSCFN supported this concurrent resolution. The Hawaii Government Employees Association supported the intent of this measure.

Your Committee finds that recruitment and retention of registered nurses is critical in addressing this shortage of nurses in our health care facilities and action must be taken. HSCFN is optimally placed within our university system to spearhead this initiative and succeed in this challenge to produce a new generation of nurses in Hawaii who are strong in both their numbers and skills.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 22 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representative Cabanilla.

SCRep. 1299-06 Health on H.C.R. No. 223

The purpose of this concurrent resolution is to request that more transparency and assurances be provided to the public and the Legislature regarding the spending of Hawaii Tobacco Settlement Special Fund (Tobacco Fund) moneys by the University of Hawaii (UH) for the payment of principal and interest for revenue bonds issued to finance projects such as the construction of the John A. Burns School of Medicine in Kakaako.

UH opposed this concurrent resolution.

Your Committee finds that the use of moneys from the Tobacco Fund to provide for UH health and wellness initiatives such as the new medical school in Kakaako is a sensible practice. However, a conscientious government should ensure expending of this fund continues to be done responsibly. This request to the Office of the Auditor also includes a stipulation that the Auditor provide a report to the Legislature prior to the Regular Session of 2007 that will recommend any legislation to provide added safeguards, if necessary, to assure the public of fiscal responsibility 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 H.C.R. No. 223 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 1300-06 Health on H.C.R. No. 85

The purpose of this concurrent resolution is to increase the options and quality of care available to a person and their family when a person is diagnosed with a terminal disease by requesting the Insurance Commissioner to investigate methods of expanding access to quality palliative care.

The Hawaii Family Forum and Hawaii Catholic Conference supported this concurrent resolution. Kokua Mau supported the intent of this measure. The Department of Commerce and Consumer Affairs opposed this concurrent resolution.

Your Committee finds that it is important that a person diagnosed with a terminal illness be afforded all available comfort and care options as soon as possible to ensure a high quality of life for the person and their family during the remaining time they share together. This care should be available for all people in Hawaii regardless of their health insurance coverage or lack thereof because we all have a right to compassionate care.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 85 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1301-06 Health on H.R. No. 90

The purpose of this resolution is to find a solution for the critical nursing shortage in Hawaii by urging the National Council of State Boards of Nursing to conduct its licensure examination in the city of Manila in the Philippines where a great many willing and able prospective nurses reside.

The Board of Nursing and several concerned individuals supported this resolution.

Your Committee finds that international test administration for nursing students seeks to provide convenience to candidates by reducing the time and expense of traveling to the United States and does not sacrifice high standards expected of applicants. Broadening our scope of applicants may have the potential to increase the number of nurses staffing our health care facilities in Hawaii. Some concerns were raised, however, that there are currently locally educated nursing students who are unable to find employment opportunities and question attempts to bring in foreign workers to a job market place that is seemingly closed at this point in time.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 90 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1302-06 Health on H.C.R. No. 123

The purpose of this concurrent resolution is to find a solution for the critical nursing shortage in Hawaii by urging the National Council of State Boards of Nursing to conduct its licensure examination in the city of Manila in the Philippines where a great many willing and able prospective nurses reside.

The Board of Nursing and several concerned individuals supported this concurrent resolution.

Your Committee finds that international test administration for nursing students seeks to provide convenience to candidates by reducing the time and expense of traveling to the United States and does not sacrifice high standards expected of applicants. Broadening our scope of applicants may have the potential to increase the number of nurses staffing our health care facilities in Hawaii. Some concerns were raised, however, that there are currently locally educated nursing students who are unable to find employment opportunities and question attempts to bring in foreign workers to a job market place that is seemingly closed at this point in time.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 123 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1303-06 Health on H.R. No. 102

The purpose of this resolution is to respond to building evidence that decabromodiphenylether (Deca-BDE) poses serious health risks to people by requesting that the Department of Health (DOH) determine whether there are safer, technically feasible alternatives to the use of Deca-BDE as a fire retardant in household electrical appliances.

DOH and the Healthy Mothers, Healthy Babies Coalition of Hawaii supported this resolution.

Your Committee finds that preliminary studies suggest that exposure to Deca-BDE may pose health risks to people's thyroid, liver, reproductive system, and neurological system. Therefore, it is important to find safer alternatives to use as fire-retardants on products that people are exposed to on a regular basis such as their televisions and computers.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 102 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1304-06 Health on H.C.R. No. 139

The purpose of this concurrent resolution is to respond to building evidence that decabromodiphenylether (Deca-BDE) poses serious health risks to people by requesting that the Department of Health (DOH) determine whether there are safer, technically feasible alternatives to the use of Deca-BDE as a fire retardant in household electrical appliances.

DOH and the Healthy Mothers, Healthy Babies Coalition of Hawaii supported this concurrent resolution.

Your Committee finds that preliminary studies suggest that exposure to Deca-BDE may pose health risks to people's thyroid, liver, reproductive system, and neurological system. Therefore, it is important to find safer alternatives to use as fire-retardants on products that people are exposed to on a regular basis such as their televisions and computers.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 139 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1305-06 Water, Land, & Ocean Resources on H.R. No. 233

The purpose of this resolution is to help relocate businesses from Kewalo Basin to Sand Island to make way for redevelopment in the Kakaako area, by requesting the Hawaii Community Development Authority (HCDA) to provide assistance to Honolulu Marine to determine the most cost-effective financing option for Honolulu Marine's state-initiated move from Kewalo Basin to Sand Island.

The Hawaii Boaters Political Action Association and Paradise Cruise, Ltd., testified in support of this resolution. HCDA supported the intent of this measure and suggested an amendment.

Your Committee has amended this resolution by:

- (1) Inserting the Department of Business, Economic Development, and Tourism as one of the agencies HCDA should collaborate with in providing assistance to Honolulu Marine;
- (2) Changing its title to reflect the change in item (1);
- (3) Adding a request to HCDA to develop plans to address environmental and clean-up concerns relating to the move; and
- (4) Adding the Director of Business, Economic Development, and Tourism as a transmitttee of the resolution.

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

Signed by all members of the Committee except Representatives Carroll, Waters and Thielen.
(Representatives Evans and Harbin voted no.)

SCRep. 1306-06 Water, Land, & Ocean Resources on H.C.R. No. 299

The purpose of this concurrent resolution is to help relocate businesses from Kewalo Basin to Sand Island to make way for redevelopment in the Kakaako area, by requesting the Hawaii Community Development Authority (HCDA) to provide assistance to Honolulu Marine to determine the most cost-effective financing option for Honolulu Marine's state-initiated move from Kewalo Basin to Sand Island.

The Hawaii Boaters Political Action Association and Paradise Cruise, Ltd., testified in support of this concurrent resolution. HCDA supported the intent of this measure and suggested an amendment.

Your Committee has amended this concurrent resolution by:

- (1) Inserting the Department of Business, Economic Development, and Tourism as one of the agencies HCDA should collaborate with in providing assistance to Honolulu Marine;
- (2) Changing its title to reflect the change in item (1);
- (3) Adding a request to HCDA to develop plans to address environmental and clean-up concerns relating to the move; and
- (4) Adding the Director of Business, Economic Development, and Tourism as a transmittee of the concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 299, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 299, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Waters and Thielen.
(Representatives Evans and Harbin voted no.)

SCRep. 1307-06 Education on H.C.R. No. 75

The purpose of this concurrent resolution is to provide facilities that encourage student health by requesting the Department of Education (DOE) to consider the design and construction of physical education and athletic facilities at the site of the former Kapiolani Community College for McKinley High School.

McKinley High School and the Athletic Directors and Coaches Association of Hawaii testified in support of this concurrent resolution. DOE supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 75 and recommends its adoption.

Signed by all members of the Committee except Representatives Cabanilla and Harbin.

SCRep. 1308-06 Education on H.C.R. No. 9

The purpose of this concurrent resolution is to reduce and prevent instances of bullying in schools by urging all public and private schools to implement standards of conduct for teachers, administrators, coaches, and students that reduce intimidation and promote safe and peaceful school environments that encourage learning.

The Department of Education, Board of Education, Hawaii Youth Services Network, Hawaii State Teachers Association, and a concerned individual testified in support of this measure.

Your Committee has amended this concurrent resolution by:

- (1) Including cyber bullying as another form of bullying that requires prevention measures; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 9, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 9, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla and Harbin.

SCRep. 1309-06 Water, Land, & Ocean Resources on H.R. No. 115

The purpose of this resolution is to provide a place for the community of Nahiku, Maui, to congregate and share native Hawaiian cultural practices by requesting the Department of Land and Natural Resources (DLNR) to determine the feasibility of redeveloping the site of the old Nahiku School as a community facility.

The community of Nahiku and numerous concerned individuals testified in support of this resolution. DLNR opposed this measure.

Your Committee has amended this resolution by:

- (1) Requesting the County of Maui, with the assistance of DLNR, to determine the feasibility of redeveloping the old Nahiku School as a community facility; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 115, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 115, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Waters and Thielen.

SCRep. 1310-06 Water, Land, & Ocean Resources on H.C.R. No. 155

The purpose of this concurrent resolution is to provide a place for the community of Nahiku, Maui, to congregate and share native Hawaiian cultural practices by requesting the Department of Land and Natural Resources (DLNR) to determine the feasibility of redeveloping the site of the old Nahiku School as a community facility.

The community of Nahiku and numerous concerned individuals testified in support of this concurrent resolution. DLNR opposed this measure.

Your Committee has amended this concurrent resolution by:

- (1) Requesting the County of Maui, with the assistance of DLNR, to determine the feasibility of redeveloping the old Nahiku School as a community facility; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 155, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 155, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Waters and Thielen.

SCRep. 1311-06 Water, Land, & Ocean Resources on H.C.R. No. 152

The purpose of this concurrent resolution is to promote the full use and enjoyment of the waters of the state by all users by requesting the Department of Land and Natural Resources (DLNR) to review its ocean recreation management area designations in the nearshore waters of west, south, and north Maui to determine if additional areas should be designated for commercial thrill craft operations. This concurrent resolution also requests DLNR to determine if additional commercial thrill craft operations can be permitted within existing management areas consistent with the policy established by the Legislature for ocean recreation management.

Several concerned individuals from Maui County testified in support of this bill. DLNR provided comments.

Your Committee has amended this concurrent resolution by:

- (1) Inserting a request to DLNR to form and consult with ocean and harbor user advisory groups prior to determining if additional ocean recreation management areas for commercial thrill craft operations should be designated; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 152, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 152, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Waters and Thielen.
(Representative Berg voted no.)

SCRep. 1312-06 Consumer Protection & Commerce on H.C.R. No. 64

The purpose of this concurrent resolution is to support state efforts to keep homeowner's disaster insurance affordable by urging Hawaii's Congressional delegation to support and secure passage of federal legislation establishing a catastrophic reinsurance fund.

The Insurance Commissioner of the Department of Commerce and Consumer Affairs supported this concurrent resolution. The Hawaii Association of Realtors commented on this measure.

Your Committee finds that H.R. 4366, the federal Homeowners' Insurance Protection Act of 2005, would establish a federal catastrophic reinsurance fund to spread the liability for the worst natural disasters by providing lower-cost reinsurance to state catastrophe funds.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 64 and recommends its adoption.

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

SCRep. 1313-06 Consumer Protection & Commerce on S.B. No. 2224

The purpose of this bill is to conform Hawaii's credit sales law to practice in the motor vehicle sales industry by amending the definition of "principal balance" to clarify that negative equity, such as a security interest, lien, or lease interest on property traded in, may be financed as part of a motor vehicle retail installment sales contract.

No testimony was received for this bill.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2224 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 Schatz and Stonebraker.

SCRep. 1314-06 Health on H.R. No. 230

The purpose of this measure is requesting the judiciary to establish an appropriate fee for court-ordered forensic evaluations and to provide copies of the examination reports to the Department of Health.

Testimonies in support of this house resolution were submitted by the Hawaii Government Employees Association and the Hawaii Disability Rights Center. The Hawaii State Department of Health opposed this resolution. The Judiciary, State of Hawaii takes no position to this resolution.

Your Committee finds that the increase in fees paid to forensic examiners will incur cost to the State. This fee is a flat fee which does not take into account the number of hours devoted to conducting the evaluation. While the Adult Mental Health Division of the Department of Health currently certifies those psychiatrists or psychologists who are appointed by the court to conduct forensic evaluations, the Department of Health has no statutory authority to monitor the quality or consistency of the reports. This lack of a formal mechanism for the Department of Health to receive or review the examination reports further hinders the identification of the causes of delays in the evaluation process. Further, while there is no statutory mandate for the court to provide copies of the forensic reports to the Department of Health, neither is there a statutory prohibition. Your committee has amended this house resolution as follows:

1. Making technical changes to this house resolution; and
2. By focusing on the intent of this house resolution further, and deleting unqualified data.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 230, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.R.230, H.D. 1.

Signed by all members of the Committee.

SCRep. 1315-06 Health on H.C.R. No. 295

The purpose of this measure is requesting the judiciary to establish an appropriate fee for court-ordered forensic evaluations and to provide copies of the examination reports to the Department of Health.

Testimonies in support of this concurrent resolution were submitted by the Hawaii Government Employee Association and the Hawaii Disability Rights Center. The Hawaii State Department of Health opposed this resolution. The Judiciary, State of Hawaii takes no position to this resolution.

Your Committee finds that the increase in fees paid to forensic examiners will incur cost to the State. This fee is a flat fee which does not take into account the number of hours devoted to conducting the evaluation. While the Adult Mental Health Division of the Department of Health currently certifies those psychiatrists or psychologists who are appointed by the court to conduct forensic evaluations, the Department of Health has no statutory authority to monitor the quality or consistency of the reports. This lack of a formal mechanism for the Department of Health to receive or review the examination reports further hinders the identification of the causes of delays in the evaluation process. Further, while there is no statutory mandate for the court to provide copies of the forensic reports to the Department of Health, neither is there a statutory prohibition.

Your committee has amended this concurrent resolution as follows:

1. Making technical changes to this concurrent resolution; and
2. By focusing on the intent of this concurrent resolution further, and deleting unqualified data.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 295, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.C.R. No. 295, H.D. 1.

Signed by all members of the Committee.

SCRep. 1316-06 Health/Human Services on H.C.R. No. 135

The purpose of this concurrent resolution is to move our State forward in its quest to provide quality healthcare for all residents by establishing a work group to find affordable solutions to make universal healthcare in Hawaii a reality.

The National Association of Social Workers – Hawaii Chapter, and Hawaii Psychiatric Medical Association supported this concurrent resolution. Physicians for a National Health Program and several concerned individuals supported this measure with amendments.

Your Committees find that a solution to the healthcare crisis we face needs to be provided soon to prevent a further increase in the number of uninsured and to prevent increased State Medicaid and other healthcare costs.

Your Committees have amended this concurrent resolution by adding to the work group:

- (1) A member of the National Association of Social Workers – Hawaii Chapter; and
- (2) A consumer advocate.

Technical, nonsubstantive changes were also made for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 135, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 135, H.D. 1.

Signed by all members of the Committee except Representatives Nishimoto and Stonebraker.

SCRep. 1317-06 Housing on H.C.R. No. 148

The purpose of this concurrent resolution is to explore solutions to Hawaii's affordable housing crisis by requesting the Legislative Reference Bureau (LRB) to study the constitutionality, legality, and effectiveness of rent control in jurisdictions where rent control has been established.

Several concerned individuals testified in support of this bill. The Hawaii Association of Realtors opposed this measure. LRB and a concerned individual offered comments.

Your Committee finds that section 46-1.5(20), Hawaii Revised Statutes, already authorizes the counties to enact rent control by ordinance, and that it is unnecessary to study the constitutionality and legality of rent control. The individual counties, having different housing needs, are encouraged to consider implementing rent control to ease the burden of Hawaii's increasing housing costs.

Accordingly, your Committee has amended this concurrent resolution by:

- (1) Changing its title to read: "REQUESTING THE COUNTIES TO STUDY AND TO CONSIDER IMPLEMENTING RENT CONTROL ORDINANCES AUTHORIZED UNDER STATE LAW";
- (2) Replacing the request that LRB conduct the study with a request to each of the counties to study and consider implementing rent control;
- (3) Requesting the Attorney General (AG) to:
 - (a) Provide an opinion to the counties with regard to the implementation of rent control; and
 - (b) Consider methods to improve enforcement and compliance with the Landlord Tenant Code and to strengthen sanctions against violators;
- (4) Referencing the state law authorizing counties to implement rent control;
- (5) Deleting the acting Director of LRB and adding the AG and county mayors as transmitters of the concurrent resolution; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 148, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 148, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Green, Sonson and Halford.

SCRep. 1318-06 Consumer Protection & Commerce on H.C.R. No. 84

The purpose of this concurrent resolution is to protect consumers from potential health hazards of decabromodiphenyl ether, a flame retardant used in products such as televisions, wiring, and upholstery, by requesting the Department of Health (DOH) to:

- (1) Review scientific research on the chemical; and
- (2) Determine whether safer retardants can be used in its place.

DOH and Bromine Science and Environmental Forum supported this concurrent resolution.

Your Committee finds that the review requested by this measure will help to determine whether there is a consumer protection issue that may be addressed by regulation.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 84 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanofo, Karamatsu, Souki and Stonebraker.

SCRep. 1319-06 Consumer Protection & Commerce on H.C.R. No. 112

The purpose of this concurrent resolution is to determine whether regulation of athlete agents is reasonably necessary to protect the health, safety, or welfare of consumers by requesting the State Auditor to conduct a sunrise review of H.B. No. 2440, 2006, which would establish a Uniform Athlete Agents Act to provide for registration, certification, and background checks of athlete agents seeking to represent student athletes.

The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs supported this concurrent resolution. Hawaii's Uniform Law Commissioners supported this measure if the Legislature does not pass H.B. No. 2440.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 112 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanofo, Karamatsu, Souki and Stonebraker.

SCRep. 1320-06 Consumer Protection & Commerce on H.C.R. No. 247

The purpose of this concurrent resolution is to increase consumer protection and promote efficiency in the regulation of mortgage brokers and solicitors by requesting the Director of Commerce and Consumer Affairs to convene a task force to consider the transfer of regulatory authority to the Division of Financial Institutions (DFI).

The Hawaii Association of Mortgage Brokers, Hawaii Association of Realtors, Hawaii Bankers Association, Mortgage Bankers Association of Hawaii, Hawaii Financial Services Association, Primerica Financial Services Home Mortgages, Inc., and a concerned individual supported this measure. The Hawaii Credit Union League and Commissioner of Financial Institutions of the Department of Commerce and Consumer Affairs supported the intent of the measure.

Your Committee finds that the task force would consider whether it is advisable to consolidate regulation of all aspects of the mortgage lending industry under DFI, and if so, recommend the regulatory scheme to be employed.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 247 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Karamatsu, Souki and Stonebraker.

SCRep. 1321-06 International Affairs on H.R. No. 184

The purpose of this resolution is to condemn the horrible practice of ethnic cleansing which is taking place at this time in Darfur and to urge that the United States (U.S.) take action to protect those in danger.

A concerned individual supported this resolution.

Your Committee finds that more needs to be done to stop the genocide being committed in Darfur. Those who are unable to protect themselves from this horrific tragedy need the assistance of the U.S.

As affirmed by the record of votes of the members of your Committee on International Affairs 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 Representative Thielen.

SCRep. 1322-06 International Affairs on H.C.R. No. 243

The purpose of this concurrent resolution is to condemn the horrible practice of ethnic cleansing which is taking place at this time in Darfur and to urge that the United States (U.S.) take action to protect those in danger.

A concerned individual supported this concurrent resolution.

Your Committee finds that more needs to be done to stop the genocide being committed in Darfur. Those who are unable to protect themselves from this horrific tragedy need the assistance of the U.S.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 243 and recommends its adoption.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1323-06 International Affairs on H.C.R. No. 109

The purpose of this concurrent resolution is to support the commemoration of the twenty-fifth anniversary of the Fukuoka and Hawaii sister-state relationship.

The Department of Business, Economic Development, and Tourism supported this concurrent resolution.

Your Committee has amended this concurrent resolution by making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 109, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 109, H.D. 1.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1324-06 International Affairs on H.C.R. No. 273

The purpose of this concurrent resolution is to encourage dialogue and discussion among diverse groups of people by supporting the Hawaii Humanity United Globally Program in its pursuit of international peace.

Your Committee has amended this concurrent resolution by:

- (1) Replacing its contents with a request to the United States Trade Representative to include a representative of the State of Hawaii in the membership of the Intergovernmental Policy Advisory Committee on Trade;

- (2) Amending its title to read: "REQUESTING THE UNITED STATES TRADE REPRESENTATIVE TO INCLUDE A REPRESENTATIVE OF THE STATE OF HAWAII IN THE MEMBERSHIP OF THE INTERGOVERNMENTAL POLICY ADVISORY COMMITTEE ON TRADE AND DESIGNATE THIS REPRESENTATIVE AS THE SINGLE POINT OF CONTACT FOR THE STATE OF HAWAII"; and
- (3) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 273, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 273, H.D. 1.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1325-06 Housing on H.R. No. 153

The purpose of this resolution is to preserve Hawaii's limited supply of affordable housing by urging the Kukui Gardens Corporation to sell Kukui Gardens to a qualified affordable housing nonprofit organization that makes a reasonable offer to purchase the property.

The Hawaii Association of Realtors and a concerned individual testified in support of this resolution. The Housing and Community Development Corporation of Hawaii and a concerned individual offered comments.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 153 and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki, Green, Sonson and Halford.

SCRep. 1326-06 Housing on H.C.R. No. 199

The purpose of this concurrent resolution is to preserve Hawaii's limited supply of affordable housing by urging the Kukui Gardens Corporation to sell Kukui Gardens to a qualified affordable housing nonprofit organization that makes a reasonable offer to purchase the property.

The Hawaii Association of Realtors and a concerned individual testified in support of this concurrent resolution. The Housing and Community Development Corporation of Hawaii and a concerned individual offered comments.

As affirmed by the record of votes of the members of your Committee on Housing 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 Arakaki, Green, Sonson and Halford.

SCRep. 1327-06 Housing on H.R. No. 186

The purpose of this resolution is to allow the residents of Kunia Camp more time to find housing solutions or affordable alternative housing by requesting Del Monte and the Campbell Estate to permit residents to continue to reside at Kunia Camp until at least December 2008.

The Representative of the 42nd District, Hawaii Government Employees Association, ILWU Local 142, Poamoho Camp Community Association, and Kunia Camp Association testified in support of this resolution. The Campbell Estate offered comments.

Your Committee is dedicated to assisting workers and retirees of Del Monte find solutions to their impending housing crisis. Hawaii is now facing a statewide affordable housing crisis, and the closure of plantations, such as Del Monte, will exacerbate the problem and create a hardship on plantation workers and retirees in finding housing in an already overburdened housing market.

Your Committee has amended this resolution by:

- (1) Requesting Del Monte to negotiate fairly with the ILWU and consider providing benefit enhancements for severance and medical coverage;
- (2) Specifying that December 2008, should not be considered an absolute deadline, as efforts to find a long-term solution may require more time;
- (3) Rephrasing the title to read: "REQUESTING DEL MONTE AND THE CAMPBELL ESTATE TO ALLOW RESIDENTS TO CONTINUE TO RESIDE AT KUNIA CAMP AT LEAST UNTIL DECEMBER 2008, TO ALLOW THE RESIDENTS TIME TO FINANCED HOUSING SOLUTIONS OR AFFORDABLE ALTERNATIVE HOUSING"; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 186, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 186, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Green, Sonson and Halford.

SCRep. 1328-06 Housing on H.C.R. No. 245

The purpose of this concurrent resolution is to allow the residents of Kunia Camp more time to find housing solutions or affordable alternative housing by requesting Del Monte and the Campbell Estate to permit residents to continue to reside at Kunia Camp until at least December 2008.

The Representative of the 42nd District, Hawaii Government Employees Association, ILWU Local 142, Poamoho Camp Community Association, and Kunia Camp Association testified in support of this resolution. The Campbell Estate offered comments.

Your Committee is dedicated to assisting workers and retirees of Del Monte find solutions to their impending housing crisis. Hawaii is now facing a statewide affordable housing crisis, and the closure of plantations, such as Del Monte, will exacerbate the problem and create a hardship on plantation workers and retirees in finding housing in an already overburdened housing market.

Your Committee has amended this concurrent resolution by:

- (1) Requesting Del Monte to negotiate fairly with the ILWU and consider providing benefit enhancements for severance and medical coverage;
- (2) Specifying that December 2008, should not be considered an absolute deadline, as efforts to find a long-term solution may require more time;
- (3) Rephrasing the title to read: "REQUESTING DEL MONTE AND THE CAMPBELL ESTATE TO ALLOW RESIDENTS TO CONTINUE TO RESIDE AT KUNIA CAMP AT LEAST UNTIL DECEMBER 2008, TO ALLOW THE RESIDENTS TIME TO FINANCED HOUSING SOLUTIONS OR AFFORDABLE ALTERNATIVE HOUSING"; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 245, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 245, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Green, Sonson and Halford.

SCRep. 1329-06 Water, Land, & Ocean Resources on S.B. No. 2929

The purpose of this bill is to require one member of the Land Use Commission (LUC) to have substantial experience or expertise in traditional Hawaiian land usage and knowledge of cultural land practices.

The Office of Hawaiian Affairs, Sierra Club, Hawaii Chapter, Association of Hawaiian Civic Clubs, Kapolei Hawaiian Civic Club, Oahu Council Committee on the Preservation of Historic Sites and Cultural Properties, Ahahui Siwila Hawaii O Kapolei, Native Hawaiian Hospitality Association, and several concerned individuals supported this measure. The Office of Planning provided comments.

Your Committee has amended this bill by:

- (1) Clarifying that the expertise or experience of the LUC member can be evidenced by the member's status as a kupuna, kahuna, practitioner, or scholar; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2929, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2929, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Berg, Harbin, Morita and Meyer.

SCRep. 1330-06 Finance on S.B. No. 2333

The purpose of this bill is to make an emergency appropriation of \$416,718 to adequately fund general assistance (GA) payments for the remainder of the 2005-2006 fiscal year.

The Department of Human Services and National Association of Social Workers 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. 2333, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Meyer.

SCRep. 1331-06 Labor & Public Employment on H.R. No. 46

The purpose of this measure is to request the Department of Labor and Industrial Relations to authorize the State Fire Council to create positions for an administrator and an administrative assistant.

Comments on the measure were received from the Department of Labor and Industrial Relations.

Your Committee finds that these positions will enable the State Fire Council to more effectively and efficiently execute its duties.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 46 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Souki.

SCRep. 1332-06 Labor & Public Employment on H.C.R. No. 61

The purpose of this measure is to request the Department of Labor and Industrial Relations to authorize the State Fire Council to create positions for an administrator and an administrative assistant.

Comments on the measure were received from the Department of Labor and Industrial Relations.

Your Committee finds that these positions will enable the State Fire Council to more effectively and efficiently execute its duties.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 61 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Souki.

SCRep. 1333-06 Labor & Public Employment on H.R. No. 59

The purpose of this measure is to urge the Hawaii Tribune-Herald and its owner, the Stephens Media Group of Las Vegas, Nevada, to quickly resolve contract differences with union workers and offer a fair contract that will preserve the labor-management relationship.

Your Committee received testimony in support of this measure from the Hawaii Newspaper Guild, the Hawaii State AFL-CIO, and ILWU Local 142.

Your Committee finds that the Hawaii Tribune-Herald is a profitable operation, largely because of its loyal work force. Management practices such as making offers that it knows the union cannot accept, prolonging negotiations for twelve to eighteen months and longer, and punishing employees for availing themselves in the meantime of rights accorded under the contract are inimical to the fair and respectful relationship with labor that is necessary to move the paper forward. Your Committee urges the employer to abandon these practices and engage in good faith negotiations toward a new contract that is beneficial to both parties, the economy, and the State.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 59 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Souki.

SCRep. 1334-06 Labor & Public Employment on H.C.R. No. 77

The purpose of this measure is to urge the Hawaii Tribune-Herald and its owner, the Stephens Media Group of Las Vegas, Nevada, to quickly resolve contract differences with union workers and offer a fair contract that will preserve the labor-management relationship.

Your Committee received testimony in support of this measure from the Hawaii Newspaper Guild, the Hawaii State AFL-CIO, and ILWU Local 142.

Your Committee finds that the Hawaii Tribune-Herald is a profitable operation, largely because of its loyal work force. Management practices such as making offers that it knows the union cannot accept, prolonging negotiations for twelve to eighteen months and longer, and punishing employees for availing themselves in the meantime of rights accorded under the contract are inimical to the fair and respectful relationship with labor that is necessary to move the paper forward. Your Committee urges the employer to abandon these practices and engage in good faith negotiations toward a new contract that is beneficial to both parties, the economy, and the State.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 77 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Souki.

SCRep. 1335-06 Health on H.C.R. No. 105

The purpose of this concurrent resolution is to urge the facilitation of necessary parking arrangements for Maui Memorial Medical Center. This addition would complement the planned growth and expansion of the medical center and provide adequate parking to meet the increased demand.

The Maui Memorial Medical Center supported this concurrent resolution.

Your Committee finds that healthcare must be easily accessible to all, and a problem such as the unavailability of adequate parking creates difficulties for those who are sick and disabled. Therefore, this issue must be addressed properly and expediently.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 105 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1336-06 Tourism & Culture on H.C.R. No. 205

The purpose of this concurrent resolution is to improve legislative oversight of the Stadium Authority and Aloha Stadium by requesting the Auditor to review proposed plans and existing and anticipated appropriation requests of the Stadium Authority and the Governor for the repair, renovation, refurbishment, or replacement of Aloha Stadium.

The Department of Accounting and General Services and the Stadium Authority submitted comments.

As affirmed by the record of votes of the members of your Committee on Tourism & Culture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 205 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Karamatsu and Ching.

SCRep. 1337-06 Tourism & Culture/Economic Development & Business Concerns on H.C.R. No. 146

The purpose of this concurrent resolution is to encourage responsible development and preserve the existing community and environment along Oahu's North Shore by requesting a rigorous reexamination of the development expansion plan at Turtle Bay Resort.

Faith Action for Community Equity, American Friends Service Committee Hawaii Area Program, Kawela Bay Protection Association, Hawaii's Thousand Friends, Surfrider Foundation Oahu Chapter, Windward Ahupua'a Alliance, Local 5, North Shore Outdoor Circle, Life of the Land, and numerous concerned individuals supported this measure. The City and County of Honolulu Department of Planning and Permitting opposed this measure. The Pacific Resource Partnership, Kusao & Kurahashi, Inc., and several concerned individuals submitted comments.

As affirmed by the records of votes of the members of your Committees on Tourism & Culture and Economic Development & Business Concerns that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 146 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Karamatsu and Ching.

SCRep. 1338-06 Transportation on H.R. No. 65

The purpose of this resolution is to request that the Legislative Reference Bureau perform a study that:

(1) Reviews the issues associated with mandating that each school bus, private and public, be retrofit with seat belts and studies conducted to resolve these issues;

(2) Analyzes the costs of retrofitting school buses with seat belts; and

(3) Makes recommendations based on its findings, including suggested legislation.

It is further requested that the Department of Transportation assist the Legislation Reference Bureau by providing it with all relevant research and data already compiled and with any other pertinent information and assistance.

The Department of Education testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 65 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1339-06 Transportation on H.C.R. No. 87

The purpose of this resolution is to request that the Legislative Reference Bureau perform a study that:

(1) Reviews the issues associated with mandating that each school bus, private and public, be retrofit with seat belts and studies conducted to resolve these issues;

(2) Analyzes the costs of retrofitting school buses with seat belts; and

(3) Makes recommendations based on its findings, including suggested legislation.

It is further requested that the Department of Transportation assist the Legislation Reference Bureau by providing it with all relevant research and data already compiled and with any other pertinent information and assistance.

The Department of Education testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 87 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1340-06 Transportation on H.R. No. 235

The purpose of this resolution is to request that the Department of Transportation review the State's landing fees and determine whether these fees should be increased in order to generate revenues for improvements to the state airport system.

The DOT and HGEA testified in support of this resolution. The Hawaii Farm Bureau and Maui County Farm Bureau testified in support with recommendations.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 235 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1341-06 Transportation on H.C.R. No. 301

The purpose of this resolution is to request that the Department of Transportation review the State's landing fees and determine whether these fees should be increased in order to generate revenues for improvements to the state airport system.

The DOT and HGEA testified in support of this resolution. The Hawaii Farm Bureau and Maui County Farm Bureau testified in support with recommendations.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 301 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1342-06 Transportation on H.R. No. 44

The purpose of this resolution is to request the collaboration between the Department of Transportation and the Executive Office in order to formulate and implement a program similar to the Independent Transportation Network. The program would provide transportation to seniors who can no longer drive safely, and to visually impaired persons of any age, through a public and private partnership. Also that the Hawaii State Legislature express its support for federal legislation to provide funding for ITN America for a five year national roll-out and grants.

The Executive Office on Aging testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 44 and recommends that it be referred to the Committee on Judiciary.

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

SCRep. 1343-06 Transportation on H.C.R. No. 59

The purpose of this resolution is to request the collaboration between the Department of Transportation and the Executive Office in order to formulate and implement a program similar to the Independent Transportation Network. The program would provide transportation to seniors who can no longer drive safely, and to visually impaired persons of any age, through a public and private partnership. Also that the Hawaii State Legislature express its support for federal legislation to provide funding for ITN America for a five year national roll-out and grants.

The Executive Office on Aging testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 59 and recommends that it be referred to the Committee on Judiciary.

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

SCRep. 1344-06 Transportation on H.R. No. 119

The purpose of this resolution in to request that the Department of Transportation, with the Department of Land and Natural Resources, to develop a statewide greenbelt strategy.

The Windward Ahupua'a Alliance testified in favor of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 119 and recommends that it be referred to the Committee on Water, Land, & Ocean Resources.

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

SCRep. 1345-06 Transportation on H.C.R. No. 159

The purpose of this resolution in to request that the Department of Transportation, with the Department of Land and Natural Resources, to develop a statewide greenbelt strategy.

The Windward Ahupua'a Alliance testified in favor of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 159 and recommends that it be referred to the Committee on Water, Land, & Ocean Resources.

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

SCRep. 1346-06 Water, Land, & Ocean Resources on H.R. No. 191

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study on establishing a geological survey to include:

- (1) Issues, concerns, alternatives, and recommendations related to the geological survey; and
- (2) Existing and potential resources for a geological survey.

The Department of Land and Natural Resources, University of Hawaii's School of Ocean and Earth Science and Technology, and the Land Use Research Foundation of Hawaii supported this measure. The Legislative Reference Bureau provided comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 191 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Berg.

SCRep. 1347-06 Water, Land, & Ocean Resources on H.C.R. No. 251

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to conduct a study on establishing a geological survey to include:

- (1) Issues, concerns, alternatives, and recommendations related to the geological survey; and
- (2) Existing and potential resources for a geological survey.

The Department of Land and Natural Resources, University of Hawaii's School of Ocean and Earth Science and Technology, and the Land Use Research Foundation of Hawaii supported this measure. The Legislative Reference Bureau provided comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 251 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Berg.

SCRep. 1348-06 Water, Land, & Ocean Resources on H.R. No. 232

The purpose of this resolution is to improve the administration of the Hawaii Community Development Authority (HCDA) by requesting the Legislative Auditor to conduct a management audit of the administrative practices of HCDA.

Hui O Malama Kaka'ako Paka, Save Our Kakaako Makai Coalition, Hawaii State Bodysurfing Club, PoseidonsEarth.com, Integrated Agriculture Network, U. Okada & Co., Ltd., Kaka'ako Business and Landowners Association, and numerous concerned individuals testified in support of this resolution. A concerned individual opposed this measure. HCDA submitted comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 232 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Berg.

SCRep. 1349-06 Water, Land, & Ocean Resources on H.C.R. No. 297

The purpose of this concurrent resolution is to improve the administration of the Hawaii Community Development Authority (HCDA) by requesting the Legislative Auditor to conduct a management audit of the administrative practices of HCDA.

Hui O Malama Kaka'ako Paka, Save Our Kakaako Makai Coalition, Hawaii State Bodysurfing Club, PoseidonsEarth.com, Integrated Agriculture Network, U. Okada & Co., Ltd., Kaka'ako Business and Landowners Association, and numerous concerned individuals testified in support of this concurrent resolution. A concerned individual opposed this concurrent resolution. HCDA submitted comments.

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

Signed by all members of the Committee except Representative Berg.

SCRep. 1350-06 Health on H.C.R. No. 37

The purpose of this resolution is to have a mandatory health insurance coverage for survivors of brain injuries, as provided in HB 1487 (2005).

Your committee received testimony from a concerned individual who supports this concurrent resolution and the Hawaii State Department of Health who supports the intent of the resolution.

Your Committee finds that this will substantially assist survivors of traumatic brain injury in leading full lives.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 37 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1351-06 Health on H.C.R. No. 118

The purpose of this resolution is to have the Superintendent of Education, with the assistance of the Director of Health to establish a one-year pilot program in selected public elementary schools on the Waianae Coast to provide free eye examinations to children entering kindergarten, or any other elementary grade level if entering the state public school system for the first time, with a view to screening for eye health and vision problems, and ensuring that students are not erroneously diagnosed as having attention deficient hyperactivity disorder.

Your committee received testimony in support of this resolution from the Hawaii State Department of Health and the Superintendent of the Department of Education, Patricia Hamamoto.

Your committee finds that the intent of this resolution will provide appropriate treatment, including prescription eyeglasses, for tested children who do not have insurance coverage.

Accordingly, your Committee notes that Hawaii's children issues are of paramount importance to the State, in that, the inability to see in order to read is a major barrier to successful learning.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 118 and recommends that it be referred to the Committee on Education.

Signed by all members of the Committee.

SCRep. 1352-06 Health/International Affairs on H.C.R. No. 92

The purpose of this concurrent resolution is to address Hawaii's critical nursing shortage by requesting that the immigration requirements for temporary, nonimmigrant visas be eased to allow graduate nurses from the Philippines to enter the United States.

The Board of Nursing, Alliance of Residential Care Administrators and several concerned individuals supported this concurrent resolution.

Your Committees have amended this measure by making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 92, as amended herein, and recommend that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 92, H.D. 1.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1353-06 Tourism & Culture on S.C.R. No. 37

The purpose of this concurrent resolution is to assess proposed regulation of mixed martial arts contests that may improve the safety and health of mixed martial arts contestants by requesting the Auditor to conduct a sunrise review of the regulation of mixed martial arts contests as proposed in H.B. No. 3223, H.D. 1, Regular Session of 2006.

The Regulated Industries Complaints Office and the Professional Vocational Licensing Division of the Department of Commerce and Consumer Affairs supported this measure.

As affirmed by the record of votes of the members of your Committee on Tourism & Culture that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 37, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Karamatsu and Ching.

SCRep. 1354-06 Labor & Public Employment on H.C.R. No. 16

The purpose of this measure is to safeguard the health of working nurses in Hawaii to ensure that they may continue to care for patients in the State.

Specifically, this measure supports the policies contained in the American Nurses Association's Handle With Care campaign, which seeks to build a health care industry-wide effort to prevent back and other musculoskeletal injuries by developing partnerships and coalitions, education and training, increasing use of assistive equipment and patient-handling devices, reshaping nursing education to incorporate safe patient handling, and pursuing federal and state ergonomics policy by highlighting technology-oriented safe-patient handling benefits for patients and nurses.

Your Committee received testimony in support of this measure from the Hawaii Nurses' Association and six individuals.

Your Committee believes that this measure will help to address and control workplace ergonomic hazards and prevent back and musculoskeletal injuries among working nurses in Hawaii.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 16 and recommends its adoption.

Signed by all members of the Committee except Representative Souki.

SCRep. 1355-06 Labor & Public Employment on H.R. No. 47

The purpose of this measure is to urge the United States Office of Personnel Management to treat federal employees employed in Hawaii, with regard to pay and retirement benefits, in the same manner as it does federal employees in the forty-eight contiguous states.

The measure states that the Legislature supports congressional efforts to ensure that:

- (1) Federal employees in Hawaii will be treated fairly and equitably with respect to their pay and retirement benefits; and
- (2) The irrationally discriminatory pay practices of the United States government that penalize federal employees in Hawaii and Alaska solely because they do not reside in the forty-eight contiguous states will be abolished immediately.

Testimony in support of the measure was received from the Hawaii State AFL-CIO and twenty-eight private citizens. The State Department of Defense testified in opposition to the measure.

Your Committee finds that the cost of living in Hawaii ranks consistently among the highest in the nation. Although federal employees who reside in Hawaii do receive non-foreign area cost of living adjustments in their pay, the federal government fails to credit non-foreign area cost of living allowances to "basic pay" for retirement purposes of federal employees residing in Hawaii and Alaska.

Your Committee also finds that, with the exception of those residing in Hawaii and Alaska, federal employees throughout the United States receive locality pay in addition to their salaries in amounts varying between twelve per cent to twenty-eight per cent. Federal employees who reside in Hawaii and Alaska are denied these payments solely because they reside in these states, outside the contiguous United States.

Your Committee further finds that locality pay received by federal employees is counted as "basic pay" for retirement purposes, resulting in federal employees in the contiguous United States receiving retirement pay in amounts between twelve per cent and twenty-eight per cent greater than federal employees who worked and resided in Hawaii and Alaska. This practice denies residents of Hawaii and Alaska substantial pay and benefits for no other reason than that their residence is outside the contiguous United States.

Your Committee declares that, with its recommendation to adopt this measure, it in no way endorses the diminishment, reduction, or abolishment of the existing federal cost of living allowance already provided to federal employees who are Hawaii residents, should the federal government extend locality pay benefits to Hawaii's federal employees. Your Committee believes that locality pay benefits should augment the existing federal cost of living allowances provided to federal employees who are Hawaii residents.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 47 and recommends its adoption.

Signed by all members of the Committee except Representatives Ito and Souki.

SCRep. 1356-06 Labor & Public Employment on H.C.R. No. 62

The purpose of this measure is to urge the United States Office of Personnel Management to treat federal employees employed in Hawaii, with regard to pay and retirement benefits, in the same manner as it does federal employees in the forty-eight contiguous states.

The measure states that the Legislature supports congressional efforts to ensure that:

- (1) Federal employees in Hawaii will be treated fairly and equitably with respect to their pay and retirement benefits; and
- (2) The irrationally discriminatory pay practices of the United States government that penalize federal employees in Hawaii and Alaska solely because they do not reside in the forty-eight contiguous states will be abolished immediately.

Testimony in support of the measure was received from the Hawaii State AFL-CIO and twenty-eight private citizens. The State Department of Defense testified in opposition to the measure.

Your Committee finds that the cost of living in Hawaii ranks consistently among the highest in the nation. Although federal employees who reside in Hawaii do receive non-foreign area cost of living adjustments in their pay, the federal government fails to credit non-foreign area cost of living allowances to "basic pay" for retirement purposes of federal employees residing in Hawaii and Alaska.

Your Committee also finds that, with the exception of those residing in Hawaii and Alaska, federal employees throughout the United States receive locality pay in addition to their salaries in amounts varying between twelve per cent to twenty-eight per cent. Federal employees who reside in Hawaii and Alaska are denied these payments solely because they reside in these states, outside the contiguous United States.

Your Committee further finds that locality pay received by federal employees is counted as "basic pay" for retirement purposes, resulting in federal employees in the contiguous United States receiving retirement pay in amounts between twelve per cent and twenty-eight per cent greater than federal employees who worked and resided in Hawaii and Alaska. This practice denies residents of Hawaii and Alaska substantial pay and benefits for no other reason than that their residence is outside the contiguous United States.

Your Committee declares that, with its recommendation to adopt this measure, it in no way endorses the diminishment, reduction, or abolishment of the existing federal cost of living allowance already provided to federal employees who are Hawaii residents, should the federal government extend locality pay benefits to Hawaii's federal employees. Your Committee believes that locality pay benefits should augment the existing federal cost of living allowances provided to federal employees who are Hawaii residents.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment 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 Ito and Souki.

SCRep. 1357-06 International Affairs on H.R. No. 51

The purpose of this resolution is to request that the United States Senate demonstrate our nation's commitment to human rights and gender equality by joining 170 other nations in ratifying the Convention on the Elimination of All Forms of Discrimination Against Women.

The Hawaii Chapter American Physical Therapy Association and several concerned individuals testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 51 and recommends its adoption.

Signed by all members of the Committee except Representatives Sonson and Thielen.

SCRep. 1358-06 International Affairs on H.C.R. No. 67

The purpose of this concurrent resolution is to request that the United States Senate demonstrate our nation's commitment to human rights and gender equality by joining 170 other nations in ratifying the Convention on the Elimination of All Forms of Discrimination Against Women.

The Hawaii Chapter American Physical Therapy Association and several concerned individuals testified in support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 67 and recommends its adoption.

Signed by all members of the Committee except Representatives Sonson and Thielen.

SCRep. 1359-06 International Affairs on H.R. No. 19

The purpose of this resolution is to request that the Japanese and United States governments expedite military realignment negotiations for United States forces forward deployed to Okinawa, and to reduce the size of these forces in consideration of the undue burden of military forces on the people of Okinawa.

The Hawaii Okinawa Alliance and several concerned individuals testified in support of this resolution.

Your Committee has amended this resolution by:

- (1) Amending the title and the body of this resolution to request that the Japanese government, as well as the United States government take action to reduce the United States military presence in Okinawa;
- (2) Prioritizing the request of the Legislature for Japan and the United States to first work to reduce the United States military presence forward deployed to Japan before negotiating relocating military facilities;
- (3) Including the Prime Minister of Japan, the National Diet of Japan, and the Japanese Minister of State for Defense in the list of recipients of certified copies of this resolution; and
- (4) Making technical, nonsubstantive amendments for clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 19, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 19, H.D. 1.

Signed by all members of the Committee except Representatives Sonson and Thielen.

SCRep. 1360-06 International Affairs on H.C.R. No. 27

The purpose of this concurrent resolution is to request that the Japanese and United States governments expedite military realignment negotiations for United States forces forward deployed to Okinawa, and to reduce the size of these forces in consideration of the undue burden of military forces on the people of Okinawa.

The Hawaii Okinawa Alliance and several concerned individuals testified in support of this concurrent resolution.

Your Committee has amended this concurrent resolution by:

- (1) Amending the title and the body of this concurrent resolution to request that the Japanese government, as well as the United States government take action to reduce the United States military presence in Okinawa;
- (2) Prioritizing the request of the Legislature for Japan and the United States to first work to reduce the United States military presence forward deployed to Japan before negotiating relocating military facilities;
- (3) Including the Prime Minister of Japan, the National Diet of Japan, and the Japanese Minister of State for Defense in the list of recipients of certified copies of this concurrent resolution; and
- (4) Making technical, nonsubstantive amendments for clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 27, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 27, H.D. 1.

Signed by all members of the Committee except Representatives Sonson and Thielen.

SCRep. 1361-06 International Affairs on H.C.R. No. 230

The purpose of this concurrent resolution is to strengthen international relations with our Pacific Ocean partners by encouraging the formation of a sister-state relationship between Hawaii and the province of Isabela in the Philippines.

The Province of Isabela Hawaii Association, Oahu Filipino Community Council, and several concerned individuals supported this concurrent resolution. The Department of Business, Economic Development, and Tourism and University of Hawaii supported the intent of this measure.

Your Committee finds that Hawaii shares a strong bond with the Province of Isabela of the Philippines and recognizes the benefits of professional cultural and educational exchange. A sister-state relationship between Hawaii and the Province of Isabela would be a beneficial relationship.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 230 and recommends its adoption.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1362-06 International Affairs on H.C.R. No. 274

The purpose of this concurrent resolution is to express the Hawaii State Legislature's support for maintaining peace in the Asia-Pacific region with the United Nations and with the support of allies and friends.

Several concerned individuals supported this concurrent resolution.

Your Committee finds that Hawaii is a small and very open economy, dependent on trade across the Pacific for its prosperity and therefore dependent on peace across the Pacific. Our state is also proudly made-up of a very ethnically and culturally diverse population that holds strong familial and emotional ties to our Asian-Pacific neighbors. Hawaii is proof that we can live closely with one another in relative peace and prosperity.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 274 and recommends its adoption.

Signed by all members of the Committee except Representatives Sonson and Thielen.

SCRep. 1363-06 International Affairs on H.C.R. No. 275

The purpose of this concurrent resolution is to encourage the use of meaningful dialogue and negotiations through the United Nations to bring about a peaceful resolution between the United States and Iran in dealing with the reported abilities of Iran to produce weapons-grade uranium to create nuclear weapons.

Several concerned individuals supported this concurrent resolution.

Your Committee finds that the President of the United States should continue to resolve this nuclear proliferation issue with the collective pressure and action of our allies and friends. Military action must be reserved as an action of absolute last resort and only to protect our domestic territory.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 275 and recommends its adoption.

Signed by all members of the Committee except Representatives Sonson and Thielen.

SCRep. 1364-06 International Affairs on H.R. No. 25

The purpose of this resolution is to ensure that we remember the mistakes that were made in the past when the United States (U.S.) tested nuclear weapons in the Marshall Islands, so that we will not repeat these mistakes, and it will also serve to remind us that there is a responsibility to make amends to the people whose lives have been ill affected by our behavior.

Several concerned citizens of the Marshall Islands and other concerned individuals supported this resolution.

Your Committee finds that it must be made clear the damage to persons and property in the Marshall Islands due to the U.S. nuclear weapons testing and the documented need of more U.S. compensation to cover that damage.

Your Committee has amended this resolution by:

- (1) Changing "March 1, 2006" in the title and body of the resolution to "March 1st"; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 25, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 25, H.D. 1.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1365-06 International Affairs on H.C.R. No. 34

The purpose of this concurrent resolution is to ensure that we remember the mistakes that were made in the past when the United States (U.S.) tested nuclear weapons in the Marshall Islands, so that we will not repeat these mistakes, and it will also serve to remind us that there is a responsibility to make amends to the people whose lives have been ill affected by our behavior.

Several concerned citizens of the Marshall Islands and other concerned individuals supported this concurrent resolution.

Your Committee finds that it must be made clear the damage to persons and property in the Marshall Islands due to the U.S. nuclear weapons testing and the documented need of more U.S. compensation to cover that damage.

Your Committee has amended this concurrent resolution by:

- (1) Changing "March 1, 2006" in the title and body of the concurrent resolution to "March 1st"; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 34, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 34, H.D. 1.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1366-06 International Affairs/Human Services on H.R. No. 246

The purpose of this resolution is to affirm the belief that all children deserve the basic rights of being safe, healthy, and ready to succeed in future endeavors. This measure urges the State of Hawaii to adopt the United Nations' Convention on the Rights of the Child.

Good Beginnings Alliance and a concerned individual supported this resolution.

Your Committees have amended this resolution by:

- (1) Including the President of the United States as one of the entities to receive a copy of this measure; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on International Affairs and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 246, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 246, H.D. 1.

Signed by all members of the Committee except Representatives Kahikina, Kawakami, Sonson, Stonebraker and Thielen.

SCRep. 1367-06 International Affairs/Human Services on H.C.R. No. 312

The purpose of this concurrent resolution is to affirm the belief that all children deserve the basic rights of being safe, healthy, and ready to succeed in future endeavors. This measure urges the State of Hawaii to adopt the United Nations' Convention on the Rights of the Child.

Good Beginnings Alliance and a concerned individual supported this concurrent resolution.

Your Committees have amended this concurrent resolution by:

- (1) Including the President of the United States as one of the entities to receive a copy of this measure; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on International Affairs and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 312, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 312, H.D. 1.

Signed by all members of the Committee except Representatives Kahikina, Kawakami, Sonson, Stonebraker and Thielen.

SCRep. 1368-06 Health on H.C.R. No. 88

The purpose of this resolution is to develop a comprehensive trauma system plan for Hawaii that encompasses all of the major islands and includes cost estimates. That the Director of Health involve representatives of all relevant agencies and organizations, both public and private, in the development of the trauma plan.

Your committee received testimony in support of this resolution from the Hawaii State Department of Health, Healthcare Association of Hawaii, and Kaiser Permanente.

Accordingly, the Legislature Reference Bureau report identified the causes of on-call physician specialist shortage as: 1. The cost of care has increased while payments to physicians from health plans, Medicare, and Medicaid have decreased. 2. There is a national shortage of physician specialists in many areas critical for trauma coverage. 3. Physician specialists have reduced or eliminated emergency call.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 88 and recommends its adoption.

Signed by all members of the Committee except Representative Cabanilla.

SCRep. 1369-06 Health on H.C.R. No. 157

The purpose of this concurrent resolution is to set in motion the planning necessary for the Department of Hawaiian Home Lands (DHHL) to create a viable design for the future of Kalaupapa to ensure responsible and respectful use of the land.

Ka Ohana O Kalaupapa supported this concurrent resolution. DHHL provided comments.

Your Committee has amended this concurrent resolution by:

- (1) Requesting that DHHL work in conjunction with the Department of Health, National Park Service, and Ka Ohana O Kalaupapa on a long-range plan for Kalaupapa;
- (2) Extending the deadline for DHHL to present the plan to the Legislature to 2010; and
- (3) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 157, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 157, H.D. I.

Signed by all members of the Committee.

SCRep. 1370-06 Consumer Protection & Commerce on H.R. No. 105

The purpose of this resolution is to ensure that local voices, interests, and programming are part of the future of information media in the United States by requesting the Federal Communications Commission to:

- (1) Convene a public meeting in Hawaii to consider the role of local, state, and federal jurisdictions in information media; and
- (2) Ensure media localism for broadcast, print, satellite media, and broadband telecommunications.

The International Brotherhood of Electrical Workers, Local 1260, and OIelo Community Television supported this resolution.

Your Committee heard testimony that across the nation there is increasing homogeneity of programming as smaller, local stations are displaced by larger, national companies. Your Committee finds that this measure protects the free and vigorous exchange of ideas that is one of the cornerstones of our nation by seeking to ensure that federal regulatory decisions affecting local information media allow independent local voices and preferences to continue to be heard.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 105 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Karamatsu, Souki and Stonebraker.

SCRep. 1371-06 Consumer Protection & Commerce on H.C.R. No. 142

The purpose of this concurrent resolution is to ensure that local voices, interests, and programming are part of the future of information media in the United States by requesting the Federal Communications Commission to:

- (1) Convene a public meeting in Hawaii to consider the role of local, state, and federal jurisdictions in information media; and
- (2) Ensure media localism for broadcast, print, satellite media, and broadband telecommunications.

The International Brotherhood of Electrical Workers, Local 1260, and OIelo Community Television supported this concurrent resolution.

Your Committee heard testimony that across the nation there is increasing homogeneity of programming as smaller, local stations are displaced by larger, national companies. Your Committee finds that this measure protects the free and vigorous exchange of ideas that is one of the cornerstones of our nation by seeking to ensure that federal regulatory decisions affecting local information media allow independent local voices and preferences to continue to be heard.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 142 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Karamatsu, Souki and Stonebraker.

SCRep. 1372-06 Public Safety & Military Affairs on H.R. No. 57

The purpose of this resolution is to request the Department of Public Safety (DPS) to submit a report on the status of the planned correctional facility located in Puunene, Maui.

DPS provided comments.

Your Committee finds that Hawaii's jails and prisons are extremely overcrowded, including the Maui Community Correctional Center (MCCC). To address MCCC's situation, the Legislature granted DPS money to plan and design a new facility located in Maui with land in Puunene being a feasible option.

However, the Legislature is unaware of DPS's progress or the status of DPS's expansion, design, and construction plans. Therefore, a report to the Legislature on DPS's progress will be beneficial to know how the money is being spent and if concerns or problems exist that need to be addressed.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 57 and recommends its adoption.

Signed by all members of the Committee except Representatives Nakasone, Shimabukuro, Souki and Stonebraker.

SCRep. 1373-06 Public Safety & Military Affairs on H.C.R. No. 74

The purpose of this concurrent resolution is to request the Department of Public Safety (DPS) to submit a report on the status of the planned correctional facility located in Puunene, Maui.

DPS provided comments.

Your Committee finds that Hawaii's jails and prisons are extremely overcrowded, including the Maui Community Correctional Center (MCCC). To address MCCC's situation, the Legislature granted DPS money to plan and design a new facility located in Maui with land in Puunene being a feasible option.

However, the Legislature is unaware of DPS's progress or the status of DPS's expansion, design, and construction plans. Therefore, a report to the Legislature on DPS's progress will be beneficial to know how the money is being spent and if concerns or problems exist that need to be addressed.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs 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 Nakasone, Shimabukuro, Souki and Stonebraker.

SCRep. 1374-06 Public Safety & Military Affairs on H.R. No. 35

The purpose of this resolution is to urge Congress to authorize and appropriate funds to allow members of the Armed Forces Reserve component to access TRICARE health benefit coverage.

The Department of Defense, The Chamber of Commerce of Hawaii, Hawaii National Guard Association, and Hawaii National Guard Enlisted Association supported this measure.

Your Committee distributed a proposed draft of H.R. No. 35 for review and consideration before decision-making on this measure. Specifically, the proposed draft requests the United States Secretary of the Navy to provide rent relief to the USS Bowfin Submarine Museum and Park and USS Missouri Memorial.

The USS Memorial Association, Inc., USS Bowfin Submarine Museum and Park, and The Chamber of Commerce of Hawaii testified in support of the proposed draft.

Your Committee finds that the USS Missouri Memorial Association, Inc. (Memorial), and USS Bowfin Submarine Museum and Park (Museum) are not-for-profit organizations that are or will be severely affected by the climbing fair market lease rent. Both organizations do not receive government funding and coupled with increasing expenses for maintenance, improvement projects, preservation, and presentation of the Museum and Memorial, the rising fair market value compromises the ability of these organizations to maintain their services.

In view of the educational and historical value and services these organizations provide to the public and military service members, reducing their lease rents are in the public interest.

After much consideration and discussion, your Committee has amended this measure by:

- (1) Adopting the contents of the proposed H.R. No. 35, H.D. 1; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 35, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 35, H.D. 1.

Signed by all members of the Committee except Representatives Nakasone, Shimabukuro, Souki and Stonebraker.

SCRep. 1375-06 Public Safety & Military Affairs on H.C.R. No. 49

The purpose of this concurrent resolution is to urge Congress to authorize and appropriate funds to allow members of the Armed Forces Reserve component to access TRICARE health benefit coverage.

The Department of Defense, The Chamber of Commerce of Hawaii, Hawaii National Guard Association, and Hawaii National Guard Enlisted Association supported this measure.

Your Committee distributed a proposed draft of H.C.R. No. 49 for review and consideration before decision-making on this measure. Specifically, the proposed draft requests the United States Secretary of the Navy to provide rent relief to the USS Bowfin Submarine Museum and Park and USS Missouri Memorial.

The USS Memorial Association, Inc., USS Bowfin Submarine Museum and Park, and The Chamber of Commerce of Hawaii testified in support of the proposed draft.

Your Committee finds that the USS Missouri Memorial Association, Inc. (Memorial), and USS Bowfin Submarine Museum and Park (Museum) are not-for-profit organizations that are or will be severely affected by the climbing fair market lease rent. Both organizations do not receive government funding and coupled with increasing expenses for maintenance, improvement projects, preservation, and presentation of the Museum and Memorial, the rising fair market value compromises the ability of these organizations to maintain their services.

In view of the educational and historical value and services these organizations provide to the public and military service members, reducing their lease rents are in the public interest.

After much consideration and discussion, your Committee has amended this measure by:

- (1) Adopting the contents of the proposed H.C.R. No. 49, H.D. 1; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 49, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 49, H.D. 1.

Signed by all members of the Committee except Representatives Nakasone, Shimabukuro, Souki and Stonebraker.

SCRep. 1376-06 Public Safety & Military Affairs on H.R. No. 100

The purpose of this resolution is to:

- (1) Request the Adjutant General to:
 - (A) Provide health screening for depleted uranium exposure to members and veterans of the Armed Forces; and
 - (B) Conduct an environmental assessment on depleted uranium storage and disposal in Hawaii;
 and
- (2) Indicate that the Legislature will consider passing legislation in 2007 to:
 - (A) Ensure access to proper depleted uranium exposure health screening; and
 - (B) Establish a task force within the Office of Veterans' Services to study the various aspects of depleted uranium as they relate to veterans.

The Life of the Land and several concerned individuals supported this resolution. The Department of Defense (DOD) and Chamber of Commerce of Hawaii opposed this measure.

Your Committee finds that studies show depleted uranium causes severe health risks and environmental contamination. In January 2006, The Honolulu Advertiser reported the Army's confirmation of finding remnants of depleted uranium munitions on Oahu. This resolution addresses the safety of the citizen-soldiers, environment, and public.

Your Committee finds that the state DOD is not the appropriate department to conduct an environmental study and the Adjutant General has jurisdiction over the Hawaii National Guard, but not the armed forces.

Accordingly, this resolution has been amended by:

- (1) Requesting the United States Department of Defense to conduct the environmental impact study;
- (2) Amending the title of this measure to read: "REQUESTING THE ADJUTANT GENERAL TO PROVIDE HEALTH SCREENING FOR DEPLETED URANIUM EXPOSURE TO MEMBERS AND VETERANS OF THE HAWAII NATIONAL GUARD AND THE UNITED STATES DEPARTMENT OF DEFENSE TO REPORT ON THE SCOPE AND ADEQUACY OF DEPLETED URANIUM STORAGE AND DISPOSAL IN HAWAII"; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 100, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 100, H.D. 1.

Signed by all members of the Committee except Representatives Lee, Nakasone, Souki and Stonebraker.

SCRep. 1377-06 Public Safety & Military Affairs on H.C.R. No. 136

The purpose of this concurrent resolution is to:

- (1) Request the Adjutant General to:
 - (A) Provide health screening for depleted uranium exposure to members and veterans of the Armed Forces; and
 - (B) Conduct an environmental assessment on depleted uranium storage and disposal in Hawaii;
 and
- (2) Indicate that the Legislature will consider passing legislation in 2007 to:
 - (A) Ensure access to proper depleted uranium exposure health screening; and
 - (B) Establish a task force within the Office of Veterans' Services to study the various aspects of depleted uranium as they relate to veterans.

The Life of the Land and several concerned individuals supported this concurrent resolution. The Department of Defense (DOD) and Chamber of Commerce of Hawaii opposed this measure.

Your Committee finds that studies show depleted uranium causes severe health risks and environmental contamination. In January 2006, The Honolulu Advertiser reported the Army's confirmation of finding remnants of depleted uranium munitions on Oahu. This concurrent resolution addresses the safety of the citizen-soldiers, environment, and public.

Your Committee finds that the state DOD is not the appropriate department to conduct an environmental study and the Adjutant General has jurisdiction over the Hawaii National Guard, but not the armed forces.

Accordingly, this concurrent resolution has been amended by:

- (1) Requesting the United States Department of Defense to conduct the environmental impact study;
- (2) Amending the title of this measure to read: "REQUESTING THE ADJUTANT GENERAL TO PROVIDE HEALTH SCREENING FOR DEPLETED URANIUM EXPOSURE TO MEMBERS AND VETERANS OF THE HAWAII NATIONAL GUARD AND THE UNITED STATES DEPARTMENT OF DEFENSE TO REPORT ON THE SCOPE AND ADEQUACY OF DEPLETED URANIUM STORAGE AND DISPOSAL IN HAWAII"; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 136, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 136, H.D. 1.

Signed by all members of the Committee except Representatives Lee, Nakasone, Souki and Stonebraker.

SCRep. 1378-06 Public Safety & Military Affairs/Water, Land, & Ocean Resources on H.R. No. 222

The purpose of this resolution is to request the Chairperson of the Board of Land and Natural Resources (BLNR) to conduct a study of all streams and drainage channels in the State.

The Kaneohe Neighborhood Board supported this measure. The Department of Land and Natural Resources opposed this resolution.

Your Committees find that recent and past heavy rains have caused substantial property damage and health and safety concerns. The problem stems from poor maintenance over the years and the reluctance of private owners and governmental agencies to take responsibility for the clean up and restoration of these streams and drainage channels.

According to BLNR, the State and counties maintain their own respective streams. Furthermore, the counties are empowered to compel compliance by private owners through fines.

Your Committees have amended this concurrent resolution by:

- (1) Removing the Chairperson of the BLNR and instead requesting BLNR to conduct the study;
- (2) Requesting the counties to conduct the study along with BLNR;
- (3) Amending the title of this measure to read: "REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND THE COUNTIES TO CONDUCT A STUDY OF ALL STREAMS AND DRAINAGE CHANNELS IN THE STATE OF HAWAII"; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 222, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 222, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Evans, Nakasone, Shimabukuro, Souki and Stonebraker.

SCRep. 1379-06 Public Safety & Military Affairs/Water, Land, & Ocean Resources on H.C.R. No. 287

The purpose of this concurrent resolution is to request the Chairperson of the Board of Land and Natural Resources (BLNR) to conduct a study of all streams and drainage channels in the State.

The Kaneohe Neighborhood Board supported this measure. The Department of Land and Natural Resources opposed this concurrent resolution.

Your Committees find that recent and past heavy rains have caused substantial property damage and health and safety concerns. The problem stems from poor maintenance over the years and the reluctance of private owners and governmental agencies to take responsibility for the clean up and restoration of these streams and drainage channels.

According to BLNR, the State and counties maintain their own respective streams. Furthermore, the counties are empowered to compel compliance by private owners through fines.

Your Committees have amended this concurrent resolution by:

- (1) Removing the Chairperson of the BLNR and instead requesting BLNR to conduct the study;
- (2) Requesting the counties to conduct the study along with BLNR;
- (3) Amending the title of this measure to read: "REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND THE COUNTIES TO CONDUCT A STUDY OF ALL STREAMS AND DRAINAGE CHANNELS IN THE STATE OF HAWAII"; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 287, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 287, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Evans, Nakasone, Shimabukuro, Souki and Stonebraker.

SCRep. 1380-06 Public Safety & Military Affairs/Water, Land, & Ocean Resources on H.R. No. 223

The purpose of this resolution is to request the Chairperson of the Board of Land and Natural Resources (BLNR) and the Adjutant General to conduct a study of all public and privately owned dams in the state.

The Department of Defense and Kaneohe Neighborhood Board supported this measure. BLNR supported the intent of this measure.

Your Committees find that many of these dams are earthen dams built in the 1800s to retain irrigation water. Moreover, 20 dams in this state have deficiencies that raise safety concerns and are classified as high-hazard due to their proximity to urban areas that would cause loss of life and significant property damage.

Furthermore, the catastrophic failure of Kaloko Reservoir dam in Kauai causing the loss of life and millions in property damage serves as a tragic example of the necessity of this study.

Your Committees have amended this measure to:

- (1) Include in the study an appropriate fee schedule for the costs of the dam improvements; and
- (2) The inspection costs for private dam owners will be their responsibility with the option of reimbursing the State for doing the consultation.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 223, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 223, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Evans, Nakasone, Shimabukuro, Souki and Stonebraker.

SCRep. 1381-06 Public Safety & Military Affairs/Water, Land, & Ocean Resources on H.C.R. No. 288

The purpose of this concurrent resolution is to request the Chairperson of the Board of Land and Natural Resources (BLNR) and the Adjutant General to conduct a study of all public and privately owned dams in the state.

The Department of Defense and Kaneohe Neighborhood Board supported this measure. BLNR supported the intent of this measure.

Your Committees find that many of these dams are earthen dams built in the 1800s to retain irrigation water. Moreover, 20 dams in this state have deficiencies that raise safety concerns and are classified as high-hazard due to their proximity to urban areas that would cause loss of life and significant property damage.

Furthermore, the catastrophic failure of Kaloko Reservoir dam in Kauai causing the loss of life and millions in property damage serves as a tragic example of the necessity of this study.

Your Committees have amended this measure to:

- (1) Include in the study an appropriate fee schedule for the costs of the dam improvements; and
- (2) The inspection costs for private dam owners will be their responsibility with the option of reimbursing the State for doing the consultation.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 288, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 288, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Evans, Nakasone, Shimabukuro, Souki and Stonebraker.

SCRep. 1382-06 Consumer Protection & Commerce/Judiciary on S.B. No. 2290

The purpose of this bill is to protect individuals from identity theft by requiring businesses and government agencies that maintain records containing personal information to notify Hawaii residents when the safety of the resident's personal information has been compromised by unauthorized disclosure.

The Department of Commerce and Consumer Affairs, Honolulu Police Department, Retail Merchants of Hawaii, Hawaii Bankers Association, and AARP Hawaii supported this bill. The Hawaii Medical Service Association, Consumer Data Industry Association, and Hawaii Financial Services Association supported the intent of this measure. The American Council of Life Insurers, Property Casualty Insurers Association of America, and State Farm opposed this bill.

Personal information, such as social security numbers, driver's license numbers, and account numbers, is collected by many businesses and government agencies. Your Committees find that prompt notice of a security breach that endangers the privacy of this information is extremely important to allow owners of the information to monitor their credit reports and take other actions to protect themselves from identity theft.

Your Committees have amended this bill by:

- (1) Changing its effective date to July 1, 2050, to allow further discussion of the issues; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2290, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2290, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanoho, B. Oshiro and Stonebraker.

SCRep. 1383-06 Consumer Protection & Commerce/Judiciary on S.B. No. 2292

The purpose of this bill is to protect personal information from theft and misuse, by requiring a business or government agency that is discarding documents or other materials containing personal information, to destroy the information.

The Department of Commerce and Consumer Affairs, Honolulu Police Department, AARP Hawaii, and Hawaii Bankers Association supported this bill. Hawaii Financial Services Association supported the intent of this measure. The Consumer Data Industry Association commented on this bill.

This bill contains two remedies for violations of the law by business. A violation is actionable as an unfair or deceptive act or practice in the conduct of trade or commerce. In addition, persons injured may sue a business for the greater of actual damages or \$500. Your Committees find that government should also be held to its responsibilities under the law, and has amended this bill to provide the same action for damages or \$500, against government employees.

Your Committees have also amended this bill by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2292, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2292, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanoho, B. Oshiro and Stonebraker.

SCRep. 1384-06 Consumer Protection & Commerce on S.B. No. 3049

The purpose of this bill is to protect consumers from mislabeled and potentially unwholesome honey products by requiring the Department of Agriculture (DOA) to regulate the labeling and advertising of these products. In particular, this bill requires labeling disclosing either:

- (1) That the honey is produced in a particular country;
- (2) The percentage of the product that is produced in a particular country;
- (3) The percentage of the product that is "sweetener" and not "honey"; or
- (4) The percentages of the product produced in Hawaii and in other countries.

C & H Farms supported this bill. The Hawaii Beekeepers' Association and a concerned individual supported this measure and suggested amendments. The Department of Agriculture commented on this bill. The Department of Health opposed this measure.

Your Committee has amended this bill by:

- (1) Removing the requirements that the label disclose added sweeteners and the country of origin of the honey, and removing prohibitions and definitions related to these requirements;
- (2) Requiring honey produced in Hawaii to be labeled according to the portion or percentage of the product produced in Hawaii;
- (3) Prohibiting labels or advertising using Hawaii as a geographic origin if less than ten percent of the product is honey from Hawaii;
- (4) Making a technical amendment to the definition of "agricultural commodity" in Chapter 147, Hawaii Revised Statutes, to allow DOA to adopt the rules required by this bill;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3049, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3049, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Kanoho, Karamatsu, Souki and Stonebraker.

SCRep. 1385-06 Consumer Protection & Commerce on S.B. No. 2295

The purpose of this bill is to address constitutional concerns regarding residency restrictions in the private investigators and guards licensing law by:

- (1) Repealing the requirement that principal detectives and principal guards be residents to qualify for licensure;
- (2) Allowing a principal detective or principal guard who resides in another state to be licensed if they are responsible for direct management and control of the detective or guard services provided in Hawaii; and
- (3) Codifying the current regulatory practice of allowing an agency to employ more than one principal detective or principal guard to aid in employee management and control.

The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs supported this bill.

Your Committee notes that several out-of-state applicants have questioned the residency requirement for licensure, and that the Attorney General (AG) has provided written confirmation of the AG's advice that the requirement is unconstitutional.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2295 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kanoho, Karamatsu, Souki and Stonebraker.

SCRep. 1386-06 Consumer Protection & Commerce on S.B. No. 2297

The purpose of this bill is to improve regulation of mental health counselors by:

- (1) Clarifying that the practice of mental health counseling is the rendering of professional counseling services based on specialized education, training, and experience;
- (2) Codifying the regulatory practice of exempting the Department of Labor and Industrial Relations' registered rehabilitation specialists from mental health counselor license requirements;
- (3) Clarifying that the required intern and post graduate experience is to be completed in the area of "mental health" counseling and specifying appropriate supervisors for that experience;
- (4) Aligning the time limit on completion of post-graduate experience with national licensing standards by changing the time limit for completion of post-graduate experience from two years to not less than two years; and

- (5) Limiting the time for completion of post-graduate experience to not more than four years, consistent with similar mental health professions.

The Department of Commerce and Consumer Affairs, Alliance for Professional Counselor Licensure, Hawaii Rehabilitation Counseling Association, Kaiser Permanente, and several concerned individuals supported this bill.

Your Committee finds that this bill will benefit consumers of mental health services by ensuring that licensed mental health counselors have received appropriate training and experience for the services that they provide.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2297, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kanohe, Karamatsu, Souki and Stonebraker.

SCRep. 1387-06 Water, Land, & Ocean Resources on H.R. No. 124

The purpose of this resolution is to protect the historic and natural beauty of Nuuanu Pali by requesting the Department of Land and Natural Resources (DLNR) to prohibit all commercial vendors from operating at the Nuuanu Pali Lookout (Pali).

The Association of Hawaiian Civic Clubs, Oahu Council of the Association of Hawaiian Civic Clubs, Ali'i Pauahi Hawaiian Civic Club, Nuuanu/Punchbowl Neighborhood Board, and a number of concerned individuals testified in support of this resolution. DLNR did not support this measure.

Your Committee finds that the Pali is one of the most historic areas on Oahu and that commercialization of the area dampens its significance. While your Committee notes DLNR's concerns regarding a complete prohibition of vendors at the Pali and that culturally appropriate alternatives may be acceptable, your Committee finds that any culturally appropriate activities considered at the Pali should be discussed between DLNR and the Hawaiian civic clubs.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 124 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1388-06 Water, Land, & Ocean Resources on H.C.R. No. 164

The purpose of this concurrent resolution is to protect the historic and natural beauty of Nuuanu Pali by requesting the Department of Land and Natural Resources (DLNR) to prohibit all commercial vendors from operating at the Nuuanu Pali Lookout (Pali).

The Association of Hawaiian Civic Clubs, Oahu Council of the Association of Hawaiian Civic Clubs, Ali'i Pauahi Hawaiian Civic Club, Nuuanu/Punchbowl Neighborhood Board, and a number of concerned individuals testified in support of this concurrent resolution. DLNR did not support this measure.

Your Committee finds that the Pali is one of the most historic areas on Oahu and that commercialization of the area dampens its significance. While your Committee notes DLNR's concerns regarding a complete prohibition of vendors at the Pali and that culturally appropriate alternatives may be acceptable, your Committee finds that any culturally appropriate activities considered at the Pali should be discussed between DLNR and the Hawaiian civic clubs.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 164 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1389-06 Water, Land, & Ocean Resources on H.R. No. 133

The purpose of this resolution is to generate revenues by the expansion and development of Honokohau small boat harbor in North Kona on the island of Hawaii to facilitate the necessary improvements, repairs, and maintenance of the State's small boat harbors.

The Hawaii Boaters Political Action Association and numerous concerned individuals supported this resolution. The Department of Land and Natural Resources (DLNR) and a concerned individual opposed this measure.

Your Committee finds that there is concern that the present DLNR administration does not have a strategic plan to remedy the current dilapidated conditions of the State's small boat harbors other than a proposed 35 percent increase in moorage fees. Other means of financing the necessary improvements and repairs of our small boat harbors must be found so that an excessive burden is not placed upon recreational boaters by an unreasonable increase in moorage fees.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 133 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1390-06 Water, Land, & Ocean Resources on H.C.R. No. 174

The purpose of this concurrent resolution is to allow for the generation of revenues through the expansion and development of Honokohau small boat harbor in North Kona on the island of Hawaii that would be substantial enough to facilitate the improvements, repairs, and maintenance necessary for our small boat harbors statewide.

The Hawaii Boaters Political Action Association and numerous concerned individuals supported this concurrent resolution. The Department of Land and Natural Resources (DLNR) and a concerned individual opposed this measure.

Your Committee finds that there is concern that the present DLNR administration does not have a strategic plan to remedy the current dilapidated conditions of the State's small boat harbors other than a proposed 35 percent increase in moorage fees. Other means of financing the necessary improvements and repairs of our small boat harbors must be found so we do not place an excessive burden upon recreational boaters with an unreasonable increase in moorage fees.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 174 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1391-06 Water, Land, & Ocean Resources on H.R. No. 189

The purpose of this resolution is to balance the recreational needs and safety concerns of all water users by requesting the Department of Land and Natural Resources to reevaluate the existing boundaries of the Hilo Bay Recreational Thrill Craft Zone.

One concerned individual testified in support of this measure. Two concerned individuals opposed this measure. DLNR offered comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 189 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1392-06 Water, Land, & Ocean Resources on H.C.R. No. 249

The purpose of this concurrent resolution is to balance the recreational needs and safety concerns of all water users by requesting the Department of Land and Natural Resources to reevaluate the existing boundaries of the Hilo Bay Recreational Thrill Craft Zone.

One concerned individual testified in support of this measure. Two concerned individuals opposed this measure. DLNR offered comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 249 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1393-06 Water, Land, & Ocean Resources on H.R. No. 256

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to honor the first Monday in May as "Historic Preservation Awareness Day" by holding events and activities that stimulate public interest in historic preservation.

DLNR, the Historic Hawaii Foundation, Hawaii Capital Cultural District Coalition, and a concerned individual testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 256 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1394-06 Water, Land, & Ocean Resources on H.C.R. No. 320

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) to honor the first Monday in May as "Historic Preservation Awareness Day" by holding events and activities that stimulate public interest in historic preservation.

DLNR, the Historic Hawaii Foundation, Hawaii Capital Cultural District Coalition, and a concerned individual testified in support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 320 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1395-06 Water, Land, & Ocean Resources on H.R. No. 201

The purpose of this resolution is to ensure that Hawaii's fresh and salt water remain clean and unpolluted by requesting the Department of Land and Natural Resources (DLNR) and the Department of Health (DOH) to submit a report to the Legislature summarizing information about various waterways in Kailua, Oahu, their impact on water quality, and potential health risks.

DOH supported this measure with amendments. The Windward Ahupua'a Alliance supported the intent of this measure. DLNR offered comments.

Your Committee has amended this resolution by:

- (1) Requesting DOH to take the lead in addressing the requests of this measure;
- (2) Changing the title to "Requesting the Department of Health, with the assistance of the Department of Land and Natural Resources and the Department of Facility Maintenance of the City and County of Honolulu, to report to the Legislature on the relationship between various Kailua waterways, including the Kaelepulu Pond, and the water quality and natural resources of Kailua Beach and Kailua Bay";
- (3) Extending the date to submit the report to at least 20 days prior to the convening of the Regular Session of 2008;
- (4) Requesting the Department of Facility Maintenance of the City and County of Honolulu to assist DOH and DLNR in completing the report and findings; and
- (5) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 201, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 201, H.D. 1.

Signed by all members of the Committee except Representative Berg.

SCRep. 1396-06 Water, Land, & Ocean Resources on H.C.R. No. 261

The purpose of this concurrent resolution is to ensure that Hawaii's fresh and salt water remain clean and unpolluted by requesting the Department of Land and Natural Resources (DLNR) and the Department of Health (DOH) to submit a report to the Legislature summarizing information about various waterways in Kailua, Oahu, their impact on water quality, and potential health risks.

DOH supported this measure with amendments. The Windward Ahupua'a Alliance supported the intent of this measure. DLNR offered comments.

Your Committee has amended this concurrent resolution by:

- (1) Requesting DOH to take the lead in addressing the requests of this measure;
- (2) Changing the title to "Requesting the Department of Health, with the assistance of the Department of Land and Natural Resources and the Department of Facility Maintenance of the City and County of Honolulu, to report to the Legislature on the relationship between various Kailua waterways, including the Kaelepulu Pond, and the water quality and natural resources of Kailua Beach and Kailua Bay";
- (3) Extending the date to submit the report to at least 20 days prior to the convening of the Regular Session of 2008;
- (4) Requesting the Department of Facility Maintenance of the City and County of Honolulu to assist DOH and DLNR in completing the report and findings; and
- (5) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 261, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 261, H.D. 1.

Signed by all members of the Committee except Representative Berg.

SCRep. 1397-06 Water, Land, & Ocean Resources on H.C.R. No. 98

The purpose of this bill is to reduce the feral pig population in the Tantalus area by requesting the Department of Land and Natural Resources (DLNR) by preparing a plan, implementing policies and programs, and making recommendations.

The Conservation Council for Hawaii and Pig Hunters Association of Oahu supported this measure. DLNR, Animal Rights Hawaii, and a concerned individual opposed this bill. A concerned individual provided comments.

Your Committee finds that the feral pig population adversely affects many other regions, not only in the Tantalus area. Therefore, with the proper planning and coordination this program can be expanded to cover other areas in the future.

Your Committee has amended this bill by:

- (1) Changing the title to: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSIST IN MANAGING THE FERAL PIG POPULATION IN THE TANTALUS AND MANOA AREA";
- (2) Clarifying the problems created by feral pigs;
- (3) Requesting that DLNR use its authority under section 13-123-4, Hawaii Administrative Rules, to adjust hunting seasons and methods of harvest;

- (4) Clarifying DLNR's requested duties to include meeting with community groups and implementing special hunts;
- (5) Requesting DLNR to authorize removal of feral pig by private hunters using not only snares and traps, but also dogs, spears, and knives; and
- (6) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 98, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 98, H.D. 1.

Signed by all members of the Committee except Representative Berg.

SCRep. 1398-06 Economic Development & Business Concerns on H.C.R. No. 82

The purpose of this concurrent resolution is to diversify Hawaii's economy by requesting the Governor, executive department agencies, and other stakeholders to work together to develop a strategy for the establishment of an Asia-focused fund management industry in Hawaii.

The Department of Business, Economic Development, and Tourism and The Pacific American Foundation supported this measure.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 82 and recommends its adoption.

Signed by all members of the Committee except Representatives Magaoay and Ching.

SCRep. 1399-06 Economic Development & Business Concerns on H.R. No. 131

The purpose of this resolution is to help Hawaii's businesses compete in external markets by:

- (1) Requesting the Department of Business, Economic Development, and Tourism (DBEDT) and the Natural Energy Laboratory of Hawaii Authority (NELHA) to continue their efforts in seeking authorization to establish a foreign-trade zone (FTZ) at NELHA's technology park in Kailua-Kona, Hawaii; and
- (2) Requesting the United States Foreign-Trade Zones Board to look favorably upon DBEDT and NELHA's application to establish an FTZ.

DBEDT and NELHA testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 131 and recommends its adoption.

Signed by all members of the Committee except Representatives Magaoay and Ching.

SCRep. 1400-06 Economic Development & Business Concerns on H.C.R. No. 172

The purpose of this concurrent resolution is to help Hawaii's businesses compete in external markets by:

- (1) Requesting the Department of Business, Economic Development, and Tourism (DBEDT) and the Natural Energy Laboratory of Hawaii Authority (NELHA) to continue their efforts in seeking authorization to establish a foreign-trade zone (FTZ) at NELHA's technology park in Kailua-Kona, Hawaii; and
- (2) Requesting the United States Foreign-Trade Zones Board to look favorably upon DBEDT and NELHA's application to establish an FTZ.

DBEDT and NELHA testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns 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 Magaoay and Ching.

SCRep. 1401-06 Economic Development & Business Concerns/Higher Education on H.R. No. 175

The purpose of this resolution is to stimulate Hawaii's economy by requesting the City and County of Honolulu, Honolulu Community College (HCC), and various other entities to pursue mixed-use development in Kalihi, consisting of technological businesses, workforce development programs, and residences. In addition, this measure requests Enterprise Honolulu to make recommendations to the Legislature on this undertaking.

HCC testified in support of this resolution.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business Concerns and Higher Education that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 175 and recommend its adoption.

Signed by all members of the Committee except Representatives Arakaki, Hale, Ching and Finnegan.

SCRep. 1402-06 Economic Development & Business Concerns/Higher Education on H.C.R. No. 234

The purpose of this concurrent resolution is to stimulate Hawaii's economy by requesting the City and County of Honolulu, Honolulu Community College (HCC), and various other entities to pursue mixed-use development in Kalihi, consisting of technological businesses, workforce development programs, and residences. In addition, this measure requests Enterprise Honolulu to make recommendations to the Legislature on this undertaking.

HCC testified in support of this concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business Concerns and Higher Education that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 234 and recommend its adoption.

Signed by all members of the Committee except Representatives Arakaki, Hale, Ching and Finnegan.

SCRep. 1403-06 Economic Development & Business Concerns/Water, Land, & Ocean Resources/Higher Education on H.C.R. No. 218

The purpose of this concurrent resolution is to increase Hawaii's high-tech industries by requesting the High Technology Development Corporation (HTDC), University of Hawaii's (UH) John A. Burns School of Medicine (JABSOM), UH's Cancer Research Center of Hawaii, Department of Education (DOE), Department of Land and Natural Resources, Hawaii Community Development Association (HCDA), and Kamehameha Schools (KS) to plan a technology-based collaborative project on state-owned lands in Kaka'ako Makai, Oahu.

HTDC and JABSOM testified in support of this concurrent resolution. DOE supported the intent of this measure. HCDA, KS, and Hawaii Science and Technology Council (HSTC) supported this measure with amendments. Save Our Kaka'ako Coalition and a concerned individual opposed this measure.

Your Committees have amended this concurrent resolution by:

- (1) Eliminating all references to mauka or makai areas of Kaka'ako;
- (2) Including other appropriate lands in Kaka'ako for the consortium to consider as possible areas for development of a technology-based collaborative project;
- (3) Adding language that recognizes the efforts of HSTC in coordinating the efforts of HCDA, UH, HTDC, and other stakeholders in creating a unified vision for Kaka'ako;
- (4) Adding HSTC as a member of the consortium;
- (5) Requiring the consortium to invite and accept public input from the community prior to formulating its recommendations; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business Concerns, Water, Land, & Ocean Resources, and Higher Education that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 218, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 218, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Carroll, Hale, Ching and Finnegan.

SCRep. 1404-06 Energy & Environmental Protection on H.R. No. 149

The purpose of this measure is to promote the use of alternative energy resources in Hawaii by:

- (1) Encouraging Hawaii's landowners, investors, county governments, and regulated electric utilities to pursue the development of fuel crops and the conversion of fuel crops to generate electricity; and
- (2) Requesting the Hawaii Energy Policy Forum to submit a report to the Legislature with recommendations regarding various factors associated with the development of fuel crops and conversion of fuel crops to generate electricity.

The Consumer Advocate, Office of Hawaiian Affairs, Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, the Hawaii Energy Policy Forum, and the Hawaii Agriculture Research Center submitted testimony in support of this measure. Alexander & Baldwin, Inc. supported the intent of this measure. The Department of Agriculture offered comments.

Your Committee notes that the State of Hawaii relies on imported oil for more than eighty-nine per cent of its primary energy. Furthermore, Hawaii residents continue to pay the highest electricity rates in the nation.

Your Committee finds that fuel crops, or biomass, can be used to create alternative fuels, such as ethanol and methanol, which can reduce Hawaii's dependence on fossil fuels and may ultimately make electric generation and fuels less expensive for Hawaii consumers.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection 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 Berg, Carroll, Harbin and Pine.

SCRep. 1405-06 Energy & Environmental Protection on H.C.R. No. 195

The purpose of this measure is to promote the use of alternative energy resources in Hawaii by:

- (1) Encouraging Hawaii's landowners, investors, county governments, and regulated electric utilities to pursue the development of fuel crops and the conversion of fuel crops to generate electricity; and
- (2) Requesting the Hawaii Energy Policy Forum to submit a report to the Legislature with recommendations regarding various factors associated with the development of fuel crops and conversion of fuel crops to generate electricity.

The Consumer Advocate, Office of Hawaiian Affairs, Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, the Hawaii Energy Policy Forum, and the Hawaii Agriculture Research Center submitted testimony in support of this measure. Alexander & Baldwin, Inc. supported the intent of this measure. The Department of Agriculture offered comments.

Your Committee notes that the State of Hawaii relies on imported oil for more than eighty-nine per cent of its primary energy. Furthermore, Hawaii residents continue to pay the highest electricity rates in the nation.

Your Committee finds that fuel crops, or biomass, can be used to create alternative fuels, such as ethanol and methanol, which can reduce Hawaii's dependence on fossil fuels and may ultimately make electric generation and fuels less expensive for Hawaii consumers.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 195 and recommends its adoption.

Signed by all members of the Committee except Representatives Berg, Carroll, Harbin and Pine.

SCRep. 1406-06 Energy & Environmental Protection on H.R. No. 239

The purpose of this measure is to support a global reduction in greenhouse gas emissions by:

- (1) Requesting that the Legislature support the provisions of the Kyoto Protocol;
- (2) Urging the Governor to adopt the provisions of the Kyoto Protocol and guide state agencies toward efforts to reduce greenhouse gas emissions to seven per cent below 1990 emissions levels by 2012; and
- (3) Urging the Governor to request the President of the United States to pursue the ratification of the Kyoto Protocol by the United States Senate.

Testimony in support of the measure was submitted by the Hawaii Solar Energy Association, Hawaii Renewable Energy Alliance, Honolulu Seawater Air Conditioning LLC, Hawaii Crop Improvement Association, Life of the Land, Good Beginnings Alliance, and a concerned citizen. The Sierra Club supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 239 and recommends its adoption.

Signed by all members of the Committee except Representatives Berg, Carroll, Harbin and Pine.

SCRep. 1407-06 Energy & Environmental Protection on H.C.R. No. 305

The purpose of this measure is to support a global reduction in greenhouse gas emissions by:

- (1) Requesting that the Legislature support the provisions of the Kyoto Protocol;
- (2) Urging the Governor to adopt the provisions of the Kyoto Protocol and guide state agencies toward efforts to reduce greenhouse gas emissions to seven per cent below 1990 emissions levels by 2012; and
- (3) Urging the Governor to request the President of the United States to pursue the ratification of the Kyoto Protocol by the United States Senate.

Testimony in support of the measure was submitted by the Hawaii Solar Energy Association, Hawaii Renewable Energy Alliance, Honolulu Seawater Air Conditioning LLC, Hawaii Crop Improvement Association, Life of the Land, Good Beginnings Alliance, and a concerned citizen. The Sierra Club supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 305 and recommends its adoption.

Signed by all members of the Committee except Representatives Berg, Carroll, Harbin and Pine.

SCRep. 1408-06 Energy & Environmental Protection/Agriculture on H.R. No. 8

The purpose of this measure is to request Hawaii's Congressional delegation to seek federal funding to contain and eradicate coqui frogs in Hawaii

The Department of Agriculture, the Department of Land and Natural Resources, the Hawaii Association of Realtors, and C&H Farms submitted testimony in support of this measure. Animal Rights Hawaii opposed this measure.

Your Committees recognize that alien invasive species, such as the coqui frog, pose a dangerous threat to our State's fragile and complex ecosystem. Although the State is concentrating more resources toward the containment and eradication of the coqui frog, federal assistance is needed because of the pervasiveness and high levels of concentration of the coqui frog in the State.

Your Committees note that previous federal funding received for the control and eradication of the brown tree snake has significantly reduced the threat of that specie to Hawaii. Similar federal support and funding to eradicate the coqui frog would ensure the viability and safety of the State's ecosystem and economy.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 8 and recommend its adoption.

Signed by all members of the Committee except Representatives Carroll, Harbin, Karamatsu, Halford, Pine and Stonebraker.

SCRep. 1409-06 Energy & Environmental Protection/Agriculture on H.C.R. No. 12

The purpose of this measure is to request Hawaii's Congressional delegation to seek federal funding to contain and eradicate coqui frogs in Hawaii

The Department of Agriculture, the Department of Land and Natural Resources, the Hawaii Association of Realtors, and C&H Farms submitted testimony in support of this measure. Animal Rights Hawaii opposed this measure.

Your Committees recognize that alien invasive species, such as the coqui frog, pose a dangerous threat to our State's fragile and complex ecosystem. Although the State is concentrating more resources toward the containment and eradication of the coqui frog, federal assistance is needed because of the pervasiveness and high levels of concentration of the coqui frog in the State.

Your Committees note that previous federal funding received for the control and eradication of the brown tree snake has significantly reduced the threat of that specie to Hawaii. Similar federal support and funding to eradicate the coqui frog would ensure the viability and safety of the State's ecosystem and economy.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 12 and recommend its adoption.

Signed by all members of the Committee except Representatives Carroll, Harbin, Karamatsu, Halford, Pine and Stonebraker.

SCRep. 1410-06 Energy & Environmental Protection/Water, Land, & Ocean Resources on H.R. No. 241

The purpose of this measure is to request the Department of Health to use bioremediation methods for the prevention and mitigation of point and non-point source pollution in state waters as a priority in its best management practices and programs.

The Sierra Club, Hawaii Crop Improvement Association, and a concerned citizen submitted testimony in support of this measure. The Department of Health supported this measure with amendments.

Your Committees have amended this measure to clarify that the Department of Health is being requested to include the use of bioremediation methods as a priority only when feasible and by making technical nonsubstantive amendments for the purpose of style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 241, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 241, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Carroll, Waters, Meyer and Pine.

SCRep. 1411-06 Energy & Environmental Protection/Water, Land, & Ocean Resources on H.C.R. No. 307

The purpose of this measure is to request the Department of Health to use bioremediation methods for the prevention and mitigation of point and non-point source pollution in state waters as a priority in its best management practices and programs.

The Sierra Club, Hawaii Crop Improvement Association, and a concerned citizen submitted testimony in support of this measure. The Department of Health supported this measure with amendments.

Your Committees have amended this measure to clarify that the Department of Health is being requested to include the use of bioremediation methods as a priority only when feasible and by making technical nonsubstantive amendments for the purpose of style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 307, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 307, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Carroll, Waters, Meyer and Pine.

SCRep. 1412-06 Health/Human Services on H.R. No. 225

The purpose of this resolution is to provide adequate care for Hawaii's elderly population by requesting the Executive Office on Aging (EOA) to convene a focus group with other stakeholders to assess yearly service delivery needs and create a long-term strategic plan for the Kupuna Care, a program within the EOA that is designed to assist independent older adults.

Catholic Charities Hawaii supported the intent of this measure.

Your Committees have amended this resolution by:

- (1) Adding the need for increased funding as a critical step towards ensuring an efficient service delivery system; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 225, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 225, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla and Stonebraker.

SCRep. 1413-06 Health/Human Services on H.C.R. No. 290

The purpose of this concurrent resolution is to provide adequate care for Hawaii's elderly population by requesting the Executive Office on Aging (EOA) to convene a focus group with other stakeholders to assess yearly service delivery needs and create a long-term strategic plan for the Kupuna Care, a program within the EOA that is designed to assist independent older adults.

Catholic Charities Hawaii supported the intent of this measure.

Your Committees have amended this concurrent resolution by:

- (1) Adding the need for increased funding as a critical step towards ensuring an efficient service delivery system; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 290, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 290, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla and Stonebraker.

SCRep. 1414-06 Agriculture on H.R. No. 75

The purpose of this resolution is to promote affordable accommodations for inter-island travelers by requesting the Department of Agriculture (DOA) to study the feasibility of allowing camping within state agricultural districts and, if feasible, specify the conditions under which camping should be allowed.

The Hawaii Agriculture Research Center opposed this measure. DOA submitted comments.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 75 and recommends its adoption.

Signed by all members of the Committee except Representatives Karamatsu, Wakai, Halford and Stonebraker.

SCRep. 1415-06 Agriculture on H.C.R. No. 101

The purpose of this concurrent resolution is to promote affordable accommodations for inter-island travelers by requesting the Department of Agriculture (DOA) to study the feasibility of allowing camping within state agricultural districts and, if feasible, specify the conditions under which camping should be allowed.

The Hawaii Agriculture Research Center opposed this measure. DOA submitted comments.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 101 and recommends its adoption.

Signed by all members of the Committee except Representatives Karamatsu, Wakai, Halford and Stonebraker.

SCRep. 1416-06 Human Services/Health on H.R. No. 251

The purpose of this measure is to commend the ONE Campaign – an alliance of eleven of the most well-known and respected nonprofit organizations in the United States of America – for its valiant, dedicated efforts to rally American citizens to fight the global proliferation of Acquired Immunodeficiency Syndrome (AIDS) and extreme poverty, wherever it may be found.

A concerned student testified in support of this measure.

Your Committee recognizes that there comes a time in the course of human events when a threat must be answered with courage and strength, and recalls the Preamble of our Nation's Constitution which states, "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America." In light of the threat Acquired Immunodeficiency Syndrome (AIDS) and extreme poverty presents to our Nation as well as our planet and the founding principles which the Preamble of our Constitution states, your Committee agrees that commendation is due for organizations such as the ONE Campaign.

Your Committee also recognizes that our forefathers fought for the right to be free, and the efforts of the ONE Campaign help to guard their dream and legacy.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 251 and recommend its adoption.

Signed by all members of the Committee except Representatives Nishimoto and Stonebraker.

SCRep. 1417-06 Human Services/Health on H.C.R. No. 317

The purpose of this measure is to commend the ONE Campaign – an alliance of eleven of the most well-known and respected nonprofit organizations in the United States of America – for its valiant, dedicated efforts to rally American citizens to fight the global proliferation of Acquired Immunodeficiency Syndrome (AIDS) and extreme poverty, wherever it may be found.

A concerned student testified in support of this measure.

Your Committee recognizes that there comes a time in the course of human events when a threat must be answered with courage and strength, and recalls the Preamble of our Nation's Constitution which states, "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America." In light of the threat Acquired Immunodeficiency Syndrome (AIDS) and extreme poverty presents to our Nation as well as our planet and the founding principles which the Preamble of our Constitution states, your Committee agrees that commendation is due for organizations such as the ONE Campaign.

Your Committee also recognizes that our forefathers fought for the right to be free, and the efforts of the ONE Campaign help to guard their dream and legacy.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 317 and recommend its adoption.

Signed by all members of the Committee except Representatives Nishimoto and Stonebraker.

SCRep. 1418-06 Human Services on H.R. No. 125

The purpose of this measure is to urge the Department of Human Services (DHS) to reconsider its realignment of Child Welfare Services (CWS) facilities on the Island of Hawaii in lieu of community accessibility concerns and possible impact on the overall deployment and effectiveness of CWS facilities.

The Department of Human Services opposed this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and several Child Welfare Services staff members testifying in a non-official capacity as concerned citizens supported this measure.

Your Committee recognizes that timely, accessible, and qualitatively effective services to the community are essential to the mission success of both the Department of Human Services and Child Welfare Services, and also recognizes that community input should always be considered as a matter of sound public policy and democratic principle.

In light of the need for community input and your Committee's highest traditions of responsible governance and sensitivity to democratic principle, your Committee has amended this measure by:

- (1) Making substantive changes to clarify that the Department of Human Services (DHS) is strongly urged to temporarily delay realignment of its Child Welfare Services (CWS) facilities on the Island of Hawaii for the purpose of convening a public forum for community input;
- (2) Changing the title to:

"STRONGLY URGING THE DEPARTMENT OF HUMAN SERVICES TO TEMPORARILY DELAY REALIGNMENT OF ITS CHILD WELFARE SERVICES OFFICES ON THE ISLAND OF HAWAII TO ALLOW FOR THE CONVENING OF A PUBLIC, COMMUNITY FORUM TO DISCUSS REALIGNMENT IMPLICATIONS AND POTENTIAL IMPACT ON THE CONTINUUM OF CHILD ABUSE AND NEGLECT PREVENTION, FAMILY SUPPORT, FAMILY STRENGTHENING AND VOLUNTARY CASE MANAGEMENT SERVICES FOR FAMILIES AND CHILDREN."
- (3) Making other minor, non-substantive, technical amendments for the purposes of clarity and style.

Your Committee wishes to assert for the purposes of clarification that it is not the intention of the Standing Committee on Human Services to direct the Department of Human Services (DHS) to indefinitely delay realignment of Child Welfare Services (CWS) facilities on the Island of Hawaii, but rather to urge a temporary pause for the purposes of involved, community discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 125, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 125, H.D. 1.

Signed by all members of the Committee except Representative Stonebraker.
(Representatives Hale, Kahikina and Halford voted no.)

SCRep. 1419-06 Human Services on H.C.R. No. 166

The purpose of this concurrent resolution is to urge the Department of Human Services (DHS) to reconsider its realignment of Child Welfare Services (CWS) facilities on the Island of Hawaii in lieu of community accessibility concerns and possible impact on the overall deployment and effectiveness of CWS facilities.

The Department of Human Services opposed this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and several Child Welfare Services staff members testifying in a non-official capacity as concerned citizens supported this measure.

Your Committee recognizes that timely, accessible, and qualitatively effective services to the community are essential to the mission success of both the Department of Human Services and Child Welfare Services, and also recognizes that community input should always be considered as a matter of sound public policy and democratic principle.

In light of the need for community input and your Committee's highest traditions of responsible governance and sensitivity to democratic principle, your Committee has amended this measure by:

- (1) Making substantive changes to clarify that the Department of Human Services (DHS) is strongly urged to temporarily delay realignment of its Child Welfare Services (CWS) facilities on the Island of Hawaii for the purpose of convening a public forum for community input;
- (2) Changing the title to:

"STRONGLY URGING THE DEPARTMENT OF HUMAN SERVICES TO TEMPORARILY DELAY REALIGNMENT OF ITS CHILD WELFARE SERVICES OFFICES ON THE ISLAND OF HAWAII TO ALLOW FOR THE CONVENING OF A PUBLIC, COMMUNITY FORUM TO DISCUSS REALIGNMENT IMPLICATIONS AND POTENTIAL IMPACT ON THE CONTINUUM OF CHILD ABUSE AND NEGLECT PREVENTION, FAMILY SUPPORT, FAMILY STRENGTHENING AND VOLUNTARY CASE MANAGEMENT SERVICES FOR FAMILIES AND CHILDREN."
- (3) Making other minor, non-substantive, technical amendments for the purposes of clarity and style.

Your Committee wishes to assert for the purposes of clarification that it is not the intention of the Standing Committee on Human Services to direct the Department of Human Services (DHS) to indefinitely delay realignment of Child Welfare Services (CWS) facilities on the Island of Hawaii, but rather to urge a temporary pause for the purposes of involved, community discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 166, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 166, H.D. 1.

Signed by all members of the Committee except Representative Stonebraker.
(Representatives Hale, Kahikina and Halford voted no.)

SCRep. 1420-06 Water, Land, & Ocean Resources on H.R. No. 224

The purpose of this resolution is to protect Hawaii's natural environment by requesting the Department of Land and Natural Resources (DLNR) to form a task force to recommend solutions to abate and prevent the accumulation of sediment in Wailoa River and Hilo Bay.

A concerned individual testified in opposition to this resolution. DLNR submitted comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 224 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1421-06 Water, Land, & Ocean Resources on H.C.R. No. 289

The purpose of this concurrent resolution is to protect Hawaii's natural environment by requesting the Department of Land and Natural Resources (DLNR) to form a task force to recommend solutions to abate and prevent the accumulation of sediment in Wailoa River and Hilo Bay.

A concerned individual testified in opposition to this concurrent resolution. DLNR submitted comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 289 and recommends its adoption.

Signed by all members of the Committee except Representative Berg.

SCRep. 1422-06 Water, Land, & Ocean Resources on H.R. No. 154

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to conduct an analysis of incentives to promote landowner protection of important mauka forest lands.

DLNR, The Nature Conservancy of Hawai'i, Parker Ranch, and Maui Land & Pineapple Company, Inc., testified in support of this resolution.

Your Committee has amended this resolution by:

- (1) Changing the terms "mauka forest" and "mauka forest lands" to "mauka lands" to include consideration of open woodlands that encompass a mix of forest, rangelands, and pasturelands, as well as intact forests;
- (2) Changing the title to read: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN ANALYSIS OF INCENTIVES TO PROMOTE LANDOWNER PROTECTION OF IMPORTANT MAUKA LANDS"; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 154, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 154, H.D. 1.

Signed by all members of the Committee except Representative Berg.

SCRep. 1423-06 Water, Land, & Ocean Resources on H.C.R. No. 200

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) to conduct an analysis of incentives to promote landowner protection of important mauka forest lands.

DLNR, The Nature Conservancy of Hawai'i, Parker Ranch, and Maui Land & Pineapple Company, Inc., testified in support of this concurrent resolution.

Your Committee has amended this concurrent resolution by:

- (1) Changing the terms "mauka forest" and "mauka forest lands" to "mauka lands" to include consideration of open woodlands that encompass a mix of forest, rangelands, and pasturelands, as well as intact forests;
- (2) Changing the title to read: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN ANALYSIS OF INCENTIVES TO PROMOTE LANDOWNER PROTECTION OF IMPORTANT MAUKA LANDS"; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 200, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 200, H.D. 1.

Signed by all members of the Committee except Representative Berg.

SCRep. 1424-06 Water, Land, & Ocean Resources on H.R. No. 30

The purpose of this resolution is to request the establishment of a working group to protect the Batoidea Order, including manta rays, from poaching and fishing.

Several concerned individuals testified in support of this resolution. The Department of Land and Natural Resources (DLNR) provided comments.

Your Committee has amended this resolution by:

- (1) Changing "BATOIDEA ORDER" in its title to read "ORDER BATOIDEA";
- (2) Removing county councils from, and adding government agencies with expertise to, the list of agencies DLNR is requested to partner with to conduct the study on measures to protect the Order Batoidea;
- (3) Removing from the study the request to determine the appropriate state agency to be responsible for enforcing the administrative rules;
- (4) Requesting DLNR to immediately implement emergency measures to prohibit the taking of manta rays while the study is in progress; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 30, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 30, H.D. 1.

Signed by all members of the Committee except Representative Berg.

SCRep. 1425-06 Health on H.R. No. 151

The purpose of this resolution is to request Leahi Hospital to develop a master plan based on a long-term vision as a geriatric center of excellence and financial feasibility report for its existing campus.

The Oahu Region Chief Executive Officer for Hawaii Health System Corporation and a member of the Hawaii Health Systems Corporation's Oahu Region, Public Health Facilities Management Advisory Committee supported this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 151 and recommends its adoption.

Signed by all members of the Committee except Representative Cabanilla.

SCRep. 1426-06 Health on H.C.R. No. 197

The purpose of this concurrent resolution is to request Leahi Hospital to develop a master plan based on a long-term vision as a geriatric center of excellence and financial feasibility report for its existing campus.

The Oahu Region Chief Executive Officer for Hawaii Health System Corporation and a member of the Hawaii Health Systems Corporation's Oahu Region, Public Health Facilities Management Advisory Committee supported this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 197 and recommends its adoption.

Signed by all members of the Committee except Representative Cabanilla.

SCRep. 1427-06 Health/Higher Education on H.R. No. 210

The purpose of this resolution is to urge University of Hawaii (UH), with other institutions, the military, and the Centers for Disease Control, to speedily rebuild a School of Global and Public Health.

UH and several concerned individuals testified in support of this resolution.

Your Committees recognize the projected need for an initial investment of \$1 million to recruit ten new faculty members which will allow UH to begin to rebuild the program in areas that will ultimately be necessary for accreditation, serve the community, and compete for research dollars, as UH has indicated in its testimony.

As affirmed by the records of votes of the members of your Committees on Health and Higher Education that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 210 and recommend its adoption.

Signed by all members of the Committee except Representatives Chang, Harbin, Ching and Finnegan.

SCRep. 1428-06 Health/Higher Education on H.C.R. No. 270

The purpose of this concurrent resolution is to urge University of Hawaii (UH), with other institutions, the military, and the Centers for Disease Control, to speedily rebuild a School of Global and Public Health.

UH and several concerned individuals testified in support of this concurrent resolution.

Your Committees recognize the projected need for an initial investment of \$1 million to recruit ten new faculty members which will allow UH to begin to rebuild the program in areas that will ultimately be necessary for accreditation, serve the community, and compete for research dollars, as UH has indicated in its testimony.

As affirmed by the records of votes of the members of your Committees on Health and Higher Education that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 270 and recommend its adoption.

Signed by all members of the Committee except Representatives Chang, Harbin, Ching and Finnegan.

SCRep. 1429-06 Energy & Environmental Protection/Agriculture on H.C.R. No. 11

The purpose of this measure is to prevent the spread of coqui frogs and other invasive species in Hawaii by establishing a task force to:

- (1) Investigate and recommend strategies to avoid the accidental spread of coqui frogs and other invasive species through the intrainland and interisland movement of agricultural products;
- (2) Investigate and develop a protocol to prevent greenwaste from becoming a pathway for the movement of coqui frogs and other invasive species; and
- (3) Report on the feasibility of installing intrainland and interisland treatment facilities for agricultural products.

C & H Farms supported this measure, while the Department of Agriculture supported the intent of the measure. The Department of Land and Natural Resources and Animal Rights Hawaii opposed this measure. The Legislative Reference Bureau offered comments.

The Department of Agriculture and the Department of Land and Natural Resources expressed concerns that many of the duties assigned to the Task Force in this measure are already being accomplished by the Hawaii Invasive Species Council, which was formed under Act 85, Session Laws of Hawaii 2003.

Your Committees have therefore amended this measure by:

- (1) Changing the title of the House Concurrent Resolution to "Requesting the Hawaii Invasive Species Council to Study and Report on Specific Strategies to Prevent the Spread of Coqui Frogs and Other Invasive Species";

- (2) Deleting the provisions that establish the task force;
- (3) Deleting the provisions requesting the Legislative Reference Bureau to provide administrative, clerical, and other staff support to the task force; and
- (4) Reassigning the duties of the task force to the Hawaii Invasive Species Council.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 11, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 11, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Harbin, Karamatsu, Halford, Pine and Stonebraker.

SCRep. 1430-06 Water, Land, & Ocean Resources on H.R. No. 193

The purpose of this resolution is to improve Hawaii's shoreline setback system in protecting our beach resources and reducing the loss of property from erosion, storms, or other events. This measure requests the Auditor to study alternative systems and methods for defining and establishing a more reliable shoreline setback reference line.

The Land Use Research Foundation of Hawaii testified in support of this resolution. The Department of Land and Natural Resources, Department of Business, Economic Development, and Tourism, and Earthjustice opposed this measure. Hawaii Association of Realtors offered comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 193 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Berg, Carroll, Harbin and Morita.

SCRep. 1431-06 Water, Land, & Ocean Resources on H.C.R. No. 253

The purpose of this concurrent resolution is to improve Hawaii's shoreline setback system in protecting our beach resources and reducing the loss of property from erosion, storms, or other events. This measure requests the Auditor to study alternative systems and methods for defining and establishing a more reliable shoreline setback reference line.

The Land Use Research Foundation of Hawaii testified in support of this concurrent resolution. The Department of Land and Natural Resources, Department of Business, Economic Development, and Tourism, and Earthjustice opposed this measure. Hawaii Association of Realtors offered comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 253 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Berg, Carroll, Harbin and Morita.

SCRep. 1432-06 Water, Land, & Ocean Resources on H.C.R. No. 141

The purpose of this concurrent resolution is to protect and preserve for the people of Hawaii an area known as one of Hawaii's most treasured cultural and historical areas--Moanalua Gardens and Kamanui Valley. This measure urges a public-private effort to secure this area for public use and enjoyment for generations to come.

The Moanalua Gardens Foundation, Moanalua Gardens Community Association, Moanalua Valley Community Association, Inc., Windward Ahupuaa Alliance, and a member of the Office of Hawaiian Affairs supported this concurrent resolution. The Department of Land and Natural Resources opposed this measure. The Nature Conservancy of Hawaii provided comments.

Your Committee has amended this concurrent resolution by making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 141, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 141, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Carroll, Harbin and Morita.

SCRep. 1433-06 Water, Land, & Ocean Resources on H.C.R. No. 257

The purpose of this concurrent resolution is to improve accountability of the Department of Land and Natural Resources (DLNR) by requesting the Auditor to conduct a financial and management audit of DLNR to include:

- (1) A review of the mission and operation of all of DLNR's divisions and agencies;
- (2) A review of its personnel recruitment, hiring, management, employment, and salary policies;
- (3) An examination and inspection of all sources and amounts of funding received;
- (4) An examination and inspection of all of its expenditures; and

- (5) Any and all other matters that the Auditor would normally review in a management and fiscal audit.

This audit will help DLNR identify challenges to fulfilling its mandate to protect and maintain the natural resources of the State.

The Hawaii Government Employers Association, Conservation Council for Hawai'i, Hawaii Boaters Political Action Association, Hawaii's Thousand Friends, Ala Wai Marina Community Association, and a concerned individual testified in support of this concurrent resolution. A concerned individual supported this measure with amendments. DLNR opposed this measure. The Nature Conservancy of Hawaii provided comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 257 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1434-06 Agriculture on H.R. No. 148

The purpose of this resolution is to determine the overall financial impact of agriculture in Hawaii by requesting the Auditor to conduct a study to determine the multiplier effect of the agricultural industry on Hawaii's economy.

The Hawaii Farm Bureau Federation, Maui County Farm Bureau, Hawaii Crop Improvement Association, Maui Land & Pineapple, Inc., Maui Pineapple Company, Ltd., Meadow Gold Dairies, Pineapple Growers Association of Hawaii, and a concerned individual supported this measure. The Department of Agriculture submitted comments.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 148 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Karamatsu, Wakai, Halford and Stonebraker.

SCRep. 1435-06 Agriculture on H.C.R. No. 194

The purpose of this concurrent resolution is to determine the overall financial impact of agriculture in Hawaii by requesting the Auditor to conduct a study to determine the multiplier effect of the agricultural industry on Hawaii's economy.

The Hawaii Farm Bureau Federation, Maui County Farm Bureau, Hawaii Crop Improvement Association, Maui Land & Pineapple, Inc., Maui Pineapple Company, Ltd., Meadow Gold Dairies, Pineapple Growers Association of Hawaii, and a concerned individual supported this measure. The Department of Agriculture submitted comments.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 194 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Karamatsu, Wakai, Halford and Stonebraker.

SCRep. 1436-06 Agriculture on H.R. No. 253

The purpose of this resolution is to protect the public's health and safety by:

- (1) Urging the U.S. Congress to oppose House Resolution 4167, The National Uniformity for Foods Act of 2005; and
- (2) Requesting that the U.S. Congress encourage dialogue to retain state and local governmental control over food safety issues.

The Hawaii Farm Bureau Federation supported this measure. The Department of Agriculture supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 253 and recommends that it be referred to the Committee on Economic Development & Business Concerns.

Signed by all members of the Committee except Representatives Karamatsu, Wakai, Halford and Stonebraker.

SCRep. 1437-06 Agriculture on H.C.R. No. 319

The purpose of this concurrent resolution is to protect the public's health and safety by:

- (1) Urging the U.S. Congress to oppose House Resolution 4167, The National Uniformity for Foods Act of 2005; and
- (2) Requesting that the U.S. Congress encourage dialogue to retain state and local governmental control over food safety issues.

The Hawaii Farm Bureau Federation supported this measure. The Department of Agriculture supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 319 and recommends that it be referred to the Committee on Economic Development & Business Concerns.

Signed by all members of the Committee except Representatives Karamatsu, Wakai, Halford and Stonebraker.

SCRep. 1438-06 Agriculture/Economic Development & Business Concerns on H.R. No. 147

The purpose of this resolution is to encourage meaningful dialogue and the development of recommendations to resolve issues relating to bioprospecting by requesting the Governor to establish a temporary advisory commission on biological diversity.

The University of Hawaii, Office of Hawaiian Affairs, Hawaiian Alliance for Responsible Technology & Science, Hawaii Science & Technology Council, and several concerned individuals supported this measure. The Department of Business, Economic Development, and Tourism and Department of Land and Natural Resources supported the intent of this measure. A concerned individual opposed this measure. Several concerned individuals submitted comments.

Your Committees note that concerns were raised regarding the appropriateness of attaching the temporary advisory commission to the Office of Hawaiian Affairs, given its uniqueness when compared to other state departments. In addition, suggestions were made to increase the representation of UH on the temporary advisory commission and to include a representative of the Department of Agriculture. Your Committees support future legislative efforts to address these concerns.

Your Committees have amended this measure by:

- (1) Changing the name of the commission to the temporary advisory commission on bioprospecting and amending the measure's title to conform to this change as follows:
"REQUESTING THE ESTABLISHMENT OF A TEMPORARY ADVISORY COMMISSION ON BIOPROSPECTING";
- (2) Clarifying that there is a need to develop public policy to balance development and commercialization with scientific research and conservation of Hawaii's fragile bio-resources; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business Concerns that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 147, as amended herein, and recommend that it be referred to the Committees on Hawaiian Affairs and Higher Education, in the form attached hereto as H.R. No. 147, H.D. 1.

Signed by all members of the Committee except Representatives Karamatsu, Ching, Halford and Stonebraker.

SCRep. 1439-06 Agriculture/Economic Development & Business Concerns on H.C.R. No. 193

The purpose of this concurrent resolution is to encourage meaningful dialogue and the development of recommendations to resolve issues relating to bioprospecting by requesting the Governor to establish a temporary advisory commission on biological diversity.

The University of Hawaii, Office of Hawaiian Affairs, Hawaiian Alliance for Responsible Technology & Science, Hawaii Science & Technology Council, and several concerned individuals supported this measure. The Department of Business, Economic Development, and Tourism and Department of Land and Natural Resources supported the intent of this measure. A concerned individual opposed this measure. Several concerned individuals submitted comments.

Your Committees note that concerns were raised regarding the appropriateness of attaching the temporary advisory commission to the Office of Hawaiian Affairs, given its uniqueness when compared to other state departments. In addition, suggestions were made to increase the representation of UH on the temporary advisory commission and to include a representative of the Department of Agriculture. Your Committees support future legislative efforts to address these concerns.

Your Committees have amended this measure by:

- (1) Changing the name of the commission to the temporary advisory commission on bioprospecting and amending the measure's title to conform to this change as follows:
"REQUESTING THE ESTABLISHMENT OF A TEMPORARY ADVISORY COMMISSION ON BIOPROSPECTING";
- (2) Clarifying that there is a need to develop public policy to balance development and commercialization with scientific research and conservation of Hawaii's fragile bio-resources; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business Concerns that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 193, as amended herein, and recommend that it be referred to the Committee on Higher Education in the form attached hereto as H.C.R. No. 193, H.D. 1.

Signed by all members of the Committee except Representatives Karamatsu, Ching, Halford and Stonebraker.

SCRep. 1440-06 Judiciary on H.R. No. 123

The purpose of this resolution is to request the Auditor to conduct a financial and management audit of the Child Support Enforcement Agency.

The Attorney General provided extensive comments.

Your Committee has amended this resolution by:

- (1) Removing inaccurate statistical data regarding the Hawaii Child Support Enforcement Agency's enforcement and collection records; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 123, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 123, H.D. 1.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1441-06 Judiciary on H.C.R. No. 163

The purpose of this concurrent resolution is to request the Auditor to conduct a financial and management audit of the Child Support Enforcement Agency.

The Attorney General provided extensive comments.

Your Committee has amended this concurrent resolution by:

- (1) Removing inaccurate statistical data regarding the Hawaii Child Support Enforcement Agency's enforcement and collection records; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1442-06 Consumer Protection & Commerce/Health on H.C.R. No. 95

The purpose of this concurrent resolution is to address the financial crisis of Hawaii's health care providers by requesting the Legislative Reference Bureau (LRB) to analyze whether health care payments made with state funds or at rates controlled by the State are sufficient to cover the actual costs of care.

The Hawaii Business Roundtable, Hawaii Long Term Care Association, Hawaii Pacific Health, Healthcare Association of Hawaii, and Kaiser Permanente supported this measure. LRB submitted comments.

Your Committees find that the State, as a major player in Hawaii's health care market, should be informed about the effects of its payment policies on the financial status of health care providers.

Your Committees have amended this concurrent resolution as suggested by LRB by narrowing the scope of the requested study to more manageable and result-oriented proportions.

As amended, this concurrent resolution requests LRB to:

- (1) Study procedures used by other jurisdictions or recommended by experts to ensure adequate reimbursement of Medicaid providers;
- (2) Compare rates for the ten most frequently used Medicaid and QUEST services, with the actual costs of the services and the amount reimbursed to the provider;
- (3) Provide a method of adjusting payments and reimbursements every two years for inflation; and
- (4) Compare Hawaii with other jurisdictions with regard to provider reimbursement for at least the ten most frequently used Medicaid and QUEST health services.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 95, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 95, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Hale, Ito, Morita and Stonebraker.

SCRep. 1443-06 Health on H.R. No. 63

The purpose of this resolution is to increase safety in healthcare facilities by requesting the implementation of the "Utilization Guide For The American Nurses Association Principles For Safe Staffing," which provides guidelines for optimal registered-nurse-to-patient ratios to ensure accuracy and reliability in patient safety and treatment.

The Hawaii Nurses' Association supported this resolution. The Department of Health supported this measure with amendments. The Hawaii Government Employees Association supported the intent of this resolution with amendments. The Queen's Medical Center provided comments.

Your Committee finds that there is a fundamental need to protect public health and safety by promoting quality healthcare and improving the delivery of healthcare services to patients in Hawaii's healthcare facilities. However, the Joint Commission on Accreditation of Healthcare Organizations report of 2002 concluded that the lack of direct care provided by registered nurses contributed to nearly a quarter of the unanticipated problems that resulted in injury or death to hospital patients. Therefore, establishing standards for direct-care, registered-nurse-to-patient ratios that take into account acuity measures based on the American Nurses Association's staffing principles will protect nurses and patients from the possible harmful ramifications of unsafe staffing practices.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 63 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1444-06 Health on H.C.R. No. 83

The purpose of this concurrent resolution is to increase safety in healthcare facilities by requesting the implementation of the "Utilization Guide For The American Nurses Association Principles For Safe Staffing," which provides guidelines for optimal registered-nurse-to-patient ratios to ensure accuracy and reliability in patient safety and treatment.

The Hawaii Nurses' Association supported this concurrent resolution. The Department of Health supported this measure with amendments. The Hawaii Government Employees Association supported the intent of this concurrent resolution with amendments. The Queen's Medical Center provided comments.

Your Committee finds that there is a fundamental need to protect public health and safety by promoting quality healthcare and improving the delivery of healthcare services to patients in Hawaii's healthcare facilities. However, the Joint Commission on Accreditation of Healthcare Organizations report of 2002 concluded that the lack of direct care provided by registered nurses contributed to nearly a quarter of the unanticipated problems that resulted in injury or death to hospital patients. Therefore, establishing standards for direct-care, registered-nurse-to-patient ratios that take into account acuity measures based on the American Nurses Association's staffing principles will protect nurses and patients from the possible harmful ramifications of unsafe staffing practices.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 83 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1445-06 Health/Human Services on H.C.R. No. 80

The purpose of this concurrent resolution is to request that the President and Congress of the United States adopt changes to the Medicare Part D program to, among other things:

- (1) Require drug plans to drop coverage of drugs only after advance notice;
- (2) Standardize the formulary design;
- (3) Make the Medicare Part D program drug registration policies consistent with those of Medicare and the Veteran's Administration; and
- (4) Prevent unfair fines and penalties for seniors who fail to enroll in a timely manner as a result of being unable to navigate the complexities of this program.

The Hawaii Government Employees Association supported this concurrent resolution.

Your Committees find that the Medicare Part D program is extremely complex and difficult to understand. This creates undue stress and anxiety for those forced to choose medical care and drug plans from the numerous plans offered. The Medicare Part D program needs to be changed to offer clear, easy to understand solutions for those who must use it.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 80 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cabanilla and Stonebraker.

SCRep. 1446-06 Human Services on H.R. No. 209

The purpose of this resolution is to request the Governor to designate and celebrate 2008 as the "Year of the Family" and to establish a Family Celebration Commission to administer the celebration.

The Hawaii Family Forum, Hawaii Catholic Conference, American Family Coalition of Hawaii's 'Ohana Project, and Blueprint for Change testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 209 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1447-06 Human Services on H.C.R. No. 269

The purpose of this concurrent resolution is to request the Governor to designate and celebrate 2008 as the "Year of the Family" and to establish a Family Celebration Commission to administer the celebration.

The Hawaii Family Forum, Hawaii Catholic Conference, American Family Coalition of Hawaii's 'Ohana Project, and Blueprint for Change testified in support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 269 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1448-06 Human Services/Health on H.R. No. 140

The purpose of this resolution is to request the Director of Human Services to adopt rules and obtain any federal waivers, if necessary, to disallow Medicaid coverage for routine circumcision for newborn male infants in Hawaii.

A concerned individual testified in support of this resolution. The Department of Human Services offered comments.

Your Committees have amended this resolution by:

- (1) Changing its title to read: "CONVENING A STUDY GROUP TO EXAMINE THE ISSUES OF MEDICAL NECESSITY AND COST FACTORS FOR CONTINUED REIMBURSEMENT FOR THE COST OF ROUTINE CIRCUMCISION FOR NEWBORN MALE INFANTS IN HAWAII";
- (2) Broadening the scope to include all circumcisions, and not just those covered under Medicaid;
- (3) Removing the request for the Director of Human Services to adopt rules and obtain necessary federal waivers to disallow Medicaid coverage for routine circumcisions;
- (4) Convening a legislative study group, including members from public and private agencies and organizations, to explore the issue of routine infant circumcision with regard to health benefits, medical necessity, and the possibility of healthcare cost-savings by eliminating reimbursements for the procedure; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 140, as amended herein, and recommend that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 140, H.D. 1.

Signed by all members of the Committee except Representatives Nishimoto and Stonebraker.

SCRep. 1449-06 Human Services/Health on H.C.R. No. 186

The purpose of this concurrent resolution is to request the Director of Human Services to adopt rules and obtain any federal waivers, if necessary, to disallow Medicaid coverage for routine circumcision for newborn male infants in Hawaii.

A concerned individual testified in support of this concurrent resolution. The Department of Human Services offered comments.

Your Committees have amended this concurrent resolution by:

- (1) Changing its title to read: "CONVENING A STUDY GROUP TO EXAMINE THE ISSUES OF MEDICAL NECESSITY AND COST FACTORS FOR CONTINUED REIMBURSEMENT FOR THE COST OF ROUTINE CIRCUMCISION FOR NEWBORN MALE INFANTS IN HAWAII";
- (2) Broadening the scope to include all circumcisions, and not just those covered under Medicaid;
- (3) Removing the request for the Director of Human Services to adopt rules and obtain necessary federal waivers to disallow Medicaid coverage for routine circumcisions;
- (4) Convening a legislative study group, including members from public and private agencies and organizations, to explore the issue of routine infant circumcision with regard to health benefits, medical necessity, and the possibility of healthcare cost-savings by eliminating reimbursements for the procedure; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 186, as amended herein, and recommend that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 186, H.D. 1.

Signed by all members of the Committee except Representatives Nishimoto and Stonebraker.

SCRep. 1450-06 Legislative Management on H.C.R. No. 38

The purpose of this concurrent resolution is to ensure that the State Administration's method of soliciting private contributions and sponsorships of official government functions such as trade missions is consistent with procurement practices. This measure requests the Auditor to conduct an audit of the methods and procedures employed by the State Administration to solicit these funds, in cash or in-kind, and to report its findings to the Legislature.

The State Representative from the 39th Representative District (Wahiawa, Whitmore Village, Laulani Valley) testified in support of this concurrent resolution. The Department of Business, Economic Development, and Tourism (DBEDT) supported the intent of this measure. The Pacific and Asian Affairs Council offered comments.

Time did not permit your Committee to consider all of DBEDT's testimony regarding the accuracy of the monetary amounts contained in this measure as well as the offering of special benefits in exchange for large contributions. Hopefully, as this measure moves through the process, these issues can be clarified as appropriate.

Finally, your Committee encourages the Auditor to work with the Chief Procurement Officer on this audit, as necessary.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 38 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1451-06 Judiciary on S.B. No. 2602

The purpose of this bill is to:

- (1) Allow additional persons and entities to access adult probation records;
- (2) Require that the residence address, work address, home telephone number, or work telephone number of a current or former defendant be provided to a collection agency or licensed attorney contracted by the Judiciary to collect any delinquent court-ordered penalties, fines, restitution, sanctions, and court costs;
- (3) Restrict access to adult probation records by a victim seeking civil enforcement of court-ordered restitution to the name and contact information of the defendant's adult probation officer;
- (4) Allow records and information relating to a defendant's risk assessment and need for treatment services or information related to a defendant's past treatment and assessments to be provided to certain persons and entities;
- (5) Stipulate that any person, agency, or entity receiving records or the contents thereof is subject to the same disclosure restrictions as adult probation offices; and
- (6) Provide penalties for the improper use of information or use of the information outside of the scope of official duties.

The Office of the Public Defender, Domestic Violence Clearinghouse and Legal Hotline, and a concerned individual supported this bill. The Hawaii Substance Abuse Coalition supported the intent of this measure. The Judiciary and Crime Victim Compensation Commission supported this bill with amendments. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Department of Health submitted comments.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2602, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1452-06 Judiciary on S.B. No. 2608

The purpose of this bill is to improve ease of reference by including information in the Uniform Probate Code about the effective date of Act 161, Session Laws of Hawaii 2004, through which the Uniform Guardianship and Protective Proceedings Act was adopted. Section 38 of Act 161, which took effect on January 1, 2005, provides that Act 161 does not affect any action commenced, proceeding brought, or right accrued prior to its effective date.

The Standing Committee on the Uniform Probate Code and Probate Court Practices of the Judiciary testified in support of this bill.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2608 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 Kanohe and Morita.

SCRep. 1453-06 Judiciary on S.B. No. 2244

The purpose of this bill is to authorize the Department of the Attorney General (AG) to delete digitized images of fingerprints for individuals whose records are being expunged. This bill updates language for provisions relating to expungement, to reflect the technological advances implemented in electronic storage of data.

The Department of Human Services supported this bill. The AG and a concerned individual opposed this measure. The Office of the Public Defender offered comments.

Your Committee has amended this bill by:

- (1) Restoring the provision that prohibits the deletion or return of fingerprint records if the person has a record of conviction;
- (2) Changing the effective date to January 1, 2006, to encourage 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2244, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2244, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Caldwell.

SCRep. 1454-06 Judiciary on S.B. No. 2597

The purpose of this bill is to clarify the language in section 602-57, Hawaii Revised Statutes, which provides for the jurisdiction of the intermediate appellate court (IAC). Amendments to the IAC's jurisdiction were enacted in Act 202, Session Laws of Hawaii 2004 (Act 202), and will take effect on July 1, 2006.

Specifically, this bill:

- (1) Clarifies that the IAC has jurisdiction over "any court or agency when appeals are allowed by law"; and
- (2) Authorizes the IAC to make or issue its own writs necessary or appropriate in the aid of its jurisdictions.

The Judiciary testified in support of this bill.

Your Committee has amended this bill by changing the effective date to the effective date of sections 1 through 82 of Act 202.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2597, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2597, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanohe and Morita.

SCRep. 1455-06 Judiciary on S.B. No. 2599

The purpose of this bill is to establish the intermediate appellate court's jurisdiction in appellate cases related to geothermal resource subzones, income taxes, access to correctional facilities and records, and disciplinary actions concerning the occupations of barbering and cosmetology, and clarify the requirements for payment of appellate filing fees and costs.

The Judiciary testified in support of this bill.

Your Committee has amended this bill by changing the effective date to the effective date of sections 1 through 82 of Act 202, Session Laws of Hawaii 2004.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2599, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2599, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanohe and Morita.

SCRep. 1456-06 Judiciary on S.B. No. 2607

The purpose of this bill is to:

- (1) Authorize the Supreme Court to entertain an application to transfer any case within the jurisdiction of the Intermediate Court of Appeals; and
- (2) Clarify mandatory and discretionary transfers.

The Judiciary, Attorney General, and the Office of the Public Defender supported this bill. The recorder of the Appellate Review Task Force provided comments.

Your Committee has amended this bill by:

- (1) Clarifying that a denial of an application of permissive transfers shall not prejudice a later application for a writ of certiorari;
- (2) Changing the effective date to the effective date of sections 1 through 82 of Act 202, Session Laws of Hawaii 2004; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

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

Signed by all members of the Committee except Representatives Kanofo and Morita.

SCRep. 1457-06 Judiciary on S.B. No. 2609

The purpose of this measure is to clarify the writ of certiorari (Writ) process as applied to the Intermediate Court of Appeal's judgments or dismissal orders.

Specifically, this bill:

- (1) Clarifies the grounds for applying for the Writ from the Supreme Court; and
- (2) Increases the filing time to apply for the Writ to 90 days.

The Office of the Public Defender supported this bill. The Judiciary and Attorney General supported this measure with amendments. The recorder of the Appellate Review Task Force offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to the effective date of sections 1 through 82 of Act 202, Session Laws of Hawaii 2004; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2609, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2609, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanofo and Morita.

SCRep. 1458-06 Judiciary on S.B. No. 2930

The purpose of this bill is to provide clarification concerning costs for the care of abused or neglected animals.

The Hawaiian Humane Society, Kauai Humane Society, Maui Humane Society, Humane Society of the United States, and numerous concerned individuals testified in support of this bill. The Office of the Public Defender and Animal CARE Foundation opposed this measure.

Your Committee has amended this bill by:

- (1) Reinstating the original language of section 711-1110.5, Hawaii Revised Statutes, relating to a duly incorporated humane society or society for the prevention of cruelty to animals;
- (2) Allowing rather than mandating the court to order the defendant to reimburse the society; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2930, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2930, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanofo and Morita.

SCRep. 1459-06 Judiciary/Labor & Public Employment on S.B. No. 695

The purpose of this bill is to:

- (1) Ratify and incorporate into Hawaii law, the National Crime Prevention and Privacy Compact (Compact);
- (2) Designate the Hawaii Criminal Justice Data Center (Center) as the central repository of criminal history records for purposes of the Compact; and
- (3) Designate the administrator or designee of the Center as the State's Compact Officer to administer the Compact in Hawaii.

The Attorney General supported this bill.

Your Committees have amended this bill by:

- (1) Inserting the text of the Compact with minor revisions;
- (2) Changing the effective date to July 1, 2006, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 695, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 695, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Ito, Kanoho, Morita, M. Oshiro, Shimabukuro, Meyer and Thielen.

SCRep. 1460-06 Transportation on S.B. No. 2462

The purpose of this bill is to protect the Ahihi-Kinai Natural Area Reserve (Reserve) by requiring the County of Maui to prohibit public access to the Makena-Keoneoio government road where it traverses the Reserve.

The Department of Land and Natural Resources (DLNR) and a member of the Maui County Council testified in opposition to this bill.

The Reserve was established in 1973 as a means of protecting the environment and ecosystems resulting from the last known eruption of Haleakala on Maui. However, in recent years, the Reserve has become a popular destination for public recreational use, especially due to publicity of the Reserve and its many resources in travel brochures and journals. Your Committee finds that large influxes of individuals into the Reserve may have a negative impact on this fragile ecosystem.

While your Committee notes that restricting access to the Reserve by limiting access to the Makena-Keoneoio government road will help alleviate some of the problem, jurisdictional issues arise as to control over the government road. Your Committee finds that requiring DLNR to adopt rules restricting access to the Reserve by restricting access to the Makena-Keoneoio government road may be a better means of controlling public access.

Accordingly, your Committee has amended this measure by:

- (1) Removing all references to the County of Maui;
- (2) Deleting the provision requiring the County of Maui to prohibit public access to the Makena-Keoneoio government road where it traverses the Reserve and instead requiring DLNR to develop rules to prohibit public access to the Makena-Keoneoio government road where it traverses the Reserve; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2462, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2462, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 1461-06 Finance on S.B. No. 2063

The purpose of this bill is to authorize the issuance of general obligation bonds.

The Department of Budget and Finance testified in support of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2063, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2063, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Evans.

SCRep. 1462-06 Finance on S.B. No. 2237

The purpose of this bill is to expend moneys received from the settlement of claims in a timely manner, for the purposes of the settlement, by amending the State Risk Management and Insurance Administration law.

Specifically, this bill allows the Comptroller to:

- (1) Deem moneys received from settlement of claims or losses as trust moneys; and
- (2) Deposit these moneys into a trust account under the control of the affected agency to be used for the settlement's identified purpose.

The Department of Accounting and General Services and the Department of Education testified in support of this bill.

Currently, state agencies receive settlement funds for repair work only after they have expended their own funds, causing the state agency to divert funds from existing appropriations and subsequently affecting planned projects or services. This bill attempts to expedite this process so that state agencies may pay for repair work in a timely manner without affecting existing projects.

Your Committee has amended this bill by changing the effective date to July 1, 2020, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2237, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2237, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Evans.

SCRep. 1463-06 Finance on S.B. No. 2382

The purpose of this bill is to expand the Department of Taxation's (DOTAX) performance-based contract capabilities to create revenue-generating initiatives. Among other things, this bill:

- (1) Establishes the Integrated Tax Information Management Systems Special Fund (Fund);
- (2) Requires monies from the Fund to be used to pay for performance-based contracts and administrative and operating expenses;
- (3) Requires any excess funds to be deposited into the general fund;
- (4) Allows DOTAX to enter into performance-based contracts to enhance or acquire automated tax systems, including computer hardware and software, for the administration of taxes imposed under Title 14, Hawaii Revised Statutes;
- (5) Requires DOTAX to enter into performance-based contracts to enhance or acquire automated tax systems, including hardware and software for:
 - (A) The Streamlined Sales and Use Tax Agreement; and
 - (B) The implementation and administration of the county surcharge on state tax;
- (6) Requires that the title to the enhanced or automated tax systems be given to the State upon full payment to the contracted vendor; and
- (7) Requires DOTAX to report to the Legislature prior to the convening of every regular session on the status of performance-based contracts and provide an accounting of all monies appropriated.

The Department of Budget and Fiscal Services of the City and County of Honolulu testified in support of this bill. DOTAX supported the intent of this measure. The Tax Foundation of Hawaii submitted comments.

Your Committee amended this measure by making technical, nonsubstantive amendments for 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. 2382, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2382, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 1464-06 Finance on S.B. No. 2550

The purpose of this bill is to establish the Kakaako Central Small Business District (Business District) within the Kakaako Community Development District that:

- (1) Returns zoning and land use controls in the Business District to the jurisdiction of the City and County of Honolulu; and
- (2) Places a restriction on infrastructure construction and street improvements in the Business District by the Hawaii Community Development Authority.

Electrical Equipment Co. Ltd., H. Hamada Store, Inc., Interior Showplace, Ltd., eVehicles of Hawaii, LLC, Save Our Kakaako Makai, Windstar Foundation, Honolulu, Hawaii State Bodysurfing Association, and many concerned individuals testified in support of this bill. Friends of Kewalo Basin Park Association, Save Our Kakaako Coalition, Kakaako Business and Landowners Association, U. Okada & Co., Ltd., Pacific Focus, Inc., T&T Tinting Specialists, Inc., and many concerned individuals supported this measure with amendments. The Hawaii Community Development Authority, Kamehameha Schools, and General Growth Properties, Inc., opposed this bill. The Department of Planning and Permitting of the City and County of Honolulu offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2550, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2550, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Tsuji.

SCRep. 1465-06 Finance on S.B. No. 3051

The purpose of this bill is to provide counties with greater flexibility by allowing counties to change their fiscal year to a period other than July 1 to June 30th.

The Department of Budget and Fiscal Services of the City and County of Honolulu testified in support of this bill.

Your Committee has amended this bill by changing the effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3051, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3051, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Evans.

SCRep. 1466-06 Finance on S.B. No. 3111

The purpose of this bill is to honor the late Patsy T. Mink by:

- (1) Establishing a temporary Congresswoman Patsy T. Mink Commission (Commission);
- (2) Authorizing the Commission to seek grants and accept donations; and
- (3) Appropriating funds for the Commission.

The Hawaii Civil Rights Commission, Hawaii State Teachers Association, and Japanese Americans Citizens League of Hawaii Honolulu Chapter testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3111, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3111, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Evans.

SCRep. 1467-06 Consumer Protection & Commerce on S.B. No. 2454

The purpose of this bill is to facilitate sales of time shares in Hawaii to buyers outside of the United States by:

- (1) Allowing "foreign time share plans" (plans), plans containing Hawaii units and promoted for sale only outside the United States, to obtain an exemption from the time share law;
- (2) Requiring the developer to obtain an exemption by paying an exemption registration fee and filing information about the plan with the Director of Commerce and Consumer Affairs; and
- (3) With regard to exempt plans:
 - (A) Prohibiting the developer from placing a blanket lien on the Hawaii time share units in the plan;
 - (B) Requiring the sales contract to disclose that the sale is not regulated under Hawaii law but that Hawaii law applies to the development and operation of the plan; and
 - (C) Requiring the sales contract to prohibit resale of interests in the plan within the United States.

RCI, ARDA-Hawaii, Starwood Vacation Ownership, and Marriott International, Inc., supported this bill. The Time Share Administrator of the Department of Commerce and Consumer Affairs commented on this bill.

Your Committee has amended this bill by:

- (1) Amending the definition of "foreign time share plan" to restrict the term to time share "use" plans;
- (2) Requiring the plan to be actively registered in Hawaii at the time a request for exemption is filed;
- (3) Requiring all printed or written material used in connection with the sale of interests in an exempt plan to state that the plan is exempt from registration and the purchase is not protected by Hawaii law;
- (4) Changing the effective date to upon approval; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2454, 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. 2454, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ito, Morita and Stonebraker.

SCRep. 1468-06 Finance on S.B. No. 995

The purpose of this bill is to propose a constitutional amendment to repeal the mandatory retirement age of 70 for state justices and judges.

AARP Hawaii testified in support of this bill. The Department of the Attorney General and a concerned individual opposed this measure. The Judicial Selection Commission offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 995, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 995, S.D. 1, H.D. 1.

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

SCRep. 1469-06 Finance on S.B. No. 2274

The purpose of this bill is to provide Employees' Retirement System (ERS), Class A contributory plan membership to the Director of the Office of Council Services of the counties of Maui and Honolulu if the member was in service prior to July 1, 2006.

The Chair of the Maui County Council supported this measure. Hawaii County's Office of the County Clerk supported this bill with amendments. The Department of Budget and Finance and ERS opposed this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, 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. 2274, 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. 2274, S.D. 1, H.D. 2.

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

SCRep. 1470-06 Finance on S.B. No. 2476

The purpose of this bill is to regulate the disposition of land in Kakaako by:

- (1) Requiring legislative approval for the sale, exchange, lease, or similar disposition of land held in title by the Housing and Community Development Authority (HCDA), within the Kakaako District, located makai of Ala Moana Boulevard; and
- (2) Prohibiting residential projects on state lands in the Kakaako District located makai of Ala Moana Boulevard.

The Integrated Agriculture Network and many concerned individuals testified in support of this bill. A concerned individual supported the intent of this measure. Several concerned individuals supported this bill with amendments. HCDA opposed this measure. Several concerned individuals offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2476, 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. 2476, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Tsuji.

SCRep. 1471-06 Finance on S.B. No. 2487

The purpose of this bill is to increase the number of members on the Hawaii Community Development Authority from 11 to 13 by requiring the Governor to appoint two additional members:

- (1) One member from a list submitted by the President of the Senate; and
- (2) One member from a list submitted by the Speaker of the House of Representatives.

A concerned individual testified in support of this bill. A concerned individual supported this measure with amendments. Several concerned individuals offered comments.

Your Committee has amended this bill by changing the effective date to July 1, 2020, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2487, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2487, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Tsuji.
(Representative Pine voted no.)

SCRep. 1472-06 Finance on S.B. No. 2617

The purpose of this bill is to provide assistance to needy families by appropriating moneys for a variety of temporary assistance programs.

This bill also directs the Department of Human Services to involve the community in planning for the future use of Temporary Assistance for Needy Families funds and to set annual goals and outcomes for programs receiving TANF funds.

The Hawaii Family Support Institute, Catholic Charities Hawai'i, Hawaii Women Work!, National Association of Social Workers, and Maui Family Support Services, Inc. testified in support of this bill. Blueprint for Change supported the intent of this measure. A concerned individual supported this bill with amendments. The Department of Health, the Attorney General, and DHS provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2617, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2617, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1473-06 Finance on S.B. No. 2753

The purpose of this bill is to ensure a reliable source of water for agriculture and other purposes on Kauai by appropriating funds for the operation and maintenance of the East Kauai Irrigation System.

The Agribusiness Development Corporation, County of Kauai, Kauai County Farm Bureau, East Kauai Water Users' Cooperative, Hawaii Farm Bureau Federation, Hawaii Agriculture Research Center, C&H Farms, Hawaii Crop Improvement Association, and Saiva Siddhanta Church testified in support of this bill. The Office of Hawaiian Affairs supported this measure with amendments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2753, 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. 2753, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1474-06 Finance on S.B. No. 2773

The purpose of this bill is to assist displaced workers and retirees of Kunia Camp and Poamoho Camp by:

- (1) Establishing and appropriating funds for the Kunia-Poamoho Housing Revolving Fund for low-interest housing loans or grants;
- (2) Establishing and appropriating funds for the Kunia-Poamoho Rental Housing Fund for rental subsidies in the private market; and
- (3) Establishing and appropriating funds for the Kunia-Poamoho Homeownership Counseling Program.

The Housing and Community Development Corporation of Hawaii, ILWU Local 142, and League of Women Voters of Hawaii testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2773, 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. 2773, S.D. 3, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1475-06 Finance on S.B. No. 2901

The purpose of this bill is to remove the restriction that allows only counties with a population greater than 500,000 to impose highway impact fees.

The County of Hawaii, Maui County's Department of Planning, and Land Use Research Foundation of Hawaii supported this measure.

Your Committee has amended this bill by changing the effective date to July 1, 2020, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2901, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2901, H.D. 1.

Signed by all members of the Committee except Representative Evans.

SCRep. 1476-06 Finance on S.B. No. 3003

The purpose of this bill is to improve the State Pharmacy Assistance Program (Program) by, among other things:

- (1) Requiring the Program to be qualified by the federal Centers for Medicare and Medicaid Services;
- (2) Requiring the Department of Human Services (DHS) to provide enrollment assistance to eligible individuals relating to the various Medicare prescription drug plans;
- (3) Expanding the income eligibility requirements to individuals with household incomes at or below 150 percent of the federal poverty level (FPL);
- (4) Specifying that DHS may pay for certain Medicare prescription drug benefit costs, rather than requiring DHS to pay the costs; and
- (5) Stipulating that the Program shall be funded with state appropriations and savings resulting from Medicare prescription drug coverage for the Medicaid dual eligible population.

AARP Hawaii, Policy Advisory Board for Elder Affairs, and the Hawaii Alliance for Retired Americans testified in support of this bill. The Attorney General and DHS offered comments.

Your Committee has amended this bill by:

- (1) Changing the appropriation from \$600,000 to \$1 to promote further discussion;
- (2) Changing the effective date to July 1, 2020; and
- (3) Making technical, nonsubstantive amendments for 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. 3003, 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. 3003, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1477-06 Finance on S.B. No. 3037

The purpose of this bill is to help Manoa flood victims recover losses incurred by providing a one-time, refundable tax credit. Among other things, the tax credit:

- (1) Shall not exceed \$10,000;
- (2) Shall be equivalent to ten percent of the total losses incurred that is not reimbursable by insurance proceeds or disaster relief payments from government agencies or non-profit organizations; and
- (3) Is provided to individuals who earn an annual gross income of less than \$75,000.

The Department of Taxation and Department of Defense supported the intent of this measure. The Tax Foundation of Hawaii offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; 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. 3037, 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. 3037, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1478-06 Finance on S.B. No. 3054

The purpose of this bill is to alleviate the lack of facilities for Hawaii's charter schools by:

- (1) Providing seed money to establish the Charter School Facilities Fund Partnership; and
- (2) Allowing the State to enter into leases with charter schools at rates comparable to other state agencies.

The Board of Education and two concerned individuals testified in support of this bill. The Charter School Administrative Office supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3054, 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. 3054, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1479-06 Finance on S.B. No. 3072

The purpose of this bill is to streamline the procedure for adjusting a charge when an insurer receives a request for payment from a medical service provider under the personal injury protection provisions of a motor vehicle policy and finds that the charge exceeds the maximum amount permitted by law.

The Insurance Commissioner of the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, and State Farm Insurance Companies testified in support of this bill. The Consumer Lawyers of Hawaii testified in opposition to this measure.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3072, 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. 3072, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1480-06 Finance on S.B. No. 3084

The purpose of this bill is to clarify the appraisal process for state acquisitions of lands having value as a resource to the State by:

- (1) Authorizing the State to review, approve, and accept existing appraisals if the appraisal was completed within one year and performed according to accepted professional standards;
- (2) Requiring the State to contract with no more than three disinterested appraisers;
- (3) Authorizing the purchase of lands having value as a resource to the State for a sum greater than the highest value fixed by the appraiser only if the higher value is determined to be justified by an independent appraiser, except if the land is condemned;
- (4) Requiring the appraisal reports to be available for inspection and copying by the public after the land has been acquired or abandoned; and

- (5) Exempting donated lands from appraisal requirements.

The Hawaii Agriculture Research Center, The Nature Conservancy, and The Trust for Public Land supported this measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this bill by:

- (1) Clarifying that acquisitions by the State under the acquisition of reserve value lands law are performed by the Board of Land and Natural Resources;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for consistency, 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. 3084, 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. 3084, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Tsuji.

SCRep. 1481-06 Finance on S.B. No. 3197

The purpose of this bill is to provide adequate compensation to substitute teachers by:

- (1) Increasing the minimum hourly or minimum per diem pay rate for substitute teachers; and
- (2) Appropriating funds to resolve current litigation between the Department of Education (DOE) and substitute teachers regarding underpayment for past services.

The attorney representing substitute teachers in *Garner v. Department of Education* and *Klitenick v. Hamamoto*, Substitute Teachers Professional Alliance, Inc., and a few concerned individuals testified in support of this bill. The Department of Education offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3197, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3197, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1482-06 Finance on S.B. No. 3254

The purpose of this bill is to encourage care for the elderly by:

- (1) Making permanent the statutes regarding the licensing of home- and community-based case management agencies and the certification of community care foster family homes; and
- (2) Increasing the maximum occupancy of community care foster family homes from two adults to three.

The Policy Advisory Board for Elder Affairs, Hawaii Disability Rights Center, Adult Foster Home Association of Hawaii, and numerous concerned individuals testified in support of this bill. The Department of Human Services and Hawaii Coalition of Care Home Administrators supported this measure with amendments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for 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. 3254, 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. 3254, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1483-06 Judiciary on S.B. No. 427

The purpose of this bill is to amend the child passenger restraint law. Among other things, this bill:

- (1) Extends application of the law requiring drivers to restrain children in child safety seats or booster seats that meet federal motor vehicle safety standards at the time of its manufacture from children under the age of four, to children four years of age or older but less than eight years of age, except where the child is:
 - (A) Over four feet nine inches in height; or
 - (B) More than 40 pounds and is riding in a vehicle equipped only with lap belts, without shoulder straps, in the rear seat;
- (2) Eliminates consideration as contributory negligence, comparative negligence, or negligence per se of the failure of a driver transporting a child under the age of eight years, instead of four years, to restrain the child in a child passenger restraint system or a seat belt assembly; and
- (3) Providing a definition for the word "restrained."

The Department of Health, Department of Transportation, Hawaii State Health Planning and Development Agency Kauai County Subarea Health Planning Council, Hawaii County Council, Honolulu Police Department, Maui Police Department, American Academy of Pediatrics Hawaii Chapter, Kalihi-Palama Health Center, Keiki Injury Prevention Coalition/SAFE KIDS HI, Mothers Against Drunk Driving, State Farm Mutual Automobile Insurance Company, UH Pediatric Residency Program, and numerous concerned individuals testified in support of this bill. The Hawaii Association of Independent Schools supported the intent of this measure. The Office of the Public Defender provided comments.

Your Committee has amended this bill by:

- (1) Clarifying that the exemption from the child safety seat or booster seat requirement for drivers transporting a child under eight years of age and above a certain height or weight applies only when the child is restrained by a seat belt assembly;
- (2) Clarifying that the general exception for children in the rear seat of a motor vehicle in which the number of persons traveling in the motor vehicle exceeds the number of seat belt assemblies, applies also to children not restrained by a child safety seat;
- (3) Changing the effective date to January 1, 2007; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 427, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 427, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Kanoho and Morita.

SCRep. 1484-06 Judiciary on S.B. No. 951

The purpose of this bill is to protect forest and preservation lands from fire destruction by increasing the severity of penalties for individuals who intentionally set fires to lands under the jurisdiction of the Department of Land and Natural Resources (DLNR).

Specifically, this bill:

- (1) Establishes penalties for the setting of fires in these lands by providing:
 - (A) A fine for violators of \$2,500 to \$10,000; and
 - (B) That violators shall be guilty of criminal property damage;
 and
- (2) Raises the severity of sanctions for individuals who discard burning materials or set fires in a closed fire area by applying the new penalties to this offense.

DLNR, the Department of Labor and Industrial Relations, Honolulu Fire Department, and the State Fire Council supported this bill. The Office of the Public Defender and the Department of the Prosecuting Attorney of the City and County of Honolulu offered comments.

Your Committee has amended this bill by replacing its contents with provisions that, among other things:

- (1) Include arson as a new class of property damage and defines four degrees of the offense of arson with appropriate sanctions; and
- (2) Change the effective date to January 1, 2006, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 951, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 951, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1485-06 Judiciary on S.B. No. 2006

The purpose of this bill is to prohibit the sale of all Hawaiian species of edible opihi.

The Office of Hawaiian Affairs, a member of the Maui County Council, The Nature Conservancy of Hawai'i, and a concerned individual supported this bill. The Department of Land and Natural Resources supported this measure and suggested amendments. A concerned individual supported the intent of this bill.

Your Committee has amended this bill by:

- (1) Adding an exemption for opihi shells at least one and one-fourth inches in diameter, which are used to make curios or jewelry; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2006, 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. 2006, S.D. 3, H.D. 2.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1486-06 Judiciary on S.B. No. 2213

The purpose of this bill is to limit government exposure to unwarranted liability by providing qualified immunity for public entities and public employees from injuries sustained by a person when using a motorsports facility. This bill also repeals the provision that prohibits liability waivers from being enforceable against a minor who suffers injuries from participating in a motorsports event at a motorsports facility.

The County of Hawaii, County of Hawaii Department of Parks and Recreation, 808 MX/ATV Association, Inc., Hawaii Motorcycle Dealers Association, Kauai's Off-Road Riders, Street Bikers United Hawaii, Street Bikers United Hawaii-Maui Chapter, Street Bikers United Hawaii-Oahu Chapter, Mauna Kea Motortoyz & Accessories, Punish'UM Motorsports, and many concerned individuals supported this bill. The Consumer Lawyers of Hawaii opposed this measure.

Your Committee has amended this bill by:

- (1) Restoring the provision that prohibits liability waivers from being enforceable against the rights of a minor who suffers injuries from participating in a motorsports event at a motorsports facility, but lifting the prohibition if the liability waiver is executed in writing by a parent or legal guardian;
- (2) Clarifying that limitation of liability for public entities and public employees applies only to the provision of motorsports facilities and not to other activities, including police and security, ambulance and medical, fire, food concessions, and other non-motorsports activities or functions;
- (3) Changing the effective date to July 1, 2006, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2213, 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. 2213, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1487-06 Judiciary on S.B. No. 2243

The purpose of this bill is to strengthen statutory provisions for forensic identification. Specifically, this bill, among other things:

- (1) Provides for immediate DNA testing of all felons who are currently incarcerated;
- (2) Removes from the Department of the Attorney General (AG), the responsibility of providing, collecting, and maintaining print impression cards and related materials;
- (3) Requires that a person's action must be intentional or knowing to commit the offense of refusal or failure to provide a specimen for forensic identification; and
- (4) Allows individuals who have been acquitted of a crime on the grounds of physical or mental disease to file a motion for DNA testing of evidence following conviction.

The AG, Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, and the Honolulu Police Department testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2006, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2243, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2243, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1488-06 Judiciary on S.B. No. 2328

The purpose of this bill is to:

- (1) Clarify notice of hearing requirements; and
- (2) Expand opportunities for foster parents to attend all hearings under the Child Protective Act.

The Department of Human Services and Hawaii Foster Parent Association testified in support of this bill. The Legal Aid Society of Hawaii opposed this measure. CT Corporation offered comments.

Your Committee has amended this bill by changing the effective date to July 1, 2006, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2328, 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. 2328, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1489-06 Judiciary on S.B. No. 2358

The purpose of this bill is to strengthen the overall management of Hawaii's forest reserves by:

- (1) Providing for procedures to establish and collect administrative fines for violations of forest reserve laws;
- (2) Increasing the criminal fine for timber trespass in forest reserves and establishing an additional fine for every tree illegally destroyed or harvested;
- (3) Allowing all revenue derived from forest reserves, including fines for violations, to be deposited into the Forest Stewardship Fund (Fund); and
- (4) Allowing conveyance tax revenues deposited into the Fund to be used for the management of forest reserves, in addition to the Forest Stewardship Program.

The Nature Conservancy supported this bill. The Department of Land and Natural Resources (DLNR) supported this measure with amendments.

Your Committee has amended this bill by:

- (1) Deleting a potential ambiguity that legal action may be necessary for DLNR to collect administrative fines, fees, and costs, including attorney's fees and costs, as well as costs associated with land or habitat restoration;
- (2) Specifying that a \$10,000 fine shall be imposed for a third or subsequent violation within five years of the last violation rather than the last two violations;
- (3) Rephrasing the provisions relating to native Hawaiian gathering rights and traditional cultural practices in a manner that allows these practices to continue but without jeopardizing DLNR's ability to enforce violations; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2358, 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. 2358, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1490-06 Judiciary on S.B. No. 2360

The purpose of this bill is to protect natural and biological resources from sustaining damage when vessels run aground by providing for the immediate removal of vessels grounded on state submerged lands, shorelines, and coral reefs. This bill would allow the Department of Land and Natural Resources (DLNR) to, among other things:

- (1) Take control of a vessel grounded on a coral reef or in imminent danger of breaking up;
- (2) Take control of a vessel that cannot be immediately removed by the owner in a reasonably safe manner; and
- (3) Take legal action to collect any costs or expenses incurred for the removal of any grounded vessel.

This bill also provides immunity from liability to DLNR and persons assisting DLNR in removing vessels grounded on a coral reef or in imminent danger of breaking up.

DLNR and the Sierra Club, Hawaii Chapter supported this bill.

Your Committee has amended this bill by changing the effective date to January 1, 2006, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2360, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2360, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1491-06 Judiciary on S.B. No. 2667

The purpose of this bill is to redefine the terminology used in referring to fireworks and articles pyrotechnic to more closely conform to that of federal agencies that regulate such explosives to improve the enforcement and regulation of the importation, storage, sale, and use of fireworks and articles pyrotechnic. This bill also prohibits the sale of consumer fireworks after midnight on New Year's Day, 6:00 p.m. on Chinese New Year's Day, and 8:00 p.m. on the Fourth of July.

The State Fire Council and Legislative Information Services of Hawaii supported this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to August 1, 2006, to encourage further discussion; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2667, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2667, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1492-06 Judiciary on S.B. No. 2687

The purpose of this bill is to prevent criminalization of the homeless by repealing the petty misdemeanor offense of Criminal Trespass onto Public Parks and Recreational Grounds.

The Office of the Public Defender, American Civil Liberties Union of Hawaii, and Affordable Housing and Homeless Alliance supported this bill. A concerned individual opposed this measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2006, to encourage further discussion; and
- (2) Making technical nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2687, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2687, H.D. 1.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1493-06 Judiciary on S.B. No. 2762

The purpose of this bill is to allow persons who were denied eligibility because of an eviction from public housing after 1985, but not less than ten years prior to the current application, the right to appeal the denial.

The Housing and Community Development Corporation of Hawaii supported this bill.

Your Committee has amended this bill by:

- (1) Changing its effective date from July 1, 2006, to July 1, 2006, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2762, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2762, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1494-06 Judiciary on S.B. No. 2986

The purpose of this bill is to address the concern raised by *Kelo v. New London*, 125 S. Ct. 2655 (2005), in which the United States Supreme Court found that urban renewal or economic development may justify the government to condemn private property for use by another private entity, by:

- (1) Prohibiting the taking of private property by eminent domain if the taking is for the purpose of urban or economic development that would result in the development of nongovernmental retail, office, commercial, residential, or industrial development or use and specifically excludes developments that are integral and required elements of public purpose projects, such as affordable housing and mass transit; and
- (2) Giving the former owner of the condemned land, if the land ceases to be used for the stated public use, the right to reacquire the property for the fair market value before it may be sold or transferred.

C & H Farms, National Federation of Independent Business, and Small Landowners of Oahu and Small Landowners Association of Hawaii supported this bill. Hawaii's Thousand Friends, Hui o Malama Kaka'ako Paka, Hawaii Association of Realtors (HAR), Save Our Kaka'ako Coalition, and a concerned individual supported the intent of this measure. The Department of Transportation, Department of Planning and Permitting of the City and County of Honolulu, and the Department of the Corporation Counsel of the City and County of Honolulu opposed this measure. The Hawaiian Electric Company, Inc., Hawaiian Electric Light Company, Maui Electric Company, Hawaii Farm Bureau Federation, National Association of Realtors on behalf of HAR, and a concerned individual offered comments.

The extensive turnout and testimony received on this measure impressed your Committee and revealed that the issues surrounding eminent domain are complex. Your Committee finds that due to the complexity of the issue and the number of affected parties, legislation regarding eminent domain should be more carefully examined through a task force.

Accordingly, your Committee has amended this bill by replacing its contents with provisions that:

- (1) Establish an Eminent Domain Task Force (Task Force) within the Legislative Reference Bureau, responsible for:
 - (A) Reviewing issues related to the use of eminent domain for economic development or renewal;
 - (B) Recommending proposed legislation relating to possible additional statutory limitations on the use of eminent domain by the State or counties; and
 - (C) Presenting its findings and recommendations to the Legislature no later than 20 days prior to the convening of Regular Session of 2007;

and
- (2) Take effect on July 1, 2006.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2986, 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. 2986, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1495-06 Finance on S.B. No. 2090

The purpose of this bill is to improve accountability of the Hawaii Community Development Authority (HCDA) by:

- (1) Requiring HCDA to adopt community and public notice procedures that include mechanisms to receive public input and provide information to the public on proposed developments;
- (2) Requiring HCDA to notify the Legislature of public hearings and the public's reaction at the public hearings and decision-making public hearings;
- (3) Establishing provisions for HCDA to render decisions at a separate public hearing from the public hearing at which proposals for developments were presented, and to issue public notices on its website; and
- (4) Providing the general public with the opportunity to testify at its decision-making public hearing.

Several concerned individuals testified in support of this bill. HCDA, the Save Our Kaka'ako Coalition, and many concerned individuals supported this measure with amendments. Several concerned individuals offered comments.

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. 2090, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Tsuji.

SCRep. 1496-06 Finance on S.B. No. 2143

The purpose of this bill is to establish a system of licensure for money transmitters and to prohibit money transmissions from being used to facilitate illegal activities.

The Department of Commerce and Consumer Affairs, Prosecuting Attorney, Hawaii Bankers Association, ILWU Local 142, Laborer's International Union of North America, Local 368, Philippine National Bank – Honolulu Agency, Non-Bank Funds Transmitters Group, and a concerned individual supported this bill. The Hawaii Financial Services Association and Hawaii Credit Union League supported the intent of this measure.

Your Committee wishes to acknowledge the suggestion by the Non-Bank Funds Transmitters Group that cash, interest-bearing stock and bonds, notes, debentures, or other obligations be allowed to meet the requirement of a security device, rather than be considered in lieu of a

security device. Additionally, your Committee believes it may be prudent to allow the Commissioner of Financial Institutions to adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, to implement 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. 2143, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1497-06 Finance on S.B. No. 2229

The purpose of this bill is to recruit and retain public school classroom teachers by:

- (1) Transferring the administration of the teachers' housing program from the Housing and Community Development Corporation of Hawaii to the Department of Education (DOE);
- (2) Clarifying the proceeds deposited and uses of the Teachers' Housing Revolving Fund;
- (3) Authorizes DOE to make downpayment loans to teachers for the purchase of residential property; and
- (4) Allowing DOE to contract with other agencies or organizations to carry out the provisions of the downpayment loans.

The Hawaii State Teachers Association and Hawaii Association of REALTORS supported this bill. DOE provided comments.

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. 2229, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1498-06 Finance on S.B. No. 2479

The purpose of this bill is propose an amendment to Article VII, section 12, of the Constitution of the State of Hawaii, to authorize the issuance of, and use of proceeds from, special purpose revenue bonds to assist agricultural enterprises.

The Department of Agriculture, University of Hawaii's College of Tropical Agriculture and Human Resources, Hawaii Agriculture Research Center, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, Pineapple Growers Association of Hawaii, Meadow Gold Dairies, and Hawaii Crop Improvement Association supported this measure. The Department of Budget and Finance provided comments.

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. 2479, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1499-06 Finance on S.B. No. 2598

The purpose of this bill is to enable the Judiciary to continue collecting fees authorized under Act 230, Session Laws of Hawaii 2004 (Act 230), for electronic filing, signing, serving, certification, and verification of court documents by extending the repeal date of Act 230 to December 31, 2008. The fees are deposited into the Judiciary Computer System Special Fund.

The Judiciary 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. 2598 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1500-06 Finance on S.B. No. 2606

The purpose of this bill is to declare abandoned, bail or bond money that has been unclaimed for at least two years after final disposition of the cause of action for which the money was deposited.

The Judiciary supported 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. 2606, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1501-06 Finance on S.B. No. 2643

The purpose of this bill is to encourage employees who have suffered work-related injuries to return to work by allowing an employee who has been deemed unable to return to the employee's original position due to a work injury to be referred by the Director of Labor and Industrial Relations for vocational rehabilitation services.

The Hawaii Government Employees Association, Hawaii State Teachers Association, and ILWU Local 142 testified in support of this bill. The Hawaii Rehabilitation Counseling Association supported the intent of this measure. The Department of Human Resources Development opposed this bill. The Department of Labor and Industrial Relations offered comments.

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. 2643, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.
(Representative Stevens voted no.)

SCRep. 1502-06 Finance on S.B. No. 2704

The purpose of this bill is to update and clarify financial provisions relating to school repair and maintenance by:

- (1) Repealing the school-level minor repair and maintenance account that consists of general funds because these funds are already included in the weighted student formula for allocating funds to public schools; and
- (2) Removing the requirement that each school principal, through the Superintendent of Education, submit an annual report to the Department of Accounting and General Services regarding expenditures made from the school-level minor repair and maintenance accounts.

The Department of Education 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. 2704, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Tsuji and Pine.

SCRep. 1503-06 Finance on S.B. No. 2720

The purpose of this bill is to implement the recommendations of the Interagency Working Group regarding the transfer of functions specified by Act 51, Session Laws of Hawaii 2004, the Reinventing Education Act of 2004, by:

- (1) Repealing the transfer of certain functions from the Department of Budget and Finance (B&F), Department of the Attorney General (AG), and Department of Human Services (DHS) to the Department of Education (DOE); and
- (2) Delaying the transfer of school health aides and public health nurses from the Department of Health (DOH) to DOE.

DOE, AG, DOH, DHS, Department of Human Resources Development, and B&F testified in support of this bill. The Hawaii Government Employees Association supported 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. 2720, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Tsuji and Pine.

SCRep. 1504-06 Finance on S.B. No. 2984

The purpose of this bill is to assist displaced Kalapana residents by appropriating funds to the Kikala-Keokea Housing Revolving Fund to provide low-interest loans for these former residents to rebuild their homes in the Kikala-Keokea homestead area.

The Office of Hawaiian Affairs and Hawaii County Economic Opportunity Council testified in support of this bill. The Housing and Community Development Corporation of Hawaii supported 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. 2984, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1505-06 Finance on S.B. No. 3253

The purpose of this bill is to appropriate funds to establish a joint legislative committee on family caregiving. This committee will be responsible for the development of comprehensive public policy to strengthen support for family caregivers who provide unpaid, informal assistance to persons age 60 and older with physical or cognitive disabilities.

AARP Hawaii and National Multiple Sclerosis Society, Hawaii Division, supported this bill. The Policy Advisory Board for Elder Affairs supported this measure with amendments. The Department of Human Services and Executive Office on Aging supported 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. 3253, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1506-06 Finance on S.B. No. 2593

The purpose of this bill is to clarify that in child protective proceedings under Chapter 587, Hawaii Revised Statutes, the Child Protective Act, all documents are exempt from filing fee requirements.

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. 2593 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1507-06 Judiciary on S.B. No. 2050

The purpose of this bill is to amend the definition of "neighborhood electric vehicle" by:

- (1) Deleting the requirement that the vehicle be designed to carry four or fewer persons;
- (2) Clarifying that the vehicle must have four wheels in contact with the ground; and
- (3) Specifying that the vehicle must have a Gross Vehicle Weight Rating of less than 2,500 pounds.

The Division of Motor Vehicle, Licensing and Permits Administration of the Department of Customer Services of the City and County of Honolulu supported this bill.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2050 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1508-06 Judiciary on S.B. No. 2051

The purpose of this bill is to make the expiration date of a commercial driver's license with a hazardous materials (HAZMAT) endorsement coincide with the expiration date of the HAZMAT endorsement.

The Department of Transportation; Division of Motor Vehicle, Licensing, and Permits of the City and County of Honolulu's Department of Customer Services; and Hawaii Transportation Association supported this bill.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2051 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1509-06 Judiciary on S.B. No. 2263

The purpose of this bill is to comply with certain provisions of the federal law contained in the "Brady Bill" by amending Chapter 134, Hawaii Revised Statutes, relating to firearms, ammunition, and dangerous weapons. Specifically, this bill:

- (1) Requires applications for permits to acquire firearms to include the applicant's country of citizenship and alien or admission number;
- (2) Requires that the National Instant Criminal Background Check System, and for non-citizens, the Immigration and Customs Enforcement databases, be checked prior to approving permits to acquire or licenses to carry firearms; and
- (3) Prohibits a person's ownership, possession, or control of firearms or ammunition under state law if the person is prohibited from possessing firearms or ammunition under federal law.

The Department of the Attorney General and Honolulu Police Department supported this bill.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2263, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1510-06 Judiciary on S.B. No. 2332

The purpose of this bill is to make housekeeping amendments to various public housing laws.

The Housing and Community Development Corporation of Hawaii supported this bill.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2332, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1511-06 Judiciary on S.B. No. 2581

The purpose of this bill is to reduce the backlog of unserved arrest warrants by requiring the Attorney General (AG) to adopt rules to allow retired police and public safety officers to serve certain arrest warrants.

The Honolulu Police Department testified in support of this bill. The Department of the Prosecuting Attorney of the City and County of Honolulu and Mothers Against Drunk Driving – Hawaii supported the intent of this measure. The AG opposed this bill.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2581, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1512-06 Judiciary on S.B. No. 2737

The purpose of this bill is to prohibit the taking or killing of female ula (spiny lobster or *Panulirus*), Kona crab (*Ranina ranina*), and Samoan crab (*Scylla serrata*), with certain exceptions.

The Department of Land and Natural Resources, Nature Conservancy, and a concerned individual testified in support of this bill.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2737, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1513-06 Energy & Environmental Protection on H.R. No. 58

The purpose of this measure is to request the Department of Health to report on the status of its litigation against Waste Management of Hawaii, Incorporated and the City and County of Honolulu with respect to violations of the operating permit for the Waimanalo Gulch Sanitary Landfill on Oahu.

Your Committee understands that the Department of Health recently issued an order to the City and County of Honolulu and Waste Management of Hawaii, Incorporated, citing eighteen violations of the operating permit for the Waimanalo Gulch Sanitary Landfill. The status and outcome of this enforcement matter is of concern to the Legislature and the public, including the people living and working in the communities surrounding the Waimanalo Gulch Sanitary Landfill and the workers of the landfill itself.

Your Committee also understands that there is a need for information on how the Department of Health conducts health surveillances related to matters of environmental concern, including landfill and infectious disease issues, and how the divisions of the Department of Health work together, share information, and determine actions to be taken by the Department.

Your Committee has amended this measure by:

- (1) Requesting the Department of Health to prepare a report for submittal to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007, explaining:
 - (A) How it conducts health surveillances related to environmental factors, such as landfills and infectious disease; and
 - (B) How the divisions of the Department of Health work together to share information on environmental matters and determine any actions to be taken; and
- (2) Making technical nonsubstantive amendments for the purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 58, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 58, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Harbin, Schatz and Pine.

SCRep. 1514-06 Energy & Environmental Protection on H.C.R. No. 76

The purpose of this measure is to request the Department of Health to report on the status of its litigation against Waste Management of Hawaii, Incorporated and the City and County of Honolulu with respect to violations of the operating permit for the Waimanalo Gulch Sanitary Landfill on Oahu.

Your Committee understands that the Department of Health recently issued an order to the City and County of Honolulu and Waste Management of Hawaii, Incorporated, citing eighteen violations of the operating permit for the Waimanalo Gulch Sanitary Landfill. The status and outcome of this enforcement matter is of concern to the Legislature and the public, including the people living and working in the communities surrounding the Waimanalo Gulch Sanitary Landfill and the workers of the landfill itself.

Your Committee also understands that there is a need for information on how the Department of Health conducts health surveillances related to matters of environmental concern, including landfill and infectious disease issues, and how the divisions of the Department of Health work together, share information, and determine actions to be taken by the Department.

Your Committee has amended this measure by:

- (1) Requesting the Department of Health to prepare a report for submittal to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007, explaining:
 - (A) How it conducts health surveillances related to environmental factors, such as landfills and infectious disease; and
 - (B) How the divisions of the Department of Health work together to share information on environmental matters and determine any actions to be taken; and
- (2) Making technical nonsubstantive amendments for the purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 76, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 76, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Harbin, Schatz and Pine.

SCRep. 1515-06 Legislative Management/Public Safety & Military Affairs on H.R. No. 197

The purpose of this resolution is to enable the state House of Representatives to fulfill its duties of overseeing the disposition of all public funds. This measure establishes a Select House Committee on Homeland Security Review to review confidential or classified information regarding the use of federal funds made available to plan and execute the State's Homeland Security Plan.

The state Department of Defense supported the intent of this measure.

Due to the confidential nature over the use of \$45,000,000 in federal funds made available to this State, the State Administration is reluctant to release this type of information to the public. However, the establishment of a select group of House members to review this information would ensure confidentiality while enabling the Administration to communicate with the House of Representatives.

As affirmed by the records of votes of the members of your Committees on Legislative Management and Public Safety & Military Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 197 and recommend its adoption.

Signed by all members of the Committee except Representatives Nakasone, Shimabukuro and Stonebraker.

SCRep. 1516-06 Water, Land, & Ocean Resources on H.R. No. 179

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR) to resolve the problems created by the "squatter barge" in Kaneohe Bay by:

- (1) Enforcing its mooring permitting rules, as set forth by the Attorney General in its expedited opinion; and
- (2) Amending its rules such that DLNR can clearly deal with the "squatter barge" and future similar problems without delay and confusion.

A concerned individual testified in strong support of this measure. DLNR provided comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 179 and recommends its adoption.

Signed by all members of the Committee except Representatives Berg, Harbin and Morita.

SCRep. 1517-06 Water, Land, & Ocean Resources on H.C.R. No. 238

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR) to resolve the problems created by the "squatter barge" in Kaneohe Bay by:

- (1) Enforcing its mooring permitting rules, as set forth by the Attorney General in its expedited opinion; and
- (2) Amending its rules such that DLNR can clearly deal with the "squatter barge" and future similar problems without delay and confusion.

A concerned individual testified in strong support of this bill. DLNR provided comments.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 238 and recommends its adoption.

Signed by all members of the Committee except Representatives Berg, Harbin and Morita.

SCRep. 1518-06 Consumer Protection & Commerce on S.B. No. 2298

The purpose of this bill is to strengthen the enforcement provisions of the electrician and plumber licensing law by:

- (1) Defining "electrician" and "plumber" for purposes of enforcement;

- (2) Prohibiting:
 - (A) Aiding or abetting an unlicensed person to violate the licensing law;
 - (B) Allowing a person's license to be used by an unlicensed person;
 - (C) Acting as an agent, partner, associate, or otherwise of an unlicensed person; and
 - (D) Unlicensed persons from advertising or holding themselves out as electricians or plumbers;
- (3) Requiring the entity providing telephone service to disconnect the telephone number in any advertisement found by a court to have been placed by an unlicensed electrician or plumber; and
- (4) Increasing the maximum fine for violation of the licensing law from \$1,000 to \$5,000.

The Board of Electricians and Plumbers, International Brotherhood of Electrical Workers, Local 1186, and Associated Builders and Contractors, Inc., Hawaii Chapter, supported this bill. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs supported this bill with an amendment.

Your Committee has amended this bill to ensure that the requirement to disconnect the telephone number in an advertisement placed in violation of the licensing law includes all forms of voice communication technology, both cellular and land line.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2298, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2298, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Ito, Morita and Stonebraker.

SCRep. 1519-06 Judiciary on S.B. No. 2260

The purpose of this bill is to provide a mandatory minimum of 30 years to life for habitual violent felons.

The Department of the Attorney General, City and County of Honolulu and Maui County Department of the Prosecuting Attorney, Kuliouou/Kalani Iki Neighborhood Board #2, Ewa Neighborhood Board #23, Sex Abuse Treatment Center, State of Hawaii Organization of Police Officers, and several concerned individuals supported this bill. The Office of the Public Defender, Honolulu Hawaii National Association for the Advancement of Colored People, American Civil Liberties Union of Hawaii, Japanese American Citizens League of Hawaii, Honolulu Chapter, Community Alliance on Prisons, and numerous concerned individuals opposed this measure.

Your Committee has amended this bill by:

- (1) Removing the option allowing an "out-of-state" offense that is also a crime of violence, to qualify as one of the two prior felonies necessary to classify a defendant as a habitual violent felon;
- (2) Removing from the list of crimes of violence:
 - (A) Continuous Sexual Assault of a Minor Under the Age of Fourteen Years involving an act of sexual penetration;
 - (B) Promoting Child Abuse in the First Degree;
 - (C) Robbery in the Second Degree;
 - (D) Burglary in the First Degree; and
 - (E) Carrying or Use of a Firearm in the Commission of a Separate Felony;
- (3) Requiring the State to bring a motion to sentence under the habitual felon law that:
 - (A) Sets forth the date of and jurisdiction of occurrence of each prior conviction; and
 - (B) Identifies any other repeat offender sentencing laws to which the defendant is subject;
- (4) Providing that upon motion of the defendant, rather than the State, the court may impose a mitigated sentence departing from the habitual felon law;
- (5) Requiring the Judiciary and the Department of Public Safety to report to the Legislature of the effects of this Act;
- (6) Changing the effective date to July 1, 2006, to encourage further discussion;
- (7) Adding a repeal date of January 1, 2011; and
- (8) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2260, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2260, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1520-06 Judiciary on S.B. No. 2265

The purpose of this bill is to strengthen penalties against individuals who commit crimes against minors. Among other things, this bill:

- (1) Adds a new misdemeanor of electronic enticement of a child in the third degree;
- (2) Adds promoting child abuse in the third degree or electronic enticement of a child in the second degree to the list of class C felonies subject to repeat offender sentencing;
- (3) Requires a minimum of one year of imprisonment for individuals who are guilty of:
 - (A) Promoting child abuse in the second or third degree; or
 - (B) Electronic enticement of a child in the first or second degree,
 and are sentenced to probation rather than a fixed term of imprisonment; and
- (4) Prohibits deferred acceptance of guilty plea or nolo contendere plea for individuals charged with:
 - (A) Child abuse in the second or third degree; or
 - (B) Electronic enticement of a child in the first, second, or third degree.

The Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the County of Maui, Hawaii Family Forum, Hawaii Catholic Conference, Sex Abuse Treatment Center, and a concerned individual testified in support of this bill. The Office of the Public Defender opposed this measure.

Your Committee has amended this bill by:

- (1) Eliminating the new misdemeanor of electronic enticement of a child in the third degree;
- (2) Eliminating the required one-year imprisonment for individuals sentenced to probation and guilty of child abuse in the second or third degree;
- (3) Eliminating the prohibition of deferred acceptance of guilty plea or nolo contendere plea for individuals charged with:
 - (A) Child abuse in the second or third degree; or
 - (B) Electronic enticement of a child in the third degree;
 and
- (4) Changing the effective date to January 1, 2006, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2265, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2265, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1521-06 Judiciary on S.B. No. 2327

The purpose of this bill is to require any public or private school, agency, or institution staff who have reason to believe that child abuse or neglect has occurred, or that there exists a substantial risk that it will occur in the foreseeable future, to immediately report the abuse or neglect directly to the Department of Human Services (DHS) or the police.

DHS, Kapiolani Child At-Risk Evaluation Program, Kapiolani Child Protection Center, and The Sex Abuse Treatment Center supported this bill. The Department of Education (DOE) supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to January 1, 2006, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee fully supports efforts to assure prompt reporting of known or suspected child abuse or neglect. However, your Committee's concern is that the existing child abuse reporting statute may adequately provide for reporting and does not need to be strengthened to assure compliance.

In section 350-1, Hawaii Revised Statutes (HRS), the term "report" includes both oral and written components. "Report" is defined in statute as follows:

"The initial oral statement and, if required by section 350-1.1(c), the subsequent written account concerning the facts and circumstances which cause a person to have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future."

Section 350-1.1, HRS, lists seven categories of "persons who, in their professional or official capacity, have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future" and requires the seven categories of individuals to "immediately report the matter orally to the department [of human services] or to the police department." The list includes "[e]mployees or officers of any public or private school" as stated in Section 350-1.1(a)(3), HRS.

Section 350-1.1(b), HRS, requires "a person designated in subsection (a)" who is "a member of the staff of any public or private school, agency, or institution" to "immediately notify the person in charge, or a designated delegate, who shall immediately report, or cause reports to be made, in accordance with this chapter."

Section 350-1.1(c), HRS, requires the "initial oral report" to be followed "as soon as possible" by a "report in writing to the department [of human services]."

In oral testimony before your Committee, DHS recalled a situation where a public school staff member notified the person-in-charge, as required under section 350-1.1(b), HRS, of an alleged occurrence of child sexual abuse, and the person-in-charge persuaded the staff member not to report the matter orally to DHS or to the police department, as required under section 350-1.1(a), HRS.

Your Committee finds that although the statutory provisions may adequately provide for the reporting of child abuse, differing interpretations between state agencies may need to be resolved to prevent future instances such the one mentioned by DHS.

Although your Committee received written testimony from DOE, no representative was present at the hearing to respond to questions. Your Committee strongly requests DOE to come forward with their interpretation of the child abuse reporting requirements under section 350-1.1(a)(3) and (b), HRS, including the legal basis for any "prescreening" policies and procedures that could discourage staff members from reporting alleged abuse orally to DHS or the police department.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2327, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2327, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1522-06 Judiciary on S.B. No. 2922

The purpose of this bill is to clarify that:

- (1) Corporations and companies must make contributions to and expenditures for campaigns through noncandidate committees;
- (2) Each corporation or company may transfer unlimited funds from its own funds to its noncandidate committee;
- (3) The contributions and expenditures of each noncandidate committee are limited to the aggregate amounts allowed for individuals; and
- (4) All noncandidate committees must be registered.

This bill also reestablishes an expenditure ceiling for prosecuting attorney candidates who participate in the publicly-funded campaign program.

The Attorney General supported this bill. The Campaign Spending Commission supported this measure in part, opposed it in part, and provided comments. The League of Women Voters of Hawaii also provided comments.

Your Committee finds that the best approach to addressing the confusion that may have arisen from Act 203, Session Laws of Hawaii 2005, with respect to both allowable contributions to candidates by noncandidate committees and allowable contributions by persons to noncandidate committees, is by clarifying the applicable sections, rather than creating a new section in Chapter 11, Hawaii Revised Statutes (HRS), as reflected in the S.D. 1 of this bill. Furthermore, your Committee recommends specifying that organizations funding their own noncandidate committees through a one-time transfer of their own treasury funds may transfer amounts different from the amounts those noncandidate committees may themselves contribute to candidates and which are limited by section 11-204(a), HRS.

Accordingly, your Committee has amended this bill by:

- (1) Removing the findings and purpose section;
- (2) Deleting the new section requiring persons other than individuals to make campaign contributions and expenditures through a noncandidate committee and allowing these persons a one-time transfer during an election period of unlimited funds to the person's own noncandidate committee;
- (3) Inserting in section 11-204(b), HRS, the provision allowing a person other than an individual to make a one-time transfer during a two-year election period of an unlimited amount of money into its own noncandidate committee;
- (4) Amending Section 11-204(a), HRS, to specifically apply its campaign contribution limits to noncandidate committees;
- (5) Raising from \$1,000 per election to \$2,000 per election period, the aggregate amount contributable to a noncandidate committee, other than by an organization funding its own noncandidate committee with its own treasury funds;
- (6) Changing the effective date to January 1, 2006, to encourage further discussion; and

- (7) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2922, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2922, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1523-06 Consumer Protection & Commerce on S.B. No. 2226

The purpose of this bill is to continue efforts to increase the availability of dental care providers in rural and other underserved areas of the state by making the community service dentist and dental hygienist licensing law permanent.

The Department of Health, Board of Dental Examiners, Bay Clinic, Inc., Hamakua Health Center, Inc., Hawaii Dental Association, Hawaii Primary Care Association, Ho'ola Lahui Hawai'i, and Kalihi-Palama Health Center supported this bill.

Your Committee finds that the community service license is working well to recruit dental care providers for clinics in underserved areas. Since the law was adopted in 2004, 17 community service licenses have been issued, and there are additional pending applications.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2226 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Ito, Morita and Stonebraker.

SCRep. 1524-06 Consumer Protection & Commerce on S.B. No. 2296

The purpose of this bill is to make improvements to the nurse licensing law that recognize the current nursing shortage, by providing guidelines for forfeiture, restoration, inactivation, and reactivation of licenses. Specifically, this bill:

- (1) Provides for the automatic forfeiture of a license that is not timely renewed or for failure to comply with other license requirements;
- (2) Establishes a two-year restoration period and conditions for restoration of a license;
- (3) Provides for inactive license status, and reactivation of an inactive license; and
- (4) Authorizes the Board of Nursing to specify continuing education requirements as an alternative proof of competency for a nurse who has not actively practiced in a United States jurisdiction for more than five years.

The Board of Nursing supported this bill.

Your Committee finds that the flexibility provided by these amendments will make it easier for nurses to remain in and re-enter the nursing workforce.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2296, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Ito, Morita and Stonebraker.

SCRep. 1525-06 Education on H.R. No. 208

The purpose of this resolution is to ensure that all children, whether blind, visually impaired, or not, receive appropriate reading instruction, by encouraging the Department of Education to establish standards of braille instruction and proficiency.

The Department of Human Services, Hawaii Disability Rights Center, and several concerned individuals testified in support of this resolution. The Department of Education and one concerned individual supported the intent of this resolution.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 208 and recommends its adoption.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin, Kahikina and Finnegan.

SCRep. 1526-06 Education on H.C.R. No. 268

The purpose of this concurrent resolution is to ensure that all children, whether blind, visually impaired, or not, receive appropriate reading instruction, by encouraging the Department of Education to establish standards of braille instruction and proficiency.

The Department of Human Services, Hawaii Disability Rights Center, and several concerned individuals testified in support of this concurrent resolution. The Department of Education and one concerned individual supported the intent of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 268 and recommends its adoption.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin, Kahikina and Finnegan.

SCRep. 1527-06 Education on H.R. No. 50

The purpose of this resolution is to enhance library services for the community and for students by requesting the Board of Education (BOE), Department of Education (DOE), and Hawaii State Public Library System (HSPLS) to develop a strategic plan to separate public and school libraries in a timely manner.

BOE and DOE supported the intent of this resolution. HSPLS and the Hawaii Government Employees Association (HGEA) offered comments.

Your Committee has amended this resolution by:

- (1) Including language regarding the concern with safety issues on campus as well as on the Internet;
- (2) Including language regarding curriculum requirements under the No Child Left Behind Act and the Hawaii Performance and Content Standards that compel all school librarians to work collaboratively with teachers and students in the library;
- (3) Requesting BOE, DOE, HSPLS, as well as HGEA to continue to develop strategic implementation plans with the 12 schools and communities that are impacted, to separate public and school libraries and enable the division of resources on an equitable basis in a timely manner; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 50, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 50, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin and Kahikina.

SCRep. 1528-06 Education on H.C.R. No. 66

The purpose of this concurrent resolution is to enhance library services for the community and for students by requesting the Board of Education (BOE), Department of Education (DOE), and Hawaii State Public Library System (HSPLS) to develop a strategic plan to separate public and school libraries in a timely manner.

BOE and DOE supported the intent of this concurrent resolution. HSPLS and the Hawaii Government Employees Association (HGEA) offered comments.

Your Committee has amended this concurrent resolution by:

- (1) Including language regarding the concern with safety issues on campus as well as on the Internet;
- (2) Including language regarding curriculum requirements under the No Child Left Behind Act and the Hawaii Performance and Content Standards that compel all school librarians to work collaboratively with teachers and students in the library;
- (3) Requesting BOE, DOE, HSPLS, as well as HGEA to continue to develop strategic implementation plans with the 12 schools and communities that are impacted, to separate public and school libraries and enable the division of resources on an equitable basis in a timely manner; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 66, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 66, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin and Kahikina.

SCRep. 1529-06 Education on H.R. No. 204

The purpose of this resolution is to provide the best learning environment for our students by requesting the Department of Education (DOE) to study the air cooling needs of each school complex and review the feasibility of using alternative air cooling methods.

The Hawaii State Teachers Association testified in support of this resolution. DOE supported the intent of this measure.

Your Committee has amended this resolution by:

- (1) Acknowledging that temperatures are rising across the globe;
- (2) Recognizing that Hawaii has become too dependent on fossil fuels, and energy-efficient practices should be put into place to ensure sustainability, or the use, development, and protection of resources at a rate and in a manner that enables today's generations to meet their current needs, yet provides for the needs of future generations;
- (3) Requesting DOE in evaluating various alternative air cooling methods to also review air cooling methods that use renewable energy sources to encourage compliance with "Leadership in Energy and Environmental Design" standards;
- (4) Requesting DOE to include installation costs in its study, and to submit the report no later than 20 days prior to the convening of the Regular Session of 2008;

- (5) Amending the title to read: "REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE VARIOUS ALTERNATIVE AIR COOLING METHODS SUCH AS FANS, HEAT REDUCTION, INSULATION, AND ENERGY-EFFICIENT INDIVIDUAL AIR CONDITIONING WALL UNITS, AS WELL AS AIR COOLING METHODS THAT USE RENEWABLE ENERGY SOURCES TO ENCOURAGE COMPLIANCE WITH "LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN" STANDARDS"; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 204, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 204, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin and Kahikina.

SCRep. 1530-06 Education on H.C.R. No. 264

The purpose of this concurrent resolution is to provide the best learning environment for our students by requesting the Department of Education (DOE) to study the air cooling needs of each school complex and review the feasibility of using alternative air cooling methods.

The Hawaii State Teachers Association testified in support of this concurrent resolution. DOE supported the intent of this measure.

Your Committee has amended this concurrent resolution by:

- (1) Acknowledging that temperatures are rising across the globe;
- (2) Recognizing that Hawaii has become too dependent on fossil fuels, and energy-efficient practices should be put into place to ensure sustainability, or the use, development, and protection of resources at a rate and in a manner that enables today's generations to meet their current needs, yet provides for the needs of future generations;
- (3) Requesting DOE in evaluating various alternative air cooling methods to also review air cooling methods that use renewable energy sources to encourage compliance with "Leadership in Energy and Environmental Design" standards;
- (4) Requesting DOE to include installation costs in its study, and to submit the report no later than 20 days prior to the convening of the Regular Session of 2008;
- (5) Amending the title to read: "REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE VARIOUS ALTERNATIVE AIR COOLING METHODS SUCH AS FANS, HEAT REDUCTION, INSULATION, AND ENERGY-EFFICIENT INDIVIDUAL AIR CONDITIONING WALL UNITS, AS WELL AS AIR COOLING METHODS THAT USE RENEWABLE ENERGY SOURCES TO ENCOURAGE COMPLIANCE WITH "LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN" STANDARDS"; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 264, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 264, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin and Kahikina.

SCRep. 1531-06 Transportation on H.R. No. 64

The purpose of this resolution is to request that the City and County of Honolulu include an additional spur line to Mililani in its light-rail transit plan.

Castle and Cooke and the Mililani Neighborhood Board No. 25 testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 64 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1532-06 Transportation on H.C.R. No. 86

The purpose of this resolution is to request that the City and County of Honolulu include an additional spur line to Mililani in its light-rail transit plan.

Castle and Cooke and the Mililani Neighborhood Board No. 25 testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 86 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1533-06 Transportation on H.R. No. 93

The purpose of this resolution is to request that the Department of Transportation complete a comprehensive statewide pedestrian safety action plan with the active inclusion, input, and participation of citizen advocacy groups in all aspects of the development and future implementation and evaluation of this plan.

The Department of Health, Keiki Injury Prevention Coalition, and concerned citizens testified in support of this resolution. The Department of Transportation testified in support of the intent of the resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 93 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1534-06 Transportation on H.C.R. No. 127

The purpose of this resolution is to request that the Department of Transportation complete a comprehensive statewide pedestrian safety action plan with the active inclusion, input, and participation of citizen advocacy groups in all aspects of the development and future implementation and evaluation of this plan.

The Department of Health, Keiki Injury Prevention Coalition, and concerned citizens testified in support of this resolution. The Department of Transportation testified in support of the intent of the resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 127 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1535-06 Transportation on H.R. No. 132

The purpose of this resolution is to request that the Legislature express its deep appreciation to the airlines serving the State of Hawaii and their contribution to sustaining Hawaii's tourism industry. Furthermore, it requests the airlines to enter a partnership with the State in order to achieve the goal of developing a respect among our visitors for Hawaii's natural, cultural, and social resources, and to encourage the preservation and enhancement of those resources.

The Hawaii Tourism Authority and a concerned citizen testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 132 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1536-06 Transportation on H.C.R. No. 173

The purpose of this resolution is to request that the Legislature express its deep appreciation to the airlines serving the State of Hawaii and their contribution to sustaining Hawaii's tourism industry. Furthermore, it requests the airlines to enter a partnership with the State in order to achieve the goal of developing a respect among our visitors for Hawaii's natural, cultural, and social resources, and to encourage the preservation and enhancement of those resources.

The Hawaii Tourism Authority and a concerned citizen testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 173 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1537-06 Transportation on H.R. No. 152

The purpose of this resolution is to request that the Department of Transportation determine the feasibility of privatizing the Kapalua-West Maui Airport, and to also determine whether the concurrence of the Federal Aviation Administration is possible.

Maui Land and Pineapple Company, Inc. testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 152 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1538-06 Transportation on H.C.R. No. 198

The purpose of this resolution is to request that the Department of Transportation determine the feasibility of privatizing the Kapalua-West Maui Airport, and to also determine whether the concurrence of the Federal Aviation Administration is possible.

Maui Land and Pineapple Company, Inc. testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 198 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1539-06 Transportation on H.R. No. 182

The purpose of this resolution is to request that the Department of Transportation apply for apportioned federal funding to establish a Safe Routes to School program in Hawaii and to recruit and hire a full-time coordinator for the program.

The Department of Transportation, Department of Education, Mililani Waena Elementary School, Hawaii Bicycling League, and concerned citizens testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 182 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1540-06 Transportation on H.C.R. No. 241

The purpose of this resolution is to request that the Department of Transportation apply for apportioned federal funding to establish a Safe Routes to School program in Hawaii and to recruit and hire a full-time coordinator for the program.

The Department of Transportation, Department of Education, Mililani Waena Elementary School, Hawaii Bicycling League, and concerned citizens testified in support of this resolution.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 241 and recommends its adoption.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1541-06 Hawaiian Affairs on H.R. No. 173

The purpose of this resolution is to urge the Office of Hawaiian Affairs (OHA) to convene a task force to consider the merits of creating a monument to the citizens of the Kingdom of Hawaii in collaboration with Hawaiian organizations, respected kupuna in the Hawaiian community, and the Department of Land and Natural Resources (DLNR).

DLNR, OHA, and numerous concerned individuals testified in support of this resolution.

Your Committee recognizes the concern DLNR raised in its testimony that the task force may not have sufficient resources to complete the substantial undertaking requested of it by the 2007 deadline. However, your Committee believes that the task force should complete what it can by the deadline, report what it accomplished by the deadline, and request an extension at that time to complete any unfinished tasks.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 173 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Kanoho, Morita and Meyer.

SCRep. 1542-06 Hawaiian Affairs on H.C.R. No. 232

The purpose of this concurrent resolution is to urge the Office of Hawaiian Affairs (OHA) to convene a task force to consider the merits of creating a monument to the citizens of the Kingdom of Hawaii in collaboration with Hawaiian organizations, respected kupuna in the Hawaiian community, and the Department of Land and Natural Resources (DLNR).

DLNR, OHA, and numerous concerned individuals testified in support of this concurrent resolution.

Your Committee recognizes the concern DLNR raised in its testimony that the task force may not have sufficient resources to complete the substantial undertaking requested of it by the 2007 deadline. However, your Committee believes that the task force should complete what it can by the deadline, report what it accomplished by the deadline, and request an extension at that time to complete any unfinished tasks.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 232 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Kanoho, Morita and Meyer.

SCRep. 1543-06 Hawaiian Affairs/Housing on H.C.R. No. 119

The purpose of this concurrent resolution is to urge the United States President and Congress to:

- (1) Immediately ratify the amendments made to the Hawaiian Homes Commission Act of 1920, as amended, as embodied in Act 302, Session Laws of Hawaii 2001; and
- (2) Recognize Hawaiian Homestead Community Organizations as self-governing administrative authorities for their respective communities.

The Department of Hawaiian Home Lands, State Council of Hawaiian Homestead Associations, Nanakuli Hawaiian Homestead Community Association, Waianae Kai Hawaiian Homestead Association, Wai'anae Valley Homestead Community Association, and Princess Kahanu Estates Association testified in support of this concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Housing that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 119 and recommend its adoption.

Signed by all members of the Committee except Representatives Arakaki, Harbin, Morita, Sonson, Halford, Meyer and Pine.

SCRep. 1544-06 Health/Human Services on H.R. No. 171

The purpose of this resolution is to ensure that adequate funding is provided for family planning services in the state budget during the next regular session. Specifically, this measure requests that a working group be formed by the Department of Health (DOH) to determine family planning funding needs and to submit its findings, recommendations, and proposed legislation, if any, to the Governor prior to the convening of the Regular Session of 2007.

DOH; MothersCare for Tomorrow's Children; Hawaii Primary Care Association; Healthy Mothers, Healthy Babies Coalition of Hawaii; Kalihi-Palama Health Center; Hawaii Youth Services Network; Hawaii State Commission on the Status of Women; and March of Dimes – Hawaii Chapter supported this resolution.

Your Committees have amended this resolution by:

- (1) Adding to the working group, representatives from the following organizations:
 - (A) Hawaii Youth Services Network;
 - (B) Planned Parenthood of Hawaii; and
 - (C) March of Dimes Hawaii Chapter;

and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 171, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 171, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla and Stonebraker.

SCRep. 1545-06 Health/Human Services on H.C.R. No. 226

The purpose of this concurrent resolution is to ensure that adequate funding is provided for family planning services in the state budget during the next regular session. Specifically, this measure requests that a working group be formed by the Department of Health (DOH) to determine family planning funding needs and to submit its findings, recommendations, and proposed legislation, if any, to the Governor prior to the convening of the Regular Session of 2007.

DOH; MothersCare for Tomorrow's Children; Hawaii Primary Care Association; Healthy Mothers, Healthy Babies Coalition of Hawaii; Kalihi-Palama Health Center; Hawaii Youth Services Network; Hawaii State Commission on the Status of Women; and March of Dimes – Hawaii Chapter supported this concurrent resolution.

Your Committees have amended this concurrent resolution by:

- (1) Adding to the working group, representatives from the following organizations:
 - (A) Hawaii Youth Services Network;
 - (B) Planned Parenthood of Hawaii; and
 - (C) March of Dimes Hawaii Chapter;

and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 226, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 226, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla and Stonebraker.

SCRep. 1546-06 Health/Human Services on H.R. No. 218

The purpose of this resolution is to assist elderly people who wish to remain independent and live in their own homes as long as possible. Specifically, this resolution requests that the Department of Taxation (DOTAX) perform a study on how to successfully implement a tax credit for elderly people so that they can afford necessary home modifications to "age in place".

The American Association of Retired Persons (AARP) Hawaii supported this resolution. DOTAX provided comments.

Your Committees have amended this resolution by switching the roles of DOTAX with AARP Hawaii by having AARP Hawaii take the lead in this study using their tax professionals and having DOTAX provide assistance and technical support.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 218, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 218, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla and Stonebraker.

SCRep. 1547-06 Health/Human Services on H.C.R. No. 283

The purpose of this concurrent resolution is to assist elderly people who wish to remain independent and live in their own homes as long as possible. Specifically, this resolution requests that the Department of Taxation (DOTAX) perform a study on how to successfully implement a tax credit for elderly people so that they can afford necessary home modifications to "age in place".

The American Association of Retired Persons (AARP) Hawaii supported this concurrent resolution. DOTAX provided comments.

Your Committees have amended this concurrent resolution by switching the roles of DOTAX with AARP Hawaii by having AARP Hawaii take the lead in this study using their tax professionals and having DOTAX provide assistance and technical support.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 283, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 283, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla and Stonebraker.

SCRep. 1548-06 Water, Land, & Ocean Resources on H.R. No. 164

The purpose of this resolution is to protect subsistence fishery for residents of the Muolea ahupuaa by requesting the Department of Land and Natural Resources (DLNR) to:

- (1) Designate a community-based subsistence fishing area in state waters near Muolea ahupuaa; and
- (2) Consider the adoption of various rules for the Muolea community-based subsistence fishing area.

The Community Conservation Network testified in support of this resolution. DLNR provided comments.

Your Committee has amended this resolution by:

- (1) Strongly requesting DLNR in establishing the community-based fishing area, to consider the input of the community; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 164, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 164, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Harbin, Morita and Thielen.

SCRep. 1549-06 Water, Land, & Ocean Resources on H.C.R. No. 215

The purpose of this concurrent resolution is to protect subsistence fishery for residents of the Muolea ahupuaa by requesting the Department of Land and Natural Resources (DLNR) to:

- (1) Designate a community-based subsistence fishing area in state waters near Muolea ahupuaa; and
- (2) Consider the adoption of various rules for the Muolea community-based subsistence fishing area.

The Community Conservation Network testified in support of this concurrent resolution. DLNR provided comments.

Your Committee has amended this concurrent resolution by:

- (1) Strongly requesting DLNR in establishing the community-based fishing area, to consider the input of the community; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 215, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 215, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Harbin, Morita and Thielen.

SCRep. 1550-06 Transportation on H.R. No. 202

The purpose of this resolution is to enhance the safety of pedestrians by requesting the Department of Transportation (DOT) to install a lighted crosswalk on Kamehameha Highway in Kaneohe, Oahu, at the crosswalk between Lilipuna Road and Mehana Street.

A concerned individual testified in support of this resolution. DOT supported the intent of this measure.

Your Committee finds that pedestrian safety is of the utmost concern. Installation of a lighted crosswalk on Kamehameha Highway in Kaneohe, Oahu, at the crosswalk between Lilipuna Road and Mehana Street will increase pedestrian safety. However, your Committee finds that this area of Kamehameha Highway is under the jurisdiction of the City and County of Honolulu and not DOT. Your Committee also finds that children crossing Keolu Drive near Kaelepulu Elementary School do not have the benefit of having a marked crosswalk. Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Transportation Services of the City and County of Honolulu (DTS) to install a lighted crosswalk on Kamehameha Highway in Kaneohe, Oahu, at the crosswalk between Lilipuna Road and Mehana Street;
- (2) Requesting DTS to establish a marked crosswalk on Keolu drive near Kaelepulu Elementary School;
- (3) Changing its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO INSTALL A LIGHTED CROSSWALK ON KAMEHAMEHA HIGHWAY IN KANEOHE, OAHU, AT THE CROSSWALK BETWEEN LILIPUNA ROAD AND MEHANA STREET AND TO ESTABLISH A MARKED CROSSWALK ON KEOLU DRIVE NEAR KAELEPULU ELEMENTARY SCHOOL"; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 202, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 202, H.D. 1.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1551-06 Transportation on H.C.R. No. 262

The purpose of this concurrent resolution is to enhance the safety of pedestrians by requesting the Department of Transportation (DOT) to install a lighted crosswalk on Kamehameha Highway in Kaneohe, Oahu, at the crosswalk between Lilipuna Road and Mehana Street.

A concerned individual testified in support of this concurrent resolution. DOT supported the intent of this measure.

Your Committee finds that pedestrian safety is of the utmost concern. Installation of a lighted crosswalk on Kamehameha Highway in Kaneohe, Oahu, at the crosswalk between Lilipuna Road and Mehana Street will increase pedestrian safety. However, your Committee finds that this area of Kamehameha Highway is under the jurisdiction of the City and County of Honolulu and not DOT. Your Committee also finds that children crossing Keolu Drive near Kaelepulu Elementary School do not have the benefit of having a marked crosswalk. Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Transportation Services of the City and County of Honolulu (DTS) to install a lighted crosswalk on Kamehameha Highway in Kaneohe, Oahu, at the crosswalk between Lilipuna Road and Mehana Street;
- (2) Requesting DTS to establish a marked crosswalk on Keolu drive near Kaelepulu Elementary School;
- (3) Changing its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO INSTALL A LIGHTED CROSSWALK ON KAMEHAMEHA HIGHWAY IN KANEOHE, OAHU, AT THE CROSSWALK BETWEEN LILIPUNA ROAD AND MEHANA STREET AND TO ESTABLISH A MARKED CROSSWALK ON KEOLU DRIVE NEAR KAELEPULU ELEMENTARY SCHOOL"; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 262, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 262, H.D. 1.

Signed by all members of the Committee except Representative Tanaka.

SCRep. 1552-06 Transportation on H.R. No. 107

The purpose of this resolution is to work towards alleviating traffic congestion for Leeward Oahu by requesting the Oahu Metropolitan Planning Organization (OMPO) to study the development of a submersible vehicular tunnel from Ewa to downtown Honolulu.

A professor of transportation engineering from the University of Hawaii and several concerned citizens testified in support of this resolution. OMPO submitted comments.

Your Committee recognizes that traffic congestion is a major concern for the residents of Leeward Oahu. The option of establishing a submersible tunnel is one method being discussed for the effective control of this traffic congestion. However, your Committee finds that OMPO

does not have the funds nor expertise to conduct the study requested in this measure. Accordingly, your Committee has amended this measure by:

- (1) Requesting the Legislative Reference Bureau, rather than OMPO, conduct the study of the development of a submersible vehicular tunnel from Ewa to downtown Honolulu;
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 107, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 107, H.D. 1.

Signed by all members of the Committee except Representative Tanaka.
(Representative Ito voted no.)

SCRep. 1553-06 Transportation on H.C.R. No. 144

The purpose of this concurrent resolution is to work toward alleviating traffic congestion for Leeward Oahu residents by requesting the Oahu Metropolitan Planning Organization (OMPO) to study the development of a submersible vehicular tunnel from Ewa to downtown Honolulu.

A professor of transportation engineering from the University of Hawaii and several concerned citizens testified in support of this concurrent resolution. OMPO submitted comments.

Your Committee recognizes that traffic congestion is a major concern for residents of Leeward Oahu. The option of establishing a submersible tunnel is one method being discussed for the effective control of this traffic congestion. However, your Committee finds that OMPO does not have the funds nor expertise to conduct the study requested in this measure. Accordingly, your Committee has amended this measure by:

- (1) Requesting the Legislative Reference Bureau, rather than OMPO, to conduct the study of the development of a submersible vehicular tunnel from Ewa to downtown Honolulu; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 144, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 144, H.D. 1.

Signed by all members of the Committee except Representative Tanaka.
(Representative Ito voted no.)

SCRep. 1554-06 Consumer Protection & Commerce on S.B. No. 2913

The purpose of this bill is to provide for the proper supervision of electrical and plumbing workers by clarifying the provisions of the contractors law that require a contractor to hire enough licensed electricians and plumbers to allow one-to-one supervision of persons performing plumbing or electrical work.

The Contractors License Board and International Brotherhood of Electrical Workers, Local 1186, supported this bill. Associated Builders and Contractors, Inc., Hawaii Chapter, opposed the bill. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs commented on the bill.

Your Committee finds that by bringing clarity to a law that is currently confusing and difficult to enforce, this bill will ensure that consumers are provided with safe, high quality electrical and plumbing work.

Your Committee has amended this bill by:

- (1) Removing the redundant phrase "requiring licenses under chapter 448E", to avoid creating additional confusion;
- (2) Changing the effective date to upon approval; and
- (3) Making additional technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2913, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2913, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Sonson and Stonebraker.

SCRep. 1555-06 Water, Land, & Ocean Resources on S.B. No. 1015

The purpose of this bill is to prevent land conflicts by requiring disclosure of reclassification in instruments conveying land that:

- (1) Was reclassified from agricultural to any other land use classification; and
- (2) Is adjacent to agricultural lands.

Prior to the public hearing, your Committee circulated a proposed draft that replaced the contents of this bill with language amending the laws relating to 999-year homestead leases, certificates of occupancy, right of purchase leases, and cash freehold agreements of public lands (Proposed HD1) and received testimony on the Proposed HD1. Specifically, the Proposed HD1:

- (1) Allows a qualifying 999-year lessee, an occupier under a certificate of occupancy, or a lessee of a right of purchase lease to purchase the fee interest by paying the Board of Land and Natural Resources (BLNR) the tax assessed value of the property without improvements, instead of its fair market value;
- (2) Provides for an intestate succession order, in the event a certificate of occupancy or homestead lease is not transferred by conveyance, devise, or bequest; and
- (3) Authorizes BLNR, until December 31, 2007, to reinstate certificates of occupancy, 999-year leases, right of purchase leases, and cash freehold agreements that were cancelled, terminated, or forfeited as a result of failure to pay outstanding arrearages, where, among other things, the arrearages are paid and the tenant-at-will continually occupied the land.

A concerned individual testified in support of the Proposed HD1. A concerned individual supported this measure's intent. The Department of Land and Natural Resources opposed this measure. The Office of Hawaiian Affairs offered comments.

Your Committee has amended this bill by substituting its contents with the Proposed HD1.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1015, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1015, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Berg, Carroll, Harbin and Morita.

SCRep. 1556-06 Agriculture/Energy & Environmental Protection on S.B. No. 3076

The purpose of this bill is to control and eradicate invasive coqui frogs in Hawaii by requiring the Department of Agriculture (DOA) to designate the coqui frog as a pest.

C&H Farms, Maui Outdoor Circle, and the Board of Directors and Owners at Kihei Akahi supported this bill. DOA, Good Shepherd Foundation, Inc., and Institute for the Study of Culturogenic Disease opposed this measure. The Department of Land and Natural Resources submitted comments.

Your Committees have amended this measure by changing its effective date to July 1, 2020, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3076, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3076, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Carroll, Harbin, Herkes, Karamatsu, Pine and Stonebraker.

SCRep. 1557-06 Agriculture/Water, Land, & Ocean Resources on S.B. No. 2155

The purpose of this bill is to encourage agricultural development by authorizing the Agribusiness Development Corporation (ADC) to purchase agricultural land, currently owned by the Galbraith Estate and located in the Waialua area on the island of Oahu (Waialua Land), through revenues derived from the issuance of revenue bonds. In addition, this bill, among other things, allows ADC to:

- (1) Purchase, accept, and maintain permanent conservation easements in accordance with the Natural Resources Conservation Service Farm and Ranch Lands Protection Program; and
- (2) When leasing agricultural land, contract with a financial institution transacting business in Hawaii to provide lease management services.

The Hawaii Farm Bureau Federation and a concerned individual supported this bill. ADC supported the intent of this bill.

Although your Committees support acquisition of land for agricultural development, concerns were raised regarding the possibility that revenue from agricultural leases may not generate enough cash flow to support the debt service incurred as a result of the issuance of revenue bonds.

Therefore, your Committees have amended this measure by:

- (1) Deleting the provision authorizing ADC to issue revenue bonds to purchase the Waialua Land;
- (2) Specifying that the Legislature may authorize ADC to acquire agricultural lands for the protection of agricultural lands, public land banking, or the promotion of farm ownership and diversified agriculture;
- (3) Establishing that upon agreement, ADC shall pay for the land interests in a lump sum or through an installment purchase agreement;
- (4) Specifying the agricultural land parcels located on the island of Oahu and currently owned by the Galbraith Estate, identified by tax map keys, that ADC is authorized to acquire;
- (5) Appropriating funds to purchase the lands identified in item (4) through a lump sum payment or the purchase of U.S. Treasury zero coupon bonds for a negotiated installment purchase agreement; and

- (6) Changing its effective date to July 1, 2050, to promote further discussion.

Technical, nonsubstantive amendments were also made for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Water, Land, & Ocean Resources that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2155, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2155, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanoho, Wakai, Waters, Meyer and Stonebraker.

SCRep. 1558-06 Judiciary on S.B. No. 2259

The purpose of this bill is to make technical housekeeping amendments to section 806-83, Hawaii Revised Statutes, relating to felonies for which criminal charges may be instituted by written information.

The Department of the Attorney General and the Office of the Prosecuting Attorney of the County of Kauai supported this bill. The Office of the Public Defender opposed this measure.

Your Committee has amended this bill by:

- (1) Removing the class B felony of unlawful methamphetamine trafficking as an offense for which criminal charges may be initiated by written information; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2259, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2259, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanoho, Morita and Souki.

SCRep. 1559-06 Judiciary on S.B. No. 1317

The purpose of this bill, as received, is to set a reasonable rate of compensation for private counsel appointed by the court to represent a person through all stages of a court proceeding, including the appeal process, if necessary.

The Office of the Public Defender and Office of the Prosecuting Attorney of the County of Kauai supported this bill. The Judiciary supported the intent of this measure. The Department of Budget and Finance opposed this bill.

With the exception of the fee caps, the statutory changes proposed by this bill have already been made by Act 86, Session Laws of Hawaii 2005 (Act 86), which takes effect on July 1, 2006. However, Act 86 permits compensation for appeals to the Intermediate Appellate Court only. There is a concern that Act 86 may be interpreted to prevent compensation for appeals pending in or decided by the Supreme Court prior to the effective date of Act 86.

Accordingly, your Committee has amended this bill by deleting its contents and inserting provisions that:

- (1) Amend Act 86 to remove language limiting compensation for appeals to those made to the Intermediate Appellate Court; and
- (2) Take effect on July 1, 2006.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1317, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1317, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kanoho, Morita and Souki.

SCRep. 1560-06 Finance on S.B. No. 1734

The purpose of this bill is to enhance public safety by establishing an investment tax credit for Hawaii taxpayers who invest in the private development of a motors sports recreation and public safety training and educational facility.

Concerned individuals supported this bill. Save Oahu's Race Track and concerned individuals testified that they did not support this measure. The Department of Business, Economic Development, and Tourism and Hawaii Motorsports Center Limited Partnership submitted comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to promote further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, 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. 1734, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1734, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pine.
(Representatives Carroll, Evans, Nakasone, Tanaka, Wakai and Stevens voted no.)

SCRep. 1561-06 Judiciary on S.B. No. 744

The purpose of this bill is to modernize and increase the effectiveness of Hawaii's business registration laws by:

- (1) Establishing personal liability and penalty provisions for general partners by making them liable for all debts and liabilities of the limited partnership;
- (2) Specifying details of a statement that must be submitted with articles of merger;
- (3) Amending the definition of "individual" to limit it to a natural person;
- (4) Making conforming requirements relating to administrative cancellation and reinstatement; and
- (5) Making other technical amendments for clarity, style, and conformity.

The Commissioner of Securities of the Business Registration Division and the Chamber of Commerce of Hawaii testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date from July 1, 2005, to July 1, 2006; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 744, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 744, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1562-06 Judiciary on S.B. No. 2065

The purpose of this bill is to:

- (1) Stipulate that responsibility for unpaid parking fines rests with and, after transfer of ownership, remains with the registered owner of a motor vehicle incurring the parking citation at the time of the violation; and
- (2) Establish that a registered owner's unpaid parking fines do not prevent transfer of the motor vehicle's registration and title.

The Honolulu Police Department and Hawaii Automobile Dealers Association supported this bill. The Judiciary submitted comments.

Your Committee has amended this bill by:

- (1) Deleting its purpose section;
- (2) Rendering its provisions internally consistent, by:
 - (A) Repeating the proviso language added to subsection 291D-7(e), Hawaii Revised Statutes (HRS), in paragraphs 291D-7(b)(2), (b)(3), (c)(2), and (c)(3), HRS; and
 - (B) Changing "this subsection shall not prevent the issuance or renewal of the motor vehicle's certificate of registration and transfer of title to the motor vehicle to another person" added to section 291D-10, HRS, to "this subsection shall not prevent transfer of title to the motor vehicle to another person," consistent with the new provision regarding the court clerk's clearance to effectuate registration and transfer of title to a new owner;
- (3) Inserting language that clarifies that certain restrictions on driving mopeds apply only to two-wheeled mopeds;
- (4) Changing the effective date to July 1, 2006, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2065, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2065, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1563-06 Judiciary on S.B. No. 2166

The purpose of this bill is to allow minors who are living on their own to obtain primary or preventive medical care or services. Specifically, this bill:

- (1) Allows a minor to consent to the provision of medical services if a health care practitioner reasonably believes that:
 - (A) The minor understands the benefits and risks of the services and can communicate a decision;
 - (B) The services are for the minor's benefit; and
 - (C) The minor is not under the care, custody, or control of a parent, custodian, or legal guardian, or obtaining appropriate legal consent is not practical;
- (2) Provides immunity from civil and criminal liability for the health care practitioner who in good faith renders medical services after determining the minor may give consent, except for damages caused by the practitioner's gross negligence or willful or wanton acts of omissions; and
- (3) Provides for confidentiality of a claim for medical services filed with a managed care or health insurance plan upon request of the minor.

Kaiser Permanente Hawaii, Hale Kipa, Inc., Hawaii Family Forum, Hawaii Catholic Conference, Hawaii Primary Care Association, Hawaii Youth Services Network, The Queen's Medical Center, Waikiki Health Center, and concerned individuals supported this bill. Planned Parenthood of Hawaii supported the intent of this measure. Hawaii Right to Life opposed this measure.

Your Committee considers it important for minors, under certain circumstances, to be able to consent to primary or preventive medical care and services, in addition to the medical care and services currently allowed for by law in Hawaii. Your Committee was able to confirm with medical professionals that the term "primary and preventive medical care" is well understood by the medical services community to mean basic health care as generally provided in an outpatient setting.

Your Committee also determined that care or services by nurse aides were not necessary in the context of this measure, and therefore, that the licensed health care practitioners specified in Chapters 453 and 457, Hawaii Revised Statutes (HRS), acting within the scope of their respective licenses, will be sufficient to address the needs envisioned by this measure.

Your Committee was also concerned that requiring a minor not be under "custody," given that term's important and well-recognized legal meaning, could substantially impede this measure's effectiveness.

Accordingly, your Committee has amended this bill by, among other things:

- (1) Reinstating the definition of "medical care and services" used in S.B. No. 2166, S.D. 2;
- (2) Adding clarifying language describing the nature of relevant care or services to each of the consent contexts for which minors may be able to give consent under Chapter 577A-2, HRS;
- (3) Deleting references to "registered" health care practitioners, because registered nurses are "licensed" under Chapter 457, HRS;
- (4) Requiring that minors under this section not be under a parent's, custodian's, or legal guardian's supervision, instead of custody;
- (5) Changing the effective date to take effect upon approval; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2166, 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. 2166, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1564-06 Judiciary on S.B. No. 2188

The purpose of this bill is to amend the composition of the State Commission on Fatherhood by:

- (1) Removing the Director of the Office of Children and Youth; and
- (2) Adding the Director of Public Safety and an administrator of the Family Courts as ex-officio members.

The Department of Human Services, State Commission on Fatherhood, and Hawaii Coalition for Dads supported this bill. The Judiciary opposed this measure in part.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2006, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2188, 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. 2188, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Kanoho, Morita and Souki.

SCRep. 1565-06 Judiciary on S.B. No. 2492

The purpose of this bill is to extend the application of the offense of criminal property damage to the intentional or knowing damaging of agricultural and aquacultural equipment, supplies, and products.

The Department of Agriculture, Honolulu Department of Prosecuting Attorney, Hawaii Farm Bureau Federation, Hawaii Crop Improvement Association, Hawaii Aquaculture Association, Pineapple Growers Association of Hawaii, Alexander & Baldwin, Inc., Hawaiian Commercial & Sugar Company, Meadow Gold Dairies, and a concerned individual testified in support of this bill. The Hawaii Agriculture Research Center supported the intent of this measure. The Office of the Public Defender opposed this bill.

Upon careful consideration, your Committee has amended this bill by replacing its contents with the language of H.B. No. 2772 H.D. 1, and deleting the section amending criminal property damage in the third degree. As amended:

- (1) A person who intentionally or knowingly damages the agricultural or aquacultural crops, including trees, bushes, or any other plant, or livestock of another, without the other's consent, commits the offense of criminal property damage in:
 - (A) The first degree if the amount of the damage inflicted exceeds \$1,500; and
 - (B) The second degree if the amount of the damage inflicted exceeds \$500;
 and
- (2) The effective date of the bill has been changed to July 1, 2009.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2492, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2492, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1566-06 Judiciary on S.B. No. 3262

The purpose of this bill is to prohibit smoking in places open to the public and places of employment, providing a consistent level of basic protections statewide from exposure to secondhand smoke while allowing counties to implement laws with greater restrictions.

The Department of Accounting and General Services, Department of Health, University of Hawaii, American Heart Association, American Cancer Society, Kaiser Permanente, Coalition for a Tobacco Free Hawaii, Castle Medical Center, Laborers' International Union of North America Local 368, AFL-CIO, Hawaii State AFL-CIO, Hawaii Association of Health Plans, Hawaii Medical Association, Hawaii Medical Service Association, Hawaii Pacific Health, Healthy Mothers Healthy Babies Coalition of Hawaii, Mililani Town Anti-Drug Committee, MothersCare for Tomorrow's Children, Maui Tobacco-Free Partnership, and numerous concerned individuals supported this bill. The Department of Public Safety supported the intent of this measure and offered an amendment. A concerned individual opposed this bill. The American Lung Association of Hawaii, Asian American Network for Cancer Awareness, Research and Training, and a concerned individual offered comments.

Your Committee has amended this bill by:

- (1) Amending the definition of "enclosed or partially enclosed" areas to specify that these areas must be closed in by at least two walls, among other criteria;
- (2) Exempting state correctional facilities from this measure;
- (3) Changing the effective date to July 1, 2006, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3262, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3262, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Karamatsu and Souki.

SCRep. 1567-06 Finance on S.B. No. 2485

The purpose of this bill is to encourage agricultural development by allowing the Department of Budget and Finance (B&F) to issue special purpose revenue bonds to assist agricultural enterprises operating on agricultural lands.

The Department of Agriculture, University of Hawaii College of Tropical Agriculture and Human Resources, Hawaii Agriculture Research Center, Hawaii Farm Bureau Federation, Hawaii Crop Improvement Association, Land Use Research Foundation of Hawaii, Meadow Gold Dairies, and the Pineapple Growers Association of Hawaii testified in support of this bill. B&F supported the intent of this measure.

Your Committee has amended this bill by making technical, nonsubstantive amendments for 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. 2485, 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. 2485, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1568-06 Finance on S.B. No. 3078

The purpose of this bill is to improve planning for Hawaii's agricultural industry by directing the Legislative Reference Bureau (LRB) to conduct a study to identify elements that should be included in the Agribusiness Development Corporation's (ADC's) Hawaii Agribusiness Plan.

The Hawaii Farm Bureau Federation, Maui County Farm Bureau, and Office of Hawaiian Affairs testified in support of this bill. ADC and LRB offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3078, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3078, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Meyer.

SCRep. 1569-06 Finance on S.B. No. 2499

The purpose of this bill is to provide to securities professionals the same relief from pyramiding of the general excise tax (GET) now enjoyed by most persons engaging in wholesale service transactions, by providing that when commissions earned on securities sales transactions are divided between several persons, each person is responsible only for the GET on their own portion of the commission.

The National Association of Insurance and Financial Advisors, Linsco/Private Ledger Corporation, Brookstreet Securities Corporation, Sunamerica Securities, Inc., and a concerned individual testified in support of this bill. The Department of Taxation opposed this measure. The Tax Foundation of Hawaii offered comments.

Your Committee has amended this bill by:

- (1) Providing that the security professionals to whom the law applies, must not be employees;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for 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. 2499, 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. 2499, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1570-06 Finance on S.B. No. 2652

The purpose of this bill is to confer the same rights, privileges, and benefits of:

- (1) Civil service employees in the Department of Education (DOE) to civil service employees of new century conversion charter schools; and
- (2) Exempt civil service employees of DOE to exempt civil service employees of new century charter schools and new century conversion charter schools.

This bill also ensures that civil service employees at new century conversion charter schools who are promoted or take a voluntary demotion to another civil service position within DOE receive the same rights, privileges, and benefits of continuous, uninterrupted civil service.

The Board of Education, DOE, Department of Human Resources Development, Charter School Administrative Office, and Hawaii Government Employees Association, Hookakoo Corporation, and Hawaii Business Roundtable testified in support of this bill.

Your Committee has amended this bill by making technical, nonsubstantive amendments for 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. 2652, 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. 2652, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1571-06 Finance on S.B. No. 2708

The purpose of this bill is to:

- (1) Extend the working term of the School Impact Fee Working Group (Working Group) established pursuant to Act 246, Session Laws of Hawaii 2005, for one year, to June 30, 2007; and
- (2) Appropriate funds for the operation of the Working Group.

The Land Use Research Foundation of Hawaii and Castle & Cooke Hawaii supported this bill. The Department of Education supported the intent of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments, for consistency, 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. 2708, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2708, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Tsuji and Pine.

SCRep. 1572-06 Finance on S.B. No. 2718

The purpose of this bill is to establish a cap on the total financial contribution that a nonprofit organization is required to contribute to a new century conversion charter school each year.

Waimea Middle School and Hookakoo Corporation testified in support of this bill. The Charter School Administrative Office supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2718, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2718, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1573-06 Finance on S.B. No. 2956

The purpose of this bill is to provide Hawaii's students with the best environment for learning by ensuring the availability of funds for school operations, construction, repair, and maintenance, and allowing for the effective management of school facility construction.

The Department of Education, University of Hawaii, 2005 Secondary Student Conference, and several concerned individuals supported this bill. A concerned citizen supported this measure with amendments. The Department of Budget and Finance opposed this bill.

Your Committee has amended this bill by:

- (1) Requiring new schools constructed with funds from the New School Construction Special Fund to meet energy-efficient design standards; and
- (2) Making technical, nonsubstantive amendments for 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. 2956, 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. 2956, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tsuji, Moses and Pine.

SCRep. 1574-06 Finance on S.B. No. 3101

The purpose of this bill is to nurture quality early childhood education in Hawaii by:

- (1) Establishing and appropriating funds for the Early Learning Educational Task Force (Task Force), which:
 - (A) Will develop plans and timelines for a coherent, comprehensive, and sustainable early learning system, including making recommendations for the early learning system and submitting reports to the Governor and Legislature; and

- (B) Is composed of two working groups, including:
 - (i) The interdepartmental working group which will develop plans to maximize public and private resources to provide early learning opportunities for all children in the state who are four years old by January 1 of that school year; and
 - (ii) The quality assurance working group which will focus on issues of quality in early childhood education;
- (2) Appropriating funds to build upon the existing framework and services for early childhood learning, including:
 - (A) Enhancing junior kindergarten services to ensure children are provided with learning experiences that promote the skills they need to be successful in kindergarten or first grade;
 - (B) Expanding to three new sites, DOE's Families for R.E.A.L., an early childhood program that fosters interaction between parents and their children; and
 - (C) Supporting grantees of the Early Head Start and Head Start programs that are comprehensive early childhood education programs that serve low-income children and families.

The American Academy of Pediatrics, Hawaii Chapter, Good Beginnings Community Council–Maui, and Hawaii's Children's Trust Fund Alliance testified in support of this bill. The Department of Education, Hawaii Association for the Education of Young Children, Childcare Business Coalition, Good Beginnings Alliance, and two concerned individuals supported the intent of this measure. The Department of Human Services offered comments. The Hawaii Association of Independent Schools opposed this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3101, 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. 3101, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tsuji and Pine.

SCRep. 1575-06 Finance on S.B. No. 3195

The purpose of this bill is to ensure that public schools receive the funds they need to provide quality education to our students by appropriating funds for:

- (1) A Weighted Student Formula Conversion Program (Program) to provide supplementary funds to help public schools transition into the new spending method under the weighted student formula;
- (2) Classroom supplies;
- (3) Textbooks;
- (4) Resources that will guide students on their path to higher education;
- (5) Special education needs;
- (6) English as a second language services; and
- (7) Information technology needs.

The Department of Education and Hawaii State Teachers Association testified in support of this bill. The Hawaii Government Employees Association supported the intent of this measure. Two concerned individuals offered comments.

Your Committee has amended this bill by:

- (1) Clarifying that a school may receive Program funds, provided that it demonstrates sufficient growth or progress toward meeting adequate yearly progress as determined by the Superintendent of Education;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for 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. 3195, 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. 3195, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tsuji and Pine.

SCRep. 1576-06 Finance on S.B. No. 3180

The purpose of this bill is to preserve native Hawaiian culture by allowing the use of practices, techniques, styles, customs, and materials of indigenous Hawaiian architecture in present-day construction in zoning districts of the state in which the Hawaiian architectural style would be compatible.

The Office of Hawaiian Affairs and several concerned individuals testified in support of this bill. A member of the Maui County Council provided comments.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; 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. 3180, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3180, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1577-06 Finance on S.B. No. 2461

The purpose of this bill is to appropriate funds for various programs on Maui, including:

- (1) Hale Mahaolu for phase one of the Hale Mahaolu Ehiku affordable housing development and a personal care program;
- (2) Maui Economic Opportunity, Inc., for a new base yard site and for plans, design, and construction of a permanent transit facility; and
- (3) Hale Makua for phase one of a federally mandated fire sprinkler system in the Hale Makua–Wailuku facility.

The League of Women Voters of Hawaii and Hale Mahaolu Personal Care Program testified in support of this bill. The Department of Human Services supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2461, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2461, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1578-06 Finance on S.B. No. 2774

The purpose of this bill is to assist families who may lose their homes due to the closure of plantations such as Del Monte Fresh Produce by making plantation community subdivisions a permitted use under agricultural land use district classification and zoning.

The League of Women Voters of Hawaii and ILWU Local 142 testified in support of this bill. The Department of Planning and Permitting of the City and County of Honolulu opposed this measure. The Department of Agriculture and State of Hawaii Land Use Commission offered comments.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2774, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2774, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1579-06 Finance on S.B. No. 3000

The purpose of this bill is to expedite approval and permitting processes for affordable housing projects by, among other things:

- (1) Requiring reviewing agencies to respond within 45 days of receipt of an application, or the application will be deemed acceptable as submitted; and
- (2) Allowing county councils and the Land Use Commission to approve projects with modifications.

The State of Hawaii Land Use Commission, Land Use Research Foundation of Hawaii, and League of Women Voters of Hawaii testified in support of this bill. The Housing and Community Development Corporation of Hawaii and Office of Hawaiian Affairs supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3000, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3000, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1580-06 Finance on S.B. No. 3247

The purpose of this bill is to ensure the continuation of care homes and the availability of care home facilities to Medicaid recipients by:

- (1) Increasing the maximum capacity for adult family boarding homes, care homes, adult residential care homes, expanded adult residential care homes, and community care foster family homes;
- (2) Requiring a certain number of beds to be reserved for Medicaid patients according to the type of care home; and
- (3) Making permanent the home- and community-based case management agencies and community care foster family homes law.

The Department of Human Services, Hawaii Disability Rights Center, Alliance of Residential Care Administrators, Adult Foster Home Association of Hawaii, Hawaii Coalition of Care Home Administrators, United Group of Home Operators, and numerous concerned individuals testified in support of this bill. The State Council on Development Disabilities did not support this measure. The Department of Health provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 3247, 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. 3247, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1581-06 Finance on S.B. No. 2600

The purpose of this bill is to amend the statutory requirements for court documents, processes, and certificates by:

- (1) Requiring the seal of the court to be in the custody or control of the clerk of the court;
- (2) Allowing the seal of the court to be embossed, stamped, or electronically imprinted upon a court document, process, or certificate; and
- (3) Providing that any requirement that a court document, process, or certificate be signed, certified, acknowledged, verified, exemplified, attested or made under oath or seal, is satisfied if the document bears an electronic seal of the court and an electronic image of the signature of the judge, clerk, or other authorized person.

The Judiciary and Honolulu Police Department testified in support of this bill.

Your Committee has amended this bill by changing the effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2600, 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. 2600, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1582-06 Finance on S.B. No. 87

The purpose of this bill is to ensure that public school substitute teachers are given fair compensation by:

- (1) Establishing a separate bargaining unit for Department of Education (DOE) substitute teachers, including part-time substitute teachers working less than one-half of a full-time equivalent position; and

- (2) Providing DOE substitute teachers with the option to join the new bargaining unit or another existing bargaining unit.

The Substitute Teachers Professional Alliance, Inc., and Hawaii State Teachers Association testified in support of this bill. DOE and several concerned individuals opposed this measure. The Department of Human Resources Development offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; 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. 87, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 87, S.D. 2, H.D. 1.

Signed by all members of the Committee.
(Representatives Evans, Moses and Pine voted no.)

SCRep. 1583-06 Finance on S.B. No. 2273

The purpose of this bill is to clarify and conform existing statutory language regarding the Employees' Retirement System (ERS) to current practices. Among other things, this bill:

- (1) Allows former contributory plan members whose accumulated contribution balances are more than \$1,000 to leave their contributions in the ERS until they reach the age of 62;
- (2) Requires the filing of accidental and ordinary death benefit claims within three years of a member's death;
- (3) Allows former employees with vested contributory plan rights to withdraw their contributions at any time;
- (4) Allows the Board of Trustees of the ERS to use limited liability companies as an investment vehicle;
- (5) Establishes a deadline for employer contributions and requires payment of interest by the employer on late contributions for members who are called to active military duty;
- (6) Clarifies that ordinary death benefits are payable to a beneficiary if a member with vested status dies before the member is eligible to retire while on active military duty;
- (7) Gives members who are out of state on active military duty additional time to make the Hybrid Plan election;
- (8) Eliminates the June 30, 2006, deadline by which members must claim noncontributory plan membership service for such service to be eligible for conversion to the Hybrid Plan membership service since no ruling has yet been received from the Internal Revenue Service;
- (9) Clarifies selection and irrevocability of beneficiary designations under survivor retirement options;
- (10) Clarifies that the computation of non-tax qualified benefits for highly compensated individuals includes the member's class of service as of June 30, 2004; and
- (11) Amends and adds various definitions for consistency and conformity.

The Department of Budget and Finance and Hawaii State Teachers Association testified in support of this bill.

Your Committee has amended this bill by making technical, nonsubstantive amendments for 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. 2273, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2273, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Meyer.

SCRep. 1584-06 Finance on S.B. No. 3090

The purpose of this bill is to improve the efficiency of the worker's compensation system by requiring the Director of Labor and Industrial Relations (DLIR) to establish standardized forms for health care providers to use when reporting on and billing for injuries compensable under the State Workers' Compensation Law.

The Department of Human Resources Development, ILWU Local 142, and Hawaii State Chiropractic Association supported this bill. The Hawaii Insurers Council and Hawaii Chapter, American Physical Therapy Association supported this measure with amendments. DLIR offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical nonsubstantive amendments for 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. 3090, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3090, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1585-06 Finance on S.B. No. 2879

The purpose of this bill is to appropriate funds to assist the Hawaii Civil Air Patrol in defraying its operational expenses.

The Department of Defense, Civil Air Patrol, Hawaii Wing, and a concerned individual supported this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, 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. 2879, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2879, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1586-06 Finance on S.B. No. 2570

The purpose of this bill is to stimulate the growth of the film industry by providing incentives for motion picture, digital media, and film productions taking place in Hawaii through temporary adjustments of the Motion Picture and Film Production income tax credit (New Tax Credit).

Specifically, this bill, among other things:

- (1) Includes digital media and commercials in the list of productions that qualify for the New Tax Credit;
- (2) Allows a qualified production taking place in a location with a population of greater than 700,000 to claim a tax credit of 15 percent of the qualified production costs;
- (3) Allows a qualified production taking place in a location with a population of 700,000 or less to claim a tax credit of 20 percent of the qualified production costs;
- (4) Establishes criteria that productions must meet to qualify for the New Tax Credit;
- (5) Provides a maximum amount of \$8,000,000 for which qualified productions can claim under the New Tax Credit; and
- (6) Repeals the New Tax Credit on January 1, 2016.

The Department of Business, Economic Development, and Tourism, Department of Taxation, Honolulu Film Office of the Office of the Mayor of the City and County of Honolulu, Big Island Film Office of the County of Hawaii Department of Research and Development, Hawaii Film and Entertainment Board, Hawaii Film Authority, Inc., International Brotherhood of Electrical Workers, Local Union 1260, Screen Actors Guild, International Alliance of Theatrical Stage Employees, Mixed Local 665, American Federation of Musicians, and concerned individuals testified in support of this bill. The Tax Foundation of Hawaii offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2570, 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. 2570, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Evans.

SCRep. 1587-06 Finance on S.B. No. 2575

The purpose of this bill is to help preserve the traditional way of life along the Waianae Coast by appropriating funds to enable the completion of a baseline environmental study of the Waianae Coast ocean area.

The Waianae Coast Neighborhood Board No. 24 and concerned individuals testified in support of this bill. The Department of Land and Natural Resources testified in opposition to this measure.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and

- (2) Making technical, nonsubstantive amendments for 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. 2575, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2575, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Tsuji.

SCRep. 1588-06 Finance on S.B. No. 1294

The purpose of this bill is to preserve native Hawaiian culture by providing that a portion of public land trust proceeds be expended by the Office of Hawaiian Affairs (OHA) to repair and maintain the Royal Mausoleum at Mauna 'Ala.

OHA, Kamehameha Schools, Association of Hawaiian Civic Clubs, and a concerned individual testified in support of this bill. The Charles R. Bishop Trust supported this measure with comments. The Department of Land and Natural Resources did not support 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. 1294, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1589-06 Finance on S.B. No. 2150

The purpose of this bill is to provide financial support for the repair and maintenance of the State's small boat harbors by:

- (1) Requiring 50 percent of the general excise tax revenue received from commercial permittees in small boat harbors to be credited to the Boating Special Fund; and
- (2) Prohibiting the transfer of small boat harbors to the counties except as provided by statute.

The Hawaii Boaters Political Action Association, Ocean Tourism Coalition, and numerous concerned individuals testified in support of this bill. The Department of Taxation and Department of Land and Natural Resources opposed 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. 2150, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Tsuji.

SCRep. 1590-06 Finance on S.B. No. 2898

The purpose of this bill is to:

- (1) Designate the chief executive officer of the Hawaii Health Systems Corporation (HHSC) as the chief procurement officer; and
- (2) Increase the maximum amount of a purchase that qualifies as a small purchase from \$25,000 to \$50,000.

The Department of Accounting and General Services, HHSC, and several concerned individuals supported this measure. The State Procurement Office supported the intent of this measure and suggested amendments.

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. 2898, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Meyer.

SCRep. 1591-06 Finance on S.B. No. 3059

The purpose of this bill is to increase student achievement in the state's public schools by establishing and maintaining a model curriculum for teachers to meet the Hawaii performance standards required by the No Child Left Behind Act of 2001.

The Hawaii Automobile Dealers' Association and concerned individuals testified in support of this bill. The Hawaii State Teachers Association supported the intent of this measure. The Department of Education opposed this measure.

While recognizing the potential value in establishing a model curriculum, your Committee also wishes to note its concern that the impetus for doing so may more properly come from the Department or Board of Education. However, your Committee wishes to advance this measure in the interests of continuing discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3059, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1592-06 Finance on S.B. No. 3119

The purpose of this bill is to provide the Hawaiian Homes Commission (HHC) with the necessary flexibility and authority to manage, invest, and reinvest funds to earn a higher return for moneys in the Hawaiian Home Lands Trust Fund (Trust Fund) by authorizing HHC to deposit moneys contained in the Trust Fund in depositories other than the state treasury.

The Department of Hawaiian Homelands supported this measure. The Department of Budget and Finance offered comments.

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. 3119, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1593-06 Finance on S.B. No. 3146

The purpose of this bill is to protect the health and safety of the people of Hawaii by:

- (1) Providing funds through a grant-in-aid to the Director of Health to contract for intra-island roto-wing emergency aeromedical services for rural Oahu only, provided that certain conditions and requirements are met;
- (2) Providing funds through a grant-in-aid to the County of Hawaii to staff the aeromedical helicopter unit on the Island of Hawaii;
- (3) Appropriating funds for two emergency mobile urgent care units stationed at the fire departments of the Ocean View and Volcano communities on the Island of Hawaii;
- (4) Appropriating funds to establish an emergency medical services ambulance unit that would provide 16-hours-per-day, 7-days-per-week emergency response service to the areas of Lower Mililani, Waipio Gentry, Waikele, Crestview, East Waipahu, Waiawa, and the Pearl City industrial area on Oahu;
- (5) Appropriating funds for 24-hour advanced life support ambulance service for the Haiku District on Maui; and
- (6) Appropriating funds for emergency services at the Waianae Coast Comprehensive Health Center.

The State Department of Defense, the Mayor of the County of Hawaii, a member of the Hawaii County Council, The Queen's Medical Center, the County of Hawaii Fire Department, and Pacific Medical Assets testified in support of this bill. The Department of Health and Emergency Services Department of the City and County of Honolulu supported the intent of this measure. The Department of the Attorney General submitted comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3146, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1594-06 Finance on S.B. No. 3205

The purpose of this bill is to expand medical coverage under medical assistance programs administered by the Department of Human Services (DHS) by requiring those programs to cover chiropractic services for the three-year fiscal period of July 1, 2006, to June 30, 2009, provided that DHS is authorized to negotiate rates or establish payment and reimbursement rates as appropriate.

This measure also directs the Director of Human Services to submit an impact report to the Legislature by 2009.

The Hawaii State Chiropractic Association, Big Island Chiropractic: A Creating Wellness Center, and numerous concerned individuals testified in support of this bill. DHS supported 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. 3205, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1595-06 Finance on S.B. No. 1899

The purpose of this bill is to promote exports of rainbow papaya produced in Hawaii by appropriating funds to:

- (1) Provide the scientific information necessary to support the deregulation of exports of genetically engineered Hawaiian rainbow papaya into the Japanese market; and
- (2) Initiate the development and implementation of a marketing plan to promote transgenic and non-transgenic Hawaiian papaya in Japan and in future markets, including China and the European Union.

The Hawaii Agriculture Research Center, Hawaii Farm Bureau Federation, Hawaii Crop Improvement Association, Tropical Hawaiian Products, C&H Farms, and numerous concerned individuals testified in support of this bill. The Hawaii Papaya Industry Association supported this measure and suggested revisions. The Dean of the College of Tropical Agriculture and Human Resources of the University of Hawaii at Manoa and Department of Agriculture supported the intent of this measure.

Your Committee wishes to note the willingness of the beneficiaries of this legislation to contemplate the possibility of either reimbursing the State for its financial support or otherwise aiding in the support of the next promising agricultural industry, should this measure's funding yield profitability.

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. 1899, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1596-06 Finance on S.B. No. 2949

The purpose of this bill is to provide the Office of the Ombudsman (Ombudsman) the authority to investigate out-of-state, private, or federal correctional facilities that have contracts with the Department of Public Safety to house Hawaii inmates.

The Community Alliance on Prisons, A Woman's Voice International, and many concerned individuals supported the bill. Several concerned individuals supported this bill with amendments. The Ombudsman offered comments and amendments to this measure.

Your Committee notes that several amendments were offered by the Ombudsman to better clarify the intent of the measure and the role of the Ombudsman. The amendments suggested, however, are beyond the purview of your Committee on Finance. Your Committee believes that many of these suggestions merit further discussion by the subject matter committees as the bill moves through the legislative process.

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. 2949, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1597-06 Finance on S.B. No. 2505

The purpose of this bill is to protect our youth and prevent alcohol and substance abuse among Hawaii's children by appropriating funds to extend adolescent school-based substance abuse treatment programs to middle and intermediate schools, with priority given to schools with the greatest need.

The Hawaii Substance Abuse Coalition, Hina Mauka, Hawaii State Teachers Association, and several concerned individuals testified in support of this bill. The Department of Health and Department of Education supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Correcting a grammatical error in the title of the measure by changing the word "makes" to "making";
- (2) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for 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. 2505, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2505, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1598-06 Finance on S.B. No. 2838

The purpose of this bill is to ensure the continued identification, counseling, retention, and education of at-risk high school students by:

- (1) Appropriating funds for the Comprehensive School Alienation Program (CSAP); and
- (2) Specifying that the allocation of CSAP funds to the High Core Program in the central district is exempt from the weighted student formula.

The Hawaii State Teachers Association and numerous concerned individuals testified in support of this bill. The Department of Education supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2838, 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. 2838, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1599-06 Finance on S.B. No. 2145

The purpose of this bill is to take a step toward ensuring environmental protection for all communities by appropriating funds for:

- (1) The Environmental Council to facilitate and coordinate the State's environmental justice activities; and
- (2) The Office of Environmental Quality Control (OEQC) to contract with the University of Hawaii (UH) Environmental Center to conduct a comprehensive review of the State's existing environmental impact statement process.

The Environmental Council, OEQC, Conservation Council for Hawai'i, Life of the Land, and several concerned individuals testified in support of this bill. UH Environmental Center provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 2145, 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. 2145, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1600-06 Finance on S.B. No. 2348

The purpose of this bill is to prepare the State of Hawaii for a potential outbreak of avian influenza by making an emergency appropriation of \$11,000,000 for the Department of Health (DOH) to acquire medication, supplies, laboratory equipment, personal protective equipment, and a data management system for tracking cases and contacts.

DOH and Healthcare Association of Hawaii testified in support of this bill.

Your Committee recognizes the imminent need to adequately prepare for a potential pandemic, however, it is also of critical necessity to ensure that appropriated funds will be spent in an efficient and well-planned manner.

Accordingly, your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; 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. 2348, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2348, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1601-06 Finance on S.B. No. 2480

The purpose of this bill is to appropriate funds to conduct a study on the feasibility of constructing a wastewater treatment facility for Kapoho Vacationland Estates and Farmlots and public restrooms at the Wai O Pae Marine Life Conservation District on the island of Hawaii.

The Department of Health supported the intent of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2480, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2480, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1602-06 Finance on S.B. No. 3105

The purpose of this bill is to increase the number of reverse vending machines available to consumers and make other improvements to Hawaii's redemption and recycling infrastructure by:

- (1) Allowing any person, not just dealers who sell beverages in deposit containers, to obtain a rebate if they purchase a reverse vending machine and operate a redemption center or have the machine serviced by a recycler for at least two years;
- (2) Extending for two years, to December 31, 2007, the date by which reverse vending machines must be operational to qualify for the rebate;
- (3) Changing the rebate amount to 50 percent of the cost of the reverse vending machine;

- (4) Removing the requirement that the rebate must be applied for prior to purchasing the reverse vending machine; and
- (5) Extending the sunset date of the reverse vending machine, redemption center, and recycling infrastructure improvement programs for two years, to June 30, 2008.

The Department of Health, RRR Recycling Services Hawaii, and Windward Ahupua'a Alliance testified in support of this bill. Reynolds Recycling and Sierra Club, Hawaii Chapter supported this measure with amendments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 3105, 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. 3105, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1603-06 Finance on S.B. No. 2227

The purpose of this bill is to provide reimbursement for telehealth consultation services, unless a health care provider-patient relationship does not exist between the patient and one of the health care providers involved in the telehealth interaction.

The Department of Health, Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, Hawaii Primary Care Association, Hawaii Pacific Health, Hawaii Psychological Association, Hilo Medical Center, Kapiolani Medical Center for Women and Children, and a concerned individual supported this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, 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. 2227, 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. 2227, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1604-06 Finance on S.B. No. 1512

The purpose of this bill is to help reduce domestic violence by authorizing the Director of Health to establish domestic violence fatality review teams to conduct multidisciplinary and multiagency reviews of domestic violence fatalities.

The Department of the Attorney General, Department of Health, County of Hawaii Office of the Prosecuting Attorney, County of Kauai Office of the Prosecuting Attorney, Domestic Violence Clearinghouse and Legal Hotline, and Hawaii State Coalition Against Domestic Violence testified in support of this bill.

Your Committee has amended this bill by making technical, nonsubstantive amendments for 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. 1512, 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. 1512, S.D. 1, H.D. 3.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1605-06 Finance on S.B. No. 3192

The purpose of this bill is to promote international relationships through the establishment of a Hawaii Sister-State Committee to advise the Governor and Legislature on matters relating to sister-state or province relations, including initiating, maintaining, and dissolving of said relationships.

The East-West Center supported this bill. The University of Hawaii supported the intent of this measure. The Department of Business, Economic Development, and Tourism provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, 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. 3192, 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. 3192, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Meyer.

SCRep. 1606-06 Finance on S.B. No. 2954

The purpose of this bill is to ensure a viable future for Hawaii's agricultural ventures by providing funding sources and incentives to repair and maintain our aging irrigation systems. Specifically this bill:

- (1) Establishes an Irrigation Repair And Maintenance Special Fund (Special Fund);
- (2) Establishes a tax credit for matching funds provided by landowners who receive funding from the Special Fund; and
- (3) Appropriates money for the repair of irrigation systems statewide.

The Agribusiness Development Corporation, University of Hawaii's College of Tropical Agriculture and Human Resources, Castle and Cook Hawaii, Meadow Gold Dairies, Alexander and Baldwin, C and H Farms, Hawaii Crop Improvement Association, East Kauai Water Users' Cooperative, Pineapple Growers Association of Hawaii, Maui County Farm Bureau, Big Island Farm Bureau, Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, and Hawaii Agricultural Research Center supported this bill. The Department of Agriculture and Department of Taxation supported the intent of this measure. The Office of Hawaiian Affairs, Department of Planning and Permitting of the City and County of Honolulu, and Earthjustice opposed this bill. The Department of Budget and Finance and Tax Foundation of Hawaii provided comments.

Your Committee has amended this bill by:

- (1) Appropriating money from the general fund rather than authorizing the use of general obligation bonds as a direct means of financing repair and maintenance projects for specific irrigation systems;
- (2) Deleting the \$11,866,000 appropriation for repair and maintenance projects for specific irrigation systems; and
- (3) Making technical, nonsubstantive changes for 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. 2954, 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. 2954, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Tsuji and Meyer.

SCRep. 1607-06 Finance on S.B. No. 696

The purpose of this bill is to amend the law on criminal history record checks by, among other things:

- (1) Establishing a single fee for criminal history record checks or name inquiries, including checks by fingerprints and other identifying information, conducted by the Hawaii Criminal Justice Data Center (Center) and other state and county agencies;
- (2) Clarifying the electronic means by which a person may conduct a criminal history record name inquiry;
- (3) Expanding the criminal history record check fee exemption to include nonprofit organizations that conduct record checks on adult volunteers who have direct contact with the elderly or disabled; and
- (4) Authorizing the Center to establish reasonable fees for services provided.

The Attorney General supported this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 696, 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. 696, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1608-06 Finance on S.B. No. 785

The purpose of this bill is to allow public meetings by video teleconferencing to continue even if the video portion of the transmission is interrupted or stopped, upon meeting certain conditions.

The Office of Information Practices and Hawaii Health Systems testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to "upon its approval"; and
- (2) Making technical, nonsubstantive amendments for 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. 785, 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. 785, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1609-06 Finance on S.B. No. 2246

The purpose of this bill is to propose an amendment to Article I of the Constitution of the State of Hawaii to provide that the Legislature may define:

- (1) What behavior constitutes a continuing course of conduct in sexual assault crimes against minors; and
- (2) What constitutes the jury unanimity that is required for a conviction.

The Department of the Attorney General, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kauai, Honolulu Police Department, The Sex Abuse Treatment Center, Hawaii Family Forum, Hawaii Catholic Conference, and two concerned individuals testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2246, 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. 2246, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1610-06 Finance on S.B. No. 2980

The purpose of this bill is to increase the number of skilled workers in the construction industry by appropriating funds to the University of Hawaii (UH) to expand:

- (1) The Construction Academy Program from eight public high schools to 26; and
- (2) Apprenticeship training programs at various community colleges in the state.

UH, the Department of Labor and Industrial Relations, Hawaii Business Roundtable, Castle and Cooke Hawaii, Pacific Resource Partnership, and Hawaii State Teachers Association testified in support of this bill. The Department of Education supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; 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. 2980, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2980, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1611-06 Finance on S.B. No. 3009

The purpose of this bill is to ensure that a fair and equitable civil service system is used for a majority of employees in public service and conforms to the intent and purpose of Act 253, Session Laws of Hawaii 2000, better known as the "Civil Service Reform Act." Among other things, this bill:

- (1) Allows for the conversion of various exempt positions within state government to civil service positions;
- (2) Repeals the provision of Act 88, Session Laws of Hawaii 2001, allowing for civil service positions transferred from the now-defunct Public Employees Health Fund to the Hawaii Employer-Union Health Benefits Trust Fund to become exempt when the position is vacated;

- (3) Requires the Department of Human Resources Development (DHRD) and the Hawaii Government Employees Association (HGEA) to work collaboratively to establish a logical, workable, and fair process for converting exempt positions in various departments to civil service positions;
- (4) Establishes parameters for criteria to formulate a logical, workable, and fair process for converting positions in various departments from exempt to civil service positions;
- (5) Allows an employee who occupies an exempt position for at least one year at the time it is replaced by a civil service position to have a one-time election to remain exempt from civil service, provided that once that position is vacated by the employee, the position shall be converted to civil service;
- (6) Requires that an employee who occupies an exempt position at the time it is replaced by a civil service position to be appointed to the civil service position that replaces the employee's exempt position if the employee has occupied the position for at least one year; and
- (7) Requires an employee's compensation to be determined according to the applicable collective bargaining agreement or supplemental agreement covering exempt employees without loss of seniority, prior service credit, accrued vacation, accrued sick leave, or other employee benefits, when an employee is appointed to a replacement civil service position.

HGEA and two concerned individuals testified in support of this bill. The Public Utilities Commission testified in opposition to this measure. DHRD, the Department of Commerce and Consumer Affairs, Department of Land and Natural Resources, and Hawaii Employer-Union Health Benefits Trust Fund submitted comments.

Your Committee finds that the conversion of positions exempt from civil service to civil service positions is a very complex issue that will take time and money. Your Committee notes the concerns raised by DHRD regarding the need for increased positions. Specifically, DHRD has requested that an additional Personnel Management Specialist V and an additional Personnel Technician VI be allocated to its Employee Classification and Compensation Division and that two additional Personnel Management Specialist V positions be allocated to its Employee Staffing Division. Your Committee notes that DHRD has sustained staffing cuts over the past 15 years and that the allocations of these positions will be necessary for DHRD to fully effectuate the intent and purpose of this act.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3009, 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. 3009, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1612-06 Finance on S.B. No. 3077

The purpose of this bill is to:

- (1) Require the Department of Land and Natural Resources (DLNR) to consult with the Senate President and Speaker of the House of Representatives when:
 - (A) Preparing or revising a resource land acquisition plan; and
 - (B) Making recommendations to the Board of Land and Natural Resources (BLNR) on the acquisition of lands having value as a resource to the State;
 and
- (2) Require BLNR to consult with the Senate President and Speaker of the House of Representatives when:
 - (A) Selling, leasing, or otherwise conveying lands having value as a resource to the State; and
 - (B) Making grants to state agencies, counties, and nonprofit land conservation organizations for the purchase or acquisition of interests or rights in land having value as a resource to the State.

DLNR supported this bill. The Trust for Public Land supported this measure and offered an amendment. The Department of Agriculture, Nature Conservancy of Hawaii, and Hawaii Agriculture Research Center provided comments with suggested amendments.

Your Committee has amended this measure by:

- (1) Adding an appropriation for an unspecified amount from the Land Conservation Fund;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for 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. 3077, 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. 3077, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Tsuji.

SCRep. 1613-06 Judiciary on S.B. No. 2385

The purpose of this bill is to:

- (1) Establish a three-tiered sentencing structure with graduated penalties for drivers who violate Hawaii's pedestrian crosswalk law;
- (2) Establish a Photo Red Light Imaging Detector Systems Program (Program) for enforcement of traffic signal laws;
- (3) Allow the counties to implement the Program; and
- (4) Appropriate an unspecified amount of funds for the implementation of the Program on Oahu.

The Department of Transportation, Department of Health, and the Honolulu Police Department supported this bill. The Honolulu Department of the Prosecuting Attorney supported the intent of this bill. The Office of the Public Defender and several concerned individuals opposed this measure. The Judiciary provided comments.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2385, 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. 2385, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1614-06 Finance on S.B. No. 3138

The purpose of this bill is to appropriate funds for the Hawaii 2050 Sustainability Task Force to:

- (1) Conduct policy analyses and research;
- (2) Provide community outreach;
- (3) Launch a public education and media campaign; and
- (4) Conduct an assessment of the feasibility and benefits of establishing "Hawaii" as a brand name.

Navatek, Ltd., OmniTrak Group, Inc., Asia Pacific Flowers, Inc., Green Point Nurseries, Inc., Hawaii Florists and Shippers Association, and Hawaii Biotech, Inc., testified in support of this bill. The Office of Planning supported 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. 3138, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Meyer.

SCRep. 1615-06 Finance on S.B. No. 2337

The purpose of this bill is to provide mental health services at the Hawaii State Hospital and community-based facilities by:

- (1) Making an emergency appropriation of \$4,724,703 for fiscal year 2005-2006; and
- (2) Authorizing an increase in the expenditure ceiling of the Mental Health and Substance Abuse Special Fund by an additional \$6,148,944,

The Department of Health, Hawaii Disability Rights Center, NAMI Oahu, and a concerned individual 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. 2337, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1616-06 Finance on S.B. No. 2338

The purpose of this bill is to make an emergency appropriation of \$6,807,562 for the Title XIX Medicaid Home and Community-based Waiver Program for the developmentally disabled or mentally retarded.

The Department of Human Services, Department of Health, State Council on Developmental Disabilities, Attorney General, and Hawaii Disability Rights Center 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. 2338 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1617-06 Finance on S.B. No. 2340

The purpose of this bill is to continue to provide early intervention services as required by the Child Abuse Prevention and Treatment Act and the Individuals with Disabilities Education Improvement Act of 2004 by making an emergency appropriation of \$3,200,928 for fiscal year 2005-2006.

The Department of Human Services, Department of Health, State Council on Developmental Disabilities, Hawaii Early Intervention Coordinating Council, Hawaii Disability Rights Center, Hawaii Chapter of the American Physical Therapy Association, and the American Academy of Pediatrics, Hawaii Chapter, 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. 2340, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1618-06 Finance on S.B. No. 3252

The purpose of this bill is to provide for the coordination and development of family caregiver support services by appropriating funds to have the Executive Office on Aging coordinate a statewide system of various caregiver support services, including analyzing the long-term care needs of older adults and mobilizing employer and community resources to enable family caregiver support.

AARP Hawaii, Kokua Council, Catholic Charities Hawaii, Waikiki Health Center Friendly Neighbors, Project Dana, Policy Advisory Board for Elder Affairs, Central Oahu Caregivers' Support Group, and numerous concerned individuals testified in support of this bill. The Honolulu County Elderly Affairs Division supported this measure with amendments. The Executive Office on Aging supported the intent of this measure. The Maui County Office on Aging provided comments.

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. 3252, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Magaoay, Yamane and Meyer.

SCRep. 1619-06 Finance on S.B. No. 2958

The purpose of this bill is to address Hawaii's affordable housing and homeless issues by, among other things:

- (1) Removing the requirement that a housing project, to be considered for transfer to another entity for rehabilitation, must no longer be suitable for its original use and intended for demolition;
- (2) Allowing State Rent Supplement Program (SRSP) funds to be used for project-based operating subsidies for state low-income housing units that are transferred to private organizations for management and operation;
- (3) Allowing individuals receiving public assistance to qualify as tenants for public housing;
- (4) Extending from June 30, 2007, to June 30, 2009, the use of the Rental Housing Trust Fund (RHTF) to provide grants for rental units for households at or below 30 percent of the median family income;
- (5) Increasing from 30 to 65 percent the conveyance tax allocation to RHTF;
- (6) Authorizing the lease of parcels deemed suitable for affordable housing at \$1 per year for up to 50 years for self-help development;
- (7) Authorizing the transfer of state lands from the Department of Land and Natural Resources (DLNR) or another state agency to the Hawaii Housing Finance and Development Administration (HHFDA) for affordable housing development;
- (8) Appropriating \$20,000,000 for homeless services and transitional housing programs;
- (9) Appropriating \$10,000,000 to repair and modernize vacant units in federal and state public housing projects;
- (10) Appropriating \$400,000 for interim construction loans for up to ten homes to be developed as self-help ownership homes;
- (11) Setting aside five percent of state low-income public housing units for grandparents who are primary caregivers for grandchildren, and making related amendments;
- (12) Appropriating \$6,800,000 for HHFDA to acquire the Kulana Nani property from Kamehameha Schools and retain the property as affordable housing; and
- (13) Appropriating funds to renovate existing structures at Kalaeloa to provide shelter to homeless veterans.

The Office of Hawaiian Affairs, Department of Taxation, The League of Women Voters of Hawaii, Affordable Housing and Homeless Alliance, Hawaii Disability Rights Center, Hawaii Habitat for Humanity, AARP Hawaii, Hawaii Association of Realtors, Hawaii Business Roundtable, Partners in Care, and several concerned individuals testified in support of this bill. The Office of the Governor and a concerned individual supported this measure with amendments. The Policy Advisory Board for Elder Affairs supported the intent of this bill in part. The Attorney General, Housing and Community Development Corporation of Hawaii, City and County of Honolulu Department of Community Services, and Tax Foundation of Hawaii offered comments.

Your Committee notes that significant legal concerns were raised with regard to the provision requiring a five-percent set aside of state low-income public housing units for grandparents who are the primary caregivers for their grandchildren. While your Committee recognizes that such concerns indeed exist, your Committee believes that further discussion is merited.

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. 2958, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka, Tsuji, Pine and Stevens.

SCRep. 1620-06 Finance on S.B. No. 2248

The purpose of this bill is to, among other things:

- (1) Require professional solicitors for charitable organizations, when making oral solicitations and before collecting a contribution, to submit to each contributor written confirmation of the expected contribution, specifying various details about the solicitor and the extent to which the contribution may be tax deductible; and
- (2) Deem a professional fundraising counsel to be a professional solicitor if the fundraising counsel's compensation is related to the amount of contributions received.

The Department of the Attorney General 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. 2248, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1621-06 Finance on S.B. No. 965

The purpose of this bill is to amend Hawaii's wiretap law by, among other things:

- (1) Deleting the requirement that an applicant for an intercept order appear at an in camera adversary hearing on the application and that the judge appoint independent counsel to oppose the application;
- (2) Establishing a surveillance review unit (unit) in the Department of the Attorney General (AG) to review all applications for interception of wire, oral, or electronic communications;
- (3) Requiring that a written memorandum from the unit deputy AG accompany each application for an intercept order, with a recommendation to approve or disapprove the application;
- (4) Protecting applications and orders from disclosure absent a showing of good cause;
- (5) Making it a class C felony for any person to intentionally disclose the contents of any intercepted communication;
- (6) Allowing the AG to seek an injunction against any illegal interception of communication; and
- (7) Requiring annual reports to the Legislature concerning pen register orders and orders for trap and trace devices.

The AG, City and County of Honolulu Department of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, County of Kauai Office of the Prosecuting Attorney, Kuliouou/Kalani Iki Neighborhood Board #2, and a concerned individual testified in support of this bill. The County of Hawaii Office of the Prosecuting Attorney supported the intent of this measure. The American Civil Liberties Union of Hawaii and a concerned individual opposed 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. 965, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1622-06 Finance on S.B. No. 439

The purpose of this bill is to improve enforcement of state ethics laws by authorizing the State Ethics Commission (Commission) to impose administrative fines of up to \$500 for violations of the State Ethics Code for which no fine has been established.

The Commission and The League of Women Voters of Hawaii testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 439, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 439, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1623-06 Finance on S.B. No. 613

The purpose of this bill is to reduce adult offender recidivism by appropriating funds for the Interagency Council on Intermediate Sanctions to continue to implement its five-year strategic plan.

The Judiciary, Department of the Attorney General, Department of Health, Hawaii Paroling Authority, Department of Public Safety, and Community Alliance on Prisons testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020; and
- (2) Making technical, nonsubstantive amendments for 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. 613, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 613, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1624-06 Finance on S.B. No. 2433

The purpose of this bill is to appropriate funds for grants-in-aid to the prosecuting attorney's office in each county for the county's career criminal prosecution unit and the victim witness assistance program.

The Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney for the County of Maui, County of Kauai Office of the Prosecuting Attorney, Honolulu Police Department, Maui Victim-Witness Assistance Division of the Maui Department of the Prosecuting Attorney, Kauai Office of the Prosecuting Attorney Victim/Witness Program, Office of the Prosecuting Attorney for the County of Hawaii, Hawaii Office of Mothers Against Drunk Driving, and Sex Abuse Treatment Center testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2433, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2433, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1625-06 Finance on S.B. No. 2887

The purpose of this bill is to develop criteria allowing more individuals with trade or industry experience to teach in a vocational, technical, or career pathway education program by:

- (1) Authorizing the Superintendent of Education to issue teaching permits to highly-qualified individuals with pertinent trade or industry experience;
- (2) Requiring the Department of Education (DOE) to be responsible for review and acceptance of industry licenses, certificates, experiences, or other qualifications deemed necessary to receive a teaching permit; and
- (3) Authorizing the waiver of a bachelor's degree to teach in a vocational, technical, or career pathway education program.

The Department of Industrial Relation's Workforce Development Council, Hawaii Teacher Standards Board, University of Hawaii, and Hawaii State Teachers Association supported this bill. DOE and Pacific Research Partnership supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, 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. 2887, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2887, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1626-06 Finance on S.B. No. 2948

The purpose of this bill is to ensure the betterment of the conditions of native Hawaiians by facilitating the process of deciding the amount of funds that should be made available to the Office of Hawaiian Affairs (OHA) from the pro rata portion of the Public Land Trust (Land Trust). Specifically, this bill:

- (1) Determines that the annual pro rata portion of the Land Trust shall be \$15,100,000;
- (2) Streamlines the process of collecting revenues from use of lands within the Land Trust by requiring the:
 - (A) Department of Agriculture;
 - (B) Department of Accounting and General Services;
 - (C) Department of Business, Economic Development, and Tourism;
 - (D) Department of Education;
 - (E) Department of Land and Natural Resources (DLNR);
 - (F) Department of Transportation; and
 - (G) Any other department or agency that collects receipts from lands within the Land Trust;
 to determine and transfer a portion of receipts from the use of lands within the Land Trust to OHA;
- (3) Appropriates \$17,500,000 to OHA to make up for underpayment for use of lands in the Land Trust between July 1, 2001, and June 30, 2005;
- (4) Requires all state agencies to provide an accounting of all receipts from use of land within the Land Trust; and
- (5) Appropriates \$250,000 for state agencies to provide accounting records.

OHA and the Department of the Attorney General testified in support of this bill. DLNR opposed this measure in part.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; 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. 2948, 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. 2948, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1627-06 Finance on S.B. No. 3120

The purpose of this bill is to encourage Hawaii residents to pursue post-secondary school education. Specifically, this bill, among other things:

- (1) Establishes a Workforce Development Scholarship Program (Workforce Program) within the University of Hawaii (UH) to provide scholarships for Hawaii residents enrolled at a community college campus of UH and who are eligible for need-based federal financial aid;
- (2) Specifies that state funds for all scholarship programs be placed in a separate account within the Student Scholarship and Assistance Fund;
- (3) Appropriates additional funds for the B Plus Scholarship Program; and
- (4) Appropriates funds to establish the Workforce Program.

UH supported the intent of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; 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. 3120, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3120, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1628-06 Finance on S.B. No. 1223

The purpose of this bill is to change the service fee that may be assessed by a payee or holder in due course of a dishonored check, draft, or order.

The Credit Associates of Maui, Ltd., Pacific Collections, Doctors Business Bureau of Hawaii, VeriCheck, and Collection Agency of Hawaii, Big Island, and MEDCAH, Inc., supported this measure with amendments. The Department of Commerce and Consumer Affairs provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion.
- (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. 1223, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1223, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1629-06 Finance on S.B. No. 2546

The purpose of this bill is to aggressively jump-start a new economy in Hawaii by taking a strong step forward in supporting the development of advanced technology, life sciences, and renewable energy by setting aside \$100,000,000 to invest in these entrepreneurial ventures. This bill, among other things, establishes three new special funds to provide a wide range of technical and business support for approved projects and professional investor services.

The High Technology Development Corporation, Enterprise Honolulu, Hawaii Pacific Health, Hawaii Crop Improvement Association, Hawaii Science and Technology Council, Hawaii Biotech, Inc., Oceanit, Energy Industries, NovaSol, Hawaii Venture Capital Association, PacificCap Group, a board member of the Hawaii Science and Technology Council, and several concerned individuals supported this bill. The Department of Business, Economic Development, and Tourism, University of Hawaii, and Hawaii Strategic Development Corporation supported the intent of this measure. University Connections of the University of Hawaii supported this bill with amendments. The Department of Budget and Finance and Tax Foundation of Hawaii provided comments.

Your Committee has amended this bill by changing its effective dates to July 1, 2020, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2546, 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. 2546, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Meyer.

SCRep. 1630-06 Finance on S.B. No. 2909

The purpose of this bill is to allow a county to opt out of the automatic approval law by adopting an ordinance to exempt the county as a whole or any county agency from the automatic permit approval law.

The Hawaii County Planning Department and Sierra Club, Hawaii Chapter testified in support of this bill. The Mayor of the County of Hawaii supported the intent of this measure. The Land Use Research Foundation of Hawaii opposed this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; 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. 2909, 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. 2909, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1631-06 Finance on S.B. No. 3021

The purpose of this bill is to prohibit an employer from discharging, withholding pay from, or disciplining an employee for using accrued and available sick leave unless:

- (1) The employer finds that use of the leave is not legitimate or violates the employer's sick leave policy; or
- (2) The employer's actions are consistent with the employer's attendance policy.

The Hawaii State Teachers Association, ILWU Local 142, Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., and Maui Electric Company, Limited, testified in support of this bill. United Public Workers supported this measure with amendments. The Hawaii Business Roundtable, The Chamber of Commerce of Hawaii, Kauai Chamber of Commerce, National Federation of Independent Business, Retail Merchants of Hawaii, Society for Human Resource Management-Hawaii Chapter, Parents And Children Together, and Hawaii State AFL-CIO opposed this measure. The Department of Labor and Industrial Relations, Hawaii Bankers Association, and Hawaiian Telcom offered comments.

Your Committee has amended this bill by:

- (1) Clarifying that an employer may discipline an employee if the employer's actions are consistent with a negotiated attendance policy rather than the employer's attendance policy. Since at least one union has negotiated an attendance policy, this amendment would avoid preempting the collective bargaining process; and
- (2) Making technical, nonsubstantive amendments for 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. 3021, 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. 3021, S.D. 2, H.D. 2.

Signed by all members of the Committee.
(Representatives Evans, Meyer and Moses voted no.)

SCRep. 1632-06 Finance on S.B. No. 2074

The purpose of this bill is to enhance public safety by:

- (1) Appropriating \$2,000,000 as a grant-in-aid to the City and County of Honolulu for the development costs of a 3-1-1 non-emergency reporting system;
- (2) Specifying that the grant-in-aid will also be used for a study to develop a request for proposal for a 3-1-1 non-emergency response system; and
- (3) Limiting the liability for any civil damages or criminal liability of wireless providers, resellers, or their respective employees, directors, officers, assigns, affiliates, or agents with regards to developing, designing, adopting, establishing, installing, participating in, implementing, maintaining, or providing access to a 3-1-1 service.

A concerned individual testified in support of this bill. Cingular Wireless and The American Heart Association supported the intent of this bill. The City and County of Honolulu Department of Customer Services testified in support of this bill with amendments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2074, 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. 2074, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1633-06 Finance on S.B. No. 845

The purpose of this bill is to promote commercial motor vehicle safety by adopting federally mandated changes of the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT)" Act.

The Department of Transportation and Department of Customer Services of the City and County of Honolulu testified in support of this bill. The Judiciary offered comments.

Your Committee notes that concerns have been raised as follows:

- (1) The definition of "hazardous materials" should reference placarding requirements under Title 49 Code of Federal Regulations, Part 172, Subpart F, rather than Part 391, Subpart F;
- (2) Convictions of non-moving violations, with the exception of parking violations, should also be transmitted to the statewide traffic records system;
- (3) Although the Judiciary would transmit all records of conviction, the Judiciary would not transmit information relating to failure to pay a fine or court cost ordered for a traffic violation, because the federal government is interested in only conviction information;
- (4) All the information to be included in a record of conviction, as provided by the bill, may not be available, so the types of information to be included should be discussed and agreed upon by the Judiciary and the Department of Information Technology of the City and County of Honolulu;
- (5) Clarification is needed as to which highway fund – state or federal – is to receive the portion of revenues derived from fees; and
- (6) The bill should take effect upon approval.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and

- (2) Making technical, nonsubstantive amendments for 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. 845, 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. 845, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1634-06 Finance on S.B. No. 2347

The purpose of this bill is to provide healthy and safe child development support services for families at risk by making an emergency appropriation of \$1,000,000 for the current fiscal year. Funds will be used for Healthy Start Purchase-of-Service programs to provide home visiting services and thereby ensure compliance with the federal Individuals with Disabilities Education Improvement Act.

The Department of Health, Department of Human Services, Hawaii Early Intervention Coordinating Council, and The American Academy of Pediatrics, Hawaii Chapter, 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. 2347, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1635-06 Finance on S.B. No. 2725

The purpose of this bill is to appropriate funds to the Healthy Start Program to allow continued service and support of high-risk families and to prevent further incidences of child abuse and neglect.

The Department of Human Services, Catholic Charities Hawaii, Blueprint for Change, YWCA of Hawaii Island, and Parents and Children Together's Hana Like Home Visitor Program testified in support of this bill. The Hawaii Family Support Institute supported this measure with amendments. The Department of Health supported 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. 2725, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pine.

SCRep. 1636-06 Finance on S.B. No. 2961

The purpose of this bill is to discourage smoking, especially by young people, and to improve the health and safety of the people of Hawaii by:

- (1) Increasing the excise tax on cigarettes for three consecutive years; and
- (2) Allocating the cigarette tax revenues to support:
 - (A) Research and operating expenses of the John A. Burns School of Medicine;
 - (B) Emergency medical services statewide;
 - (C) Trauma care resources; and
 - (D) Community health centers statewide.

The Department of Health, Office of Hawaiian Affairs, Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Hawaii Primary Care Association, American Lung Association of Hawaii, High Technology Development Corporation, Hawaii Pacific Health, The Queen's Medical Center, Hawaii Venture Capital Association, and several concerned individuals testified in support of this bill. The American Heart Association of Hawaii supported the intent of this measure. The University of Hawaii, Cancer Research Center of Hawai'i, Coalition for a Tobacco Free Hawaii, American Cancer Society, Hawaii Science and Technology Council, Hawaii Biotech, Inc., ECG Management Consultants, Inc., Clinical Laboratories of Hawaii, LLP, and numerous concerned individuals supported this bill with amendments. The Tax Foundation of Hawaii and Hawaii Community Development Authority provided comments.

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. 2961, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 1637-06 Finance on S.B. No. 2162

The purpose of this bill is to help foster children successfully transition out of foster care and into independent living by:

- (1) Allowing the Director of Human Services to sign a foster child's application for an instruction permit, provisional license, or driver's license;

- (2) Specifying the persons and programs responsible for paying the motor vehicle insurance of a foster child;
- (3) Allowing higher education board allowances to be paid directly to a former foster child; and
- (4) Removing the requirement that a foster child's medical records be disclosed by the department to the child's foster parents.

The Hawaii Youth Services Network, Legal Aid Society of Hawaii, Keiki O Ka Aina, and a concerned individual testified in support of this bill. The Department of Human Services supported the intent of this measure. Hawaii Insurers Council submitted comments.

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

Signed by all members of the Committee except Representative Pine.

SCRep. 1638-06 Finance on S.B. No. 2323

The purpose of this bill is to ensure that the State qualifies for the maximum amount of federal funds from Title IV-E of the Social Security Act that it is eligible to receive by encouraging the filing of new claims for reimbursements before these federal funds are converted to a block grant program and capped based on new reimbursement levels. This bill authorizes the Judiciary to establish a federal revenue maximization program to:

- (1) Identify services it provides to children under its care that are eligible for federal reimbursements; and
- (2) Submit claims of all eligible services for reimbursement.

The Department of Human Services and a concerned individual 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. 2323, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pine.

SCRep. 1639-06 Finance on S.B. No. 3011

The purpose of this bill is to provide public employees the opportunity to advance in the civil service system by being given first consideration when applying for civil service positions.

The Hawaii Government Employees Association testified in support of this bill. The Department of Human Resources Development supported the intent of this measure. The Department of Human Resources of the City and County of Honolulu and Department of Personnel Services of the County of Maui opposed 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. 3011, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pine.

SCRep. 1640-06 Finance on S.B. No. 2004

The purpose of this bill is to establish the Ahu o Laka State Monument as a protected and maintained historical, cultural, and aesthetically valued site at Kaneohe, Oahu, to be administered by the Department of Land and Natural Resources (DLNR).

DLNR, the Koolau-poko Hawaiian Civic Club, Keahiakahoe Canoe Club, Kahaluu Neighborhood Board No. 29, and several concerned individuals testified in support of this bill. The Kaneohe Bay Regional Council and numerous concerned individuals opposed 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. 2004, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 1641-06 Finance on S.B. No. 3065

The purpose of this bill is to make the One Call Center Advisory Committee (Committee) more representative of the major industries that it affects, by adding representatives of the water utility industry and wastewater industry as appointed members of the Committee, thus increasing its voting membership from 15 to 17 persons.

The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, Honolulu Board of Water Supply, and The Gas Company testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and

- (2) Making technical, nonsubstantive amendments for 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. 3065, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3065, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1642-06 Finance on S.B. No. 2036

The purpose of this bill is to create more diverse business and technology-based jobs by appropriating funds for the High Technology Development Corporation (HTDC) to establish an international business and technology incubator program in Hawaii.

HTDC testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
 (2) Making technical, nonsubstantive amendments for 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. 2036, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2036, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1643-06 Finance on S.B. No. 2484

The purpose of this bill is to improve public health by appropriating funds for the installation of two vog-monitoring stations at Mountain View and Pahala on the island of Hawaii.

The Department of Health (DOH) supported this bill with amendments.

While in favor of establishing vog-monitoring stations on the island of Hawaii, your Committee wishes to note that DOH may benefit from some flexibility in deciding where to situate the stations, since DOH must still conduct detailed site assessments and obtain leases.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
 (2) Making technical, nonsubstantive amendments for 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. 2484, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2484, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1644-06 Finance on S.B. No. 1648

The purpose of this bill is to support our military forces, law enforcement personnel, and other first responders by:

- (1) Providing for tuition refunds for qualifying children of certain law enforcement and military personnel and other first responders killed in the line of duty;
 (2) Providing for tuition refunds to certain members of the military who are unable to attend college for more than 30 days in a semester as a result of their military duties, including members of the Hawaii National Guard or military reserves who are called into active duty and active duty military personnel; and
 (3) Appropriating funds for tuition assistance for members of the Hawaii National Guard who are undergraduate students enrolled in degree programs at the University of Hawaii.

The Hawaii National Guard Association, Hawaii National Guard Enlisted Association, University of Hawaii and The Chamber of Commerce of Hawaii testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
 (2) Making technical, nonsubstantive amendments for 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. 1648, 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. 1648, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1645-06 Finance on S.B. No. 2504

The purpose of this bill is to ensure that appropriate parking is available to persons with disabilities by requiring:

- (1) The counties to issue various parking placards to eligible persons with disabilities; and
- (2) The State to reimburse the counties for parking placards issued to persons with disabilities.

The City and County of Honolulu, State Council on Developmental Disabilities, Disability and Communication Access Board, and a concerned individual testified in support of this bill. The Chair and a member of the Maui County Council opposed this bill. The Maui County Department of Finance provided comments.

Your Committee has amended this bill by:

- (1) Changing the appropriation amount to \$1;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments 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. 2504, 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. 2504, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Magaoay, Yamane and Meyer.

SCRep. 1646-06 Finance on S.B. No. 2630

The purpose of this bill is to appropriate funds to provide for continued operation of developmental disabilities domiciliary homes and apartment complexes for persons with developmental disabilities.

The State Council on Developmental Disabilities, Disability and Communication Access Board, The Arc in Hawaii, The Arc of Kona, Hawaii Disability Rights Center, and Opportunities For The Retarded, Inc., testified in support of this bill. The Department of Human Services and Department of Health supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2630, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2630, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Magaoay and Yamane.

SCRep. 1647-06 Finance on S.B. No. 2727

The purpose of this bill is to allow moneys from the Neurotrauma Special Fund to be used for direct services to individuals with neurotraumatic injuries.

The Department of Human Services, Hawaii Disability Rights Center, Hawaii Psychological Association, and several concerned individuals testified in support of this bill. A concerned individual supported the intent of this measure. The Department of Health offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2727, 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. 2727, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Magaoay and Yamane.

SCRep. 1648-06 Finance on S.B. No. 3270

The purpose of this bill is to protect the health and welfare of Hawaii's people by:

- (1) Ensuring that federally qualified health centers and rural health clinics receive minimum payment for services provided to certain uninsured patients, such as QUEST and medicaid patients, by incorporating a prospective payment mechanism into state law; and
- (2) Appropriating funds to the Department of Health (DOH) to provide medical care to the uninsured through nonprofit, community-based health care providers.

The Hawaii Primary Care Association, Waianae Coast Comprehensive Health Center, Ho'ola Lahui Hawaii, Hamakua Health Center, Inc., Waikiki Health Center, Kalihi-Palama Health Center, Molokai Ohana Health Care, Inc., Ko'olauloa Community Health and Wellness Center, Bay Clinic, Inc., National Association of Social Workers, and several concerned individuals testified in support of this bill. DOH and the Department of Human Services supported the intent of this measure. The Department of the Attorney General submitted comments.

Your Committee believes that federally qualified health centers and rural health clinics serve crucial functions in providing health care to our community populations. However, your Committee wishes to raise the concern that the payment mechanisms referred to in this measure are currently funded by federal matching funds, and there may be a time when such funds are no longer available. Under the provisions set forth in this measure, the State may then be required to continue a certain level of payments, despite the loss of federal matching funds.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3270, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3270, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Magaoay and Yamane.

SCRep. 1649-06 Finance on S.B. No. 2076

The purpose of this bill is to encourage lessors of residential real properties to sell their fee interest by providing an incentive in the form of an income tax exemption for 100 percent of the gain realized from the sale.

Hawaii Independent Condominium & Cooperative Owners, Hawaii Council of Associations of Apartment Owners, Hawaii Association of Realtors, The League of Women Voters of Hawaii, Monarch Properties, Inc., and several concerned individuals testified in support of this bill. The Department of Taxation and Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2076, 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. 2076, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1650-06 Finance on S.B. No. 3215

The purpose of this bill is to support children of incarcerated parents by establishing in law the Children of Incarcerated Parents Task Force (Task Force), which was originally established by legislative resolution, to:

- (1) Develop a system to identify children of incarcerated parents in Hawaii and make appropriate referrals;
- (2) Determine the impact that parental incarceration has on children of incarcerated parents;
- (3) Identify the needs of children of incarcerated parents and develop responsive programs to assist them;
- (4) Identify local programs and models, including Neighbor Island programs and models; and
- (5) Review other jurisdictions' activities, policies, directives, and laws relating to children of incarcerated parents and derive best practices models therefrom.

This measure also appropriates funds to address the Task Force's financial needs.

The Department of Human Services, Community Alliance on Prisons, Hawaii Youth Services Network, Blueprint for Change, and a concerned individual testified in support of this bill.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 3215, 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. 3215, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1651-06 Finance on S.B. No. 2959

The purpose of this bill is to improve manpower training and workforce development in the state by establishing a rapid response development and training program within the community college system of the University of Hawaii.

The University of Hawaii testified in support of this bill.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2959, S.D. 3, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2959, S.D. 3, H.D. 1.

Signed by all members of the Committee.

SCRep. 1652-06 Finance on S.B. No. 3035

The purpose of this bill is to ensure that employees receive fair compensation for the entire length of disability by requiring that injured employees who have not actually resumed work continue to receive temporary total disability (TTD) benefits until the Director of Labor and Industrial Relations decides to terminate benefits.

The Hawaii State Teachers Association, Hawaii Government Employees Association, ILWU Local 142, Hawaii State AFL-CIO, Hawaii Medical Association, Hawaii Chapter, American Physical Therapy Association, and concerned individuals testified in support of this bill. The Department of Labor and Industrial Relations, Department of Human Resources Development, Hawaii Insurers Council, and the Society for Human Resource Management, Hawaii Chapter opposed this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; 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. 3035, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3035, S.D. 1, H.D. 1.

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

SCRep. 1653-06 Finance on S.B. No. 1593

The purpose of this bill is to ensure the availability of affordable housing units in urban Honolulu by establishing the Liliha-Palama Community Development District to be administered by the Hawaii Community Development Authority (HCDA).

The Hawaii Association of Realtors testified in support of this bill. The Honolulu Department of Planning and Permitting and numerous concerned individuals opposed this measure. HCDA provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 1593, 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. 1593, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.
(Representative Stevens voted no.)

SCRep. 1654-06 Finance on S.B. No. 475

The purpose of this bill is to provide public assistance recipients with adequate income by:

- (1) Adjusting the standard of need as determined by an unspecified percentage of the federal poverty level for the current year;
- (2) Clarifying that households with minor dependents be included in determining amounts of payment;
- (3) Including the aged, blind, and disabled in determining amounts of payment; and
- (4) Providing that determinations of general assistance allowances be based on standard of need, among other factors, rather than on the total appropriations for general assistance.

Catholic Charities Hawaii, Blueprint for Change, and several concerned individuals testified in support of this bill. The Department of Human Services (DHS) supported the intent of this measure. The National Association of Social Workers, Legal Aid Society of Hawaii, Hawaii Women Work!, and several concerned individuals supported this bill with amendments.

Your Committee wishes to acknowledge that a collaborative effort has resulted in a proposed HD2 submitted by the Legal Aid Society, and may be worthy of examination and consideration as this measure progresses through the legislative process.

Your Committee notes that although DHS currently claims to support the intent of this measure, the Administration has not included appropriations for the significant expenditures that will result from the enactment of this bill in any financial plan or Governor's message sent to the Legislature. On the other hand, the Legislature has been working diligently to address the numerous unmet needs of communities statewide. To that end, your Committee hopes the Administration will assist in identifying adjustments that can be made to balance these competing needs.

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

Signed by all members of the Committee except Representative Pine.

SCRep. 1655-06 Finance on S.B. No. 2357

The purpose of this bill is to promote environmental conservation, including the protection of endangered species, by extending to July 1, 2012, the sunset date for the approval or issuance of new safe harbor agreements, habitat conservation plans, or incidental take licenses.

The Department of Land and Natural Resources, Department of Transportation, University of Hawaii, Hawaii Agriculture Research Center, The Nature Conservancy, and Hawaii Farm Bureau testified in support of this bill. The Hawaii Forest Industry Association supported this measure with amendments.

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. 2357, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pine.

SCRep. 1656-06 Finance on S.B. No. 2719

The purpose of this bill is to improve Hawaii's charter school system by adopting many of the priority proposals developed by the Task Force on Charter School Governance that was established by Act 87, Session Laws of Hawaii 2005. Among other things, this bill:

- (1) Provides consistency and clarity for statutes relating to the administration and governance of charter schools by recodifying and reorganizing the statutes into a new chapter;
- (2) Renames the Charter School Review Panel as the Charter School Oversight Panel, and more clearly specifies its powers;
- (3) Changes the limit on the number of charter schools that may be established;
- (4) Creates clarity in the establishment of start-up and conversion charter schools;
- (5) Enhances and clarifies the powers and duties of the Charter School Administrative Office (CSAO) and its executive director;
- (6) Clarifies civil service provisions for charter school employees; and
- (7) Clarifies collective bargaining provisions for charter school employees.

The Department of Human Resources Development supported this bill. The Hawaii State Teachers Association and Ho'okako'o Corporation supported the intent of this measure. The Office of the Auditor opposed this bill in part. The Office of the Governor, Board of Education, Department of Education, CSAO, and Hawaii Government Employees Association offered comments.

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. 2719, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pine.

SCRep. 1657-06 Finance on S.B. No. 743

The purpose of this bill is to repeal Hawaii's current uniform securities law and adopt the Uniform Securities Act of 2002 (USA) in its place.

The Commission to Promote Uniform Legislation, AARP Hawaii, and Hawaii Bankers Association testified in support of this bill. The Investment Company Institute supported this measure in part. The Department of Commerce and Consumer Affairs supported this bill with amendments. The American Council of Life Insurers and Securities Industry Association opposed this measure. The National Association of Insurance and Financial Advisors opposed this bill in part. The Office of Information Practices offered comments.

Your Committee has amended this measure by:

- (1) Reducing the civil penalties for violations of the USA from \$100,000 to \$50,000 per violation;
- (2) Specifying that a withdrawal of registration of a broker-dealer, agent, investment adviser, and investment adviser becomes effective 60 days after the filing of the application to withdraw rather than 90 days;
- (3) Allowing the Commissioner of Securities to institute a revocation or suspension proceeding within one year after the withdrawal became effective rather than within two years; and
- (4) Making technical, nonsubstantive amendments for 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. 743, 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. 743, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1658-06 Finance on S.B. No. 2957

The purpose of this bill is to provide a framework for energy self-sufficiency by:

- (1) Increasing the renewable energy technologies income tax credit for certain solar-thermal, wind-powered, and photovoltaic energy systems and removing the tax credit's January 1, 2008, sunset date;
- (2) Authorizing the issuance of general obligation bonds for the development and implementation of a photovoltaic, net energy metered system pilot project in public schools;
- (3) Requiring each state agency during planning, budget preparation, and program implementation to comply and follow a comprehensive set of guidelines and goals to promote energy efficiency and environmental standards for state facilities, equipment, and vehicles;
- (4) Authorizing the issuance of general obligation bonds to fund energy efficiency initiatives for state facilities, vehicles, and equipment;
- (5) Appropriating an unspecified amount for the hiring of a full-time energy efficiency coordinator position within the Department of Education (DOE) and Department of Business, Economic Development, and Tourism (DBEDT);
- (6) Accelerating the timetable to phase-in energy-efficient vehicles into the State's motor vehicle fleet;
- (7) Promoting the use of green building practices by requiring each county agency that issues building, construction, or development-related permits to establish a procedure for priority processing of permit applications for construction projects incorporating energy and environmentally efficient building standards;
- (8) Establishing a biofuel preference in Hawaii's procurement law;
- (9) Establishing a Hawaii Renewable Hydrogen Program and Hydrogen Investment Capital Fund and providing appropriations therefor;
- (10) Appropriating funds to provide assistance to the agricultural community interested in developing energy projects, especially for the production of biodiesel from energy crops and cellulosic ethanol from agricultural waste streams; and
- (11) Requiring the Public Utilities Commission (PUC) to implement a pilot project to be called the "Solar Water Heating Pay As You Save Program" to help residents purchase solar hot water heater systems.

DBEDT, Sierra Club, Hawaii Chapter, Hawaii Association of Realtors, Hawaii Energy Policy Forum, Hawaii Solar Energy Association, Hawaii Renewable Energy Alliance, Conservation Council of Hawaii, Hawaiian Electric Company, Inc., Maui Electric Company, Inc., Hawaii Electric Light Company, Inc., American Chemistry Council, Inter-Island Solar Supply, Makani Nui Associates, LLC, R&R Solar Supply, Hoku Scientific, PowerLight Corporation, and Rocky Mountain Institute supported this bill. The University of Hawaii at Manoa's Hawaii Natural Energy Institute supported this measure in part. The State Procurement Office supported this measure with amendments. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs supported this measure in part with amendments. DOE, Department of Accounting and General Services, AARP Hawaii, The Gas Company, and MicroPlanet Ltd. supported the intent of this measure. AIA Hawaii State Council supported the intent of this measure in part. The Life of the Land opposed this measure. The Department of Taxation, PUC, Tax Foundation of Hawaii, and Honolulu Seawater Air Conditioning LLC provided comments.

Your Committee has amended this measure by:

- (1) Providing that DOE will approve energy-efficiency standards for public school facilities;
- (2) Changing the general obligation bond fund appropriation for renewable energy and energy efficiency in public schools by removing references to vehicles and equipment and allowing the funds to be used to meet energy efficiency and environmental standards and develop the Hawaii State School Facilities Energy Efficiency and Environmental Design Standards;

- (3) Clarifying that the full-time energy efficiency coordinator for the DOE is to be permanent and renaming the position "energy conservation coordinator";
- (4) Clarifying that the "chief procurement officer", rather than the "procurement officer" may exempt agencies from energy-efficient vehicle purchase requirements;
- (5) Changing all appropriation amounts to \$1, to encourage further discussion;
- (6) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for consistency, 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. 2957, 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. 2957, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1659-06 Finance on S.B. No. 2021

The purpose of this bill is to protect the health benefits of and provide parity to employee-beneficiaries who retire and relocate outside the coverage area of the Hawaii Employer-Union Health Benefits Trust Fund (EUTF). Specifically, this measure:

- (1) Requires EUTF to reimburse employee-beneficiaries who have retired and moved out of the state for premiums paid for a personal health insurance policy, with reimbursement to be the lesser of:
 - (A) The actual cost of the personal health insurance policy; or
 - (B) The amount of the state or county contribution for the most comparable health benefits plan;
 and
- (2) Allows the EUTF Board of Trustees to determine which employee-beneficiaries and personal health insurance policies are eligible for reimbursement and set other conditions.

The Department of Budget and Finance, EUTF Board of Trustees, and Hawaii State Teachers Association testified in support of this bill. The Department of the Attorney General offered comments.

Your Committee has amended this bill by:

- (1) Specifying that this measure applies to all "employee-beneficiaries," instead of "retirees," which is not defined in the relevant statutory chapter;
- (2) Changing the effective date to July 1, 2020, to encourage 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. 2021, 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. 2021, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1660-06 Finance on S.B. No. 2502

The purpose of this bill is to continue to provide necessary dental health care to eligible elderly, disabled, or medically compromised individuals by appropriating funds for the continued implementation of the Donated Dental Services program in Hawaii.

The State Council on Developmental Disabilities, Hawaii Disability Rights Center, Mental Health Association in Hawai'i, National Foundation of Dentistry for the Handicapped, Blueprint for Change, Diamond Head Clubhouse, and several concerned individuals testified in support of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 2502, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2502, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1661-06 Finance on S.B. No. 2339

The purpose of this bill is to meet unexpected increases in ambulance service costs by appropriating:

- (1) \$7,154,735 for fiscal year 2005-2006 from the general fund to pay for ambulance service contracts and general operating costs for supplies and equipment, including negotiated collective bargaining costs; and
- (2) \$441,721 from the Emergency Medical Services Special Fund (Special Fund) for contract ambulance services for Maui and Kauai counties and other payments and expenses.

The Honolulu Emergency Services Department testified in support of this bill. The Department of Health supported this measure and suggested amendments. The Department of Defense supported this bill with amendments.

Your Committee has amended this bill by:

- (1) Reducing the appropriation from the general fund for ambulance service contracts and general operating costs to \$5;
- (2) Reducing the appropriation from the Special Fund for contract ambulance services to \$1; and
- (3) Making technical, nonsubstantive amendments 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. 2339, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2339, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1662-06 Finance on S.B. No. 218

The purpose of this bill is to remedy the shortage of paramedics by appropriating funds to establish a training stipend program for emergency medical technicians who do not have access to a training stipend program and who want to advance in their chosen profession.

The County of Hawaii Fire Department, University of Hawaii, American Medical Response, and many concerned individuals testified in support of this bill. One concerned individual supported this measure with amendments. The Department of Health supported the intent of this bill.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 218, S.D. 4, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 218, S.D. 4, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1663-06 Finance on S.B. No. 3181

The purpose of this bill is to continue in the State's efforts to recycle bottles and cans by amending parts of the Deposit Beverage Container Program (Program). Specifically, this bill:

- (1) Amends the definition of "deposit beverage container" (container) by increasing the volume limit on metal containers to less than or equal to 68-fluid ounces;
- (2) Eliminates the requirement for deposit beverage distributors to distinguish each container's manufacture location when calculating payment of fees for inventory reports and monthly reports;
- (3) Prohibits refunds on containers that do not meet the definition of container and do not indicate the Hawaii refund value;
- (4) Requires redemption center dealers to operate a redemption center for a minimum of 30 hours a week, of which 5 hours, shall be on a Saturday or Sunday;
- (5) Allows consumers to request that refund values be computed by container count for loads of 200 containers or less;
- (6) Allows redemption center dealers to refuse to pay refund values on containers that exhibit characteristics of having been previously processed or baled;
- (7) Requires redemption centers to physically receive the deposit beverage containers to receive handling fees from the Department of Health (DOH); and
- (8) Establishes penalties and fines for individuals who intend to defraud the Program through false or fraudulent reports or claims and diverts levied fines to the Deposit Beverage Container Deposit Special Fund (Special Fund).

The Conservation Council for Hawaii, Sierra Club, Hawaii Chapter, and Windward Ahupua'a Alliance testified in support of this bill. DOH, Reynolds Recycling, and RRR Recycling Services Hawaii supported this measure with amendments. The Hawaii Food Industry Association and Grocery Manufacturers Association opposed this measure.

Your Committee has amended this bill by:

- (1) Removing the provisions establishing penalties and fines and the requirement to deposit subsequent fines into the Special Fund;
- (2) Changing the effective date to July 1, 2020, to encourage 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. 3181, 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. 3181, S.D. 2, H.D. 2.

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

SCRep. 1664-06 Finance on S.B. No. 2926

The purpose of this bill is to help prepare inmates for reintegration into the community by:

- (1) Authorizing the planning for minimum-security housing for inmates in Kalaehououe, Oahu; and
- (2) Appropriating funds for this purpose and to expand work furlough programs and facilities.

The Office of Hawaiian Affairs, A Woman's Voice International, and several concerned individuals testified in support of this bill. The Department of Public Safety supported the intent of this measure. Community Alliance on Prisons offered comments.

Your Committee has amended this bill by:

- (1) Appropriating \$700,000 to establish a pilot drug interdiction program;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for 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. 2926, 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. 2926, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1665-06 Finance on S.B. No. 2486

The purpose of this bill is to protect Hawaii's environment and agricultural industry by:

- (1) Making permanent the Invasive Species Council (Council);
- (2) Placing the Council within the Department of Land and Natural Resources (DLNR) for administrative purposes only;
- (3) Increasing the membership of the Council by adding eight legislators to serve as ex-officio, nonvoting members; and
- (4) Establishing quorum and voting requirements for the Council.

DLNR, The Nature Conservancy of Hawai'i, and several concerned individuals testified in support of this bill. The Department of Agriculture supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020; and
- (2) Making technical, nonsubstantive amendments 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. 2486, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2486, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1666-06 Finance on S.B. No. 2545

The purpose of this bill is to continue allowing condominium disputes over the interpretation, application, or enforcement of the condominium law or the association's declaration, bylaws, or house rules to be resolved in an administrative hearing. Specifically, this bill extends by three years the pilot program for condominium management dispute resolution (Dispute Resolution Program).

The Hawaii Council of Associations of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, and several concerned individuals testified in support of this bill. The Department of Commerce and Consumer Affairs offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to June 29, 2006; 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. 2545, 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. 2545, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1667-06 Finance on S.B. No. 2897

The purpose of this bill is to improve and simplify the procurement process by:

- (1) Requiring small purchase procurements between \$25,000 and \$50,000 to be made:
 - (A) Through an electronic procurement system; and
 - (B) In accordance with established small purchase procurement rules and procedures;
- (2) Exempting the Department of Budget and Finance (B&F) from the Procurement Code when administering certain types of special purpose revenue bonds;
- (3) Exempting the High Technology Development Corporation (HTDC) from the Procurement Code when administering special facility revenue bonds solely for use by another party; and
- (4) Prohibiting government contracts from requiring construction design professionals to defend the governmental body from negligent acts, errors, or omissions committed by the governmental body.

The Finance Department of the County of Hawaii, HTDC, Coalition of Hawaii Engineering and Architectural Professionals, The Limtiaco Consulting Group, Hawaii Pacific Health, American Council of Engineering Companies, Building Industry Association of Hawaii, and Cedric D.O. Chong & Associates, Inc., testified in support of this bill. B&F, The State Procurement Office, Hawaiian Electric Company, Inc., Maui Electric Company, Limited, Hawaii Electric Light Company, Inc., The Queen's Health Systems, AIA Hawaii State Council, and Kauahikaua & Chun/Architects supported portions of this measure. The American Society of Civil Engineers, MK Engineers, Ltd., Miyashiro and Associates, Inc., Hawaii Pacific Engineers, Inc., Miyasato Kuniyoshi Engineers, LLC, MOSS Engineering, Inc., Parsons Brincherhoff Quade and Douglas, Inc., Gray, Hong, Nojima & Associates, Inc., Pacific Geotechnical Engineers, Inc., Engineering Solutions, Inc., Fukunaga & Associates, Inc., Aikinaka & Associates, Ltd., ECS, Inc., KAI Hawaii, Inc., and Finance Insurance, Ltd., supported this bill with amendments. The Hawaii Building and Construction Trades Council, AFL-CIO testified in opposition to this measure. The Department of Accounting and General Services offered comments.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 2897, 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. 2897, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Pine.

SCRep. 1668-06 Finance on S.B. No. 3273

The purpose of this bill is to improve the process by which public school students are assessed and treated for substance abuse by:

- (1) Making the zero tolerance policy for public schools, as amended by Act 213, permanent;
- (2) Further amending the public school zero tolerance policy for drugs and alcohol as recommended by the Student Substance Abuse Assessment and Treatment Advisory Task Force; and
- (3) Allowing certified substance abuse counselors to conduct assessments to qualify individuals for substance abuse-related insurance benefits.

The Department of Health supported the intent of this bill. The Department of Education, Hina Mauka, Hawaii Substance Abuse Coalition, and a concerned individual supported this measure with amendments. The Hawaii Medical Service Association provided comments.

Your Committee has amended this bill by:

- (1) Deleting the requirements for assessments to be completed within ten days of the request for a determination if the applicant faces disciplinary action for violating the policy for drugs and alcohol in public schools, and allowing an insurance or health care plan carrier to contract with DOH to complete the determination;
- (2) Adding language to section 431M-4, Hawaii Revised Statutes, allowing certified substance abuse counselors and other mental health professionals to perform and submit claims for substance abuse assessments for children who have violated a school's zero tolerance policy;
- (3) Providing for the destruction of records of substance abuse assessment upon the child's graduation from high school; and
- (4) Making technical, nonsubstantive changes for 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. 3273, 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. 3273, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1669-06 Finance on S.B. No. 2133

The purpose of this bill is to protect the health and well-being of all of Hawaii's people by, among other things:

- (1) Creating a Hawaii Health Authority to study and plan for a single-payer, universal health care system for the State of Hawaii;
- (2) Establishing a youth suicide early intervention and prevention program to create public awareness of the signs exhibited by a person contemplating suicide and the correct actions to take when such behavior is recognized; and
- (3) Restricting the use of mercury-containing vaccines, especially with respect to children under 12 years of age and pregnant women.

The League of Women Voters of Hawaii, Kokua Council, Hawaii Government Employees Association, Hawaii State Teachers Association, National Association of Social Workers — Hawaii Chapter, Cure Autism Now Foundation — Hawaii Chapter, ILWU Local 142, Hawaii Society of Naturopathic Physicians, and numerous concerned individuals supported this bill. A concerned individual supported this bill with amendments. The Department of Budget and Finance, Department of Commerce and Consumer Affairs, Healthcare Association of Hawaii, Kaiser Permanente, American Academy of Pediatrics — Hawaii Chapter, R. Weinstein Pharmaceuticals and Medical Products, and numerous concerned individuals opposed this measure. The Department of Health provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective dates to July 1, 2020; and
- (2) Making technical, nonsubstantive changes for 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. 2133, 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. 2133, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1670-06 Finance on S.B. No. 2364

The purpose of this bill is to facilitate treatment for persons with alcohol and substance abuse problems by:

- (1) Requiring health insurers to provide coverage for injuries sustained by insured persons as a result of being under the influence of alcohol or narcotics; and
- (2) Appropriating funds to establish the Screening, Brief Intervention, Referral, and Treatment program in the State of Hawaii.

The Office of the Lieutenant Governor, Department of Health, Department of the Attorney General, Department of Commerce and Consumer Affairs, Hawaii Disability Rights Center, Hawaii Substance Abuse Coalition, Mothers Against Drunk Drivers—Hawaii, American Family Life Assurance Company of Columbus, and a concerned individual supported this bill. A concerned individual supported this measure with amendments. The American Council of Life Insurers opposed this bill. The University of Hawaii provided comments.

Your Committee notes the request by the American Council of Life Insurers to exempt disability insurance from the provisions of this measure. Additionally, your Committee acknowledges the willingness of the Insurance Commissioner to work further with the interested parties on this issue.

Your Committee has amended this bill by:

- (1) Changing the appropriation to \$2 to encourage further discussion; and
- (2) Making technical, nonsubstantive changes for 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. 2364, 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. 2364, S.D. 2, H.D. 3.

Signed by all members of the Committee.

SCRep. 1671-06 Finance on S.B. No. 2917

The purpose of this bill is to ensure that health insurance premiums are not excessive, inadequate, or unfairly discriminatory by among other things:

- (1) Stipulating that rates must be reasonable in relation to the costs of the benefits provided;
- (2) Requiring rates to be established in accordance with actuarial principles, based on reasonable assumptions, and supported by adequate supporting and supplementary rating information;
- (3) Specifying that except for supporting supplementary rating information, rates are open to public inspection upon filing with the Insurance Commissioner (Commissioner);
- (4) Reducing from 90 to 30 days, the waiting period for a rate to become effective and increasing from 15 to 30 days the permissible extension of the period;
- (5) Requiring the Commissioner to provide notice of disapproval within the applicable 30-day period or 30-day extension;
- (6) Exempting from the requirements of rate filing, third party administrator services, prepaid dental and vision insurance, and disability insurers;
- (7) Requiring managed care plans with rates based totally or in part on the individual group's claims experience, to submit descriptions of the methodology used in creating rates and every proposed modification;
- (8) Providing that if a plan has no effective date because of a disapproval, the Commissioner must establish an interim rate within 10 days following disapproval of a filing;
- (9) Allowing the Commissioner, when there is a difference between approved and interim rates, to exact a surcharge on premiums or order the difference to be applied to stabilize future rates or be refunded to current plan enrollees;
- (10) Requiring the Commissioner, when challenging an effective rate, to state in the notice of hearing the specific factual and legal grounds to support the Commissioner's finding of noncompliance, and issue a notice of disapproval of the rate within 30 days of the hearing;
- (11) Specifying that persons allowed to challenge any effective rate are "enrollees of a managed care plan" and "organizations that purchase health insurance from a managed care plan," and the challenger bears the burden of proof of showing the rate does not comply with article 14F, Hawaii Revised Statutes; and
- (12) Extending the sunset date of the Rate Regulation Law to July 1, 2010.

The Department of Commerce and Consumer Affairs supported this measure in part. The Hawaii State Teachers Association, Summerlin Life and Health Insurance Company, Kaiser Permanente, and Benefit Plan Consultants (HI), Inc., opposed this measure. The Hawaii Medical Service Association offered comments.

Your Committee has amended this bill by:

- (1) Restoring current statutory language enabling the Commissioner to request additional information necessary to make a determination of whether a filing meets the requirements of the statute;
- (2) Changing the effective date to July 1, 2020, to encourage 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. 2917, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2917, H.D. 3.

Signed by all members of the Committee except Representative Pine.

SCRep. 1672-06 Finance on S.B. No. 3283

The purpose of this bill is to develop and maintain a statewide comprehensive health care workforce map and database by appropriating \$500,000 for the State Health Planning and Developing Agency (SHPDA).

SHPDA, Hawaii Medical Service Association, Kaiser Permanente, and a concerned individual testified in support of this bill.

During the hearing for this measure, concerns were noted regarding an unfinished effort to conduct a study on this matter. It is hoped that this measure will provide impetus to complete the task. Accordingly, your Committee has amended this bill by:

- (1) Deleting the appropriation amount;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3283, 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. 3283, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1673-06 Finance on S.B. No. 2571

The purpose of this bill is to propose an amendment to the State Constitution authorizing the issuance of special purpose revenue bonds (SPRBs) to assist not-for-profit private organizations in the development of low- and moderate-income housing.

The League of Women Voters of Hawaii and the Land Use Research Foundation of Hawaii testified in support of this bill. The Housing and Community Development Corporation of Hawaii supported this measure with comments. The Administration, Department of Budget and Finance, and Hawaii Association of Realtors supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 2571, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2571, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1674-06 Finance on S.B. No. 2572

The purpose of this bill is to promote the development of affordable housing through enabling legislation that establishes the manner and procedure for the issuance of special purpose revenue bonds to not-for-profit private organizations to develop low- and moderate-income housing.

The Housing and Community Development Corporation of Hawaii, League of Women Voters of Hawaii, and Land Use Research Foundation of Hawaii testified in support of this bill. The Office of the Governor supported this measure with amendments. The Department of Budget and Finance offered comments.

Your Committee has amended this bill by:

- (1) Describing the purpose of this measure;
- (2) Adding a definition of "low- and moderate-income housing project";
- (3) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for 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. 2572, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2572, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1675-06 Finance on S.B. No. 2334

The purpose of this bill is to make an emergency appropriation to the Office of Youth Services (OYS) of the Department of Human Services to continue to improve operations at the Hawaii Youth Correctional Facility.

OYS, Department of Health, and Hawaii Disability Rights Center testified in support of this bill. The Department of the Attorney General offered comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020; and
- (2) Making technical, nonsubstantive amendments for 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. 2334, 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. 2334, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1676-06 Finance on S.B. No. 2688

The purpose of this bill is to establish the Hawaii Juvenile Justice Commission (Commission) to oversee the Hawaii Youth Correctional Facilities (HYCF) and the Office of Youth Services (OYS).

The United Public Workers, AFSCME, Local 646, AFL-CIO supported this bill with amendments. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and Hawaii Disability Rights Center opposed this measure. The Department of Human Resources Development, Department of the Attorney General, OYS, and HYCF offered comments.

Your Committee has amended this bill by:

- (1) Removing provisions that exempted employees of the Commission from civil service;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for 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. 2688, 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. 2688, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1677-06 Finance on S.B. No. 3185

The purpose of this bill is to improve the Renewable Portfolio Standards (RPS) law. Specifically, this bill amends the RPS law by, among other things:

- (1) Authorizing the Public Utilities Commission (PUC) to redirect all or a portion of the funds collected from ratepayers through the current demand-side management surcharge by Hawaii's electric utilities into a public benefits fund to be used to support energy efficiency and demand-side management programs and services;
- (2) Requiring the PUC to appoint a fund administrator if the PUC establishes a public benefits fund and establishing qualifications, duties, and limitations for the fund administrator;
- (3) Requiring the PUC to provide for the transition from the current demand-side management programs supported by the surcharge to the ones supported by the public benefits fund if it is established by the PUC;
- (4) Requiring the PUC to establish a methodology for determining the just and reasonable rate that a public utility must pay for electricity generated by a producer using nonfossil fuel that removes or significantly reduces any linkage between the price of fossil fuels and the rate for the nonfossil fuel generated electricity to allow customers to share in the potential savings derived from the use of nonfossil fuel generated electricity;
- (5) Adding a definition for "renewable electrical energy" and amending the definitions for "cost-effective", "renewable energy", and "renewable portfolio standard" in section 269-91, Hawaii Revised Statutes;
- (6) Requiring the PUC to examine the functioning of the utility's fuel adjustment clause by December 31, 2007, or in the utility's next general rate case, whichever comes first, to determine:
 - (A) Whether the clause operates in a manner that is fair to ratepayers; and
 - (B) Whether the clause should be modified to encourage greater use of renewable energy by the utility;
- (7) Authorizing the PUC to establish standards for each utility that prescribe what portion of the renewable energy standards shall be met by specific types of resources, provided that at least 50 percent of the RPS shall be met by electrical energy produced by traditional renewable energy resources, such as wind, solar, waste-to-energy, and wave energy;
- (8) Establishing penalties for the failure of a utility to meet the RPS requirements, and criteria for waiver of the penalties; and
- (9) Setting RPS percentages for the upcoming 15 years.

The Department of Commerce and Consumer Affairs, Hawaii Renewable Energy Alliance, Hawaii Solar Energy Association, Conservation Council for Hawai'i, Sierra Club, Hawai'i Chapter, Hawaiian Electric Company, Inc., Maui Electric Company, Hawaii Electric Light Company, Inc., PowerLight Corporation, Inter-Island Solar Supply, and several concerned individuals testified in support of this bill. Life of the Land supported this measure in part. The Department of Business, Economic Development, and Tourism, Rocky Mountain Institute, and Honolulu Seawater Air Conditioning, LLC, supported this bill with amendments. AARP Hawaii supported the intent of this measure. The Consumer Advocate, PUC, Hawaii Energy Policy Forum, and The Gas Company provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and

- (2) Making technical, nonsubstantive amendments 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. 3185, 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. 3185, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1678-06 Finance on S.B. No. 2214

The purpose of this bill is to ensure a rapid and coordinated statewide disaster response by establishing a unified comprehensive strategy for identifying natural hazards, mitigating the effects of natural disasters, and responding to natural disasters.

The Department of Defense (DOD), Department of Budget and Finance, and Department of Business, Economic Development, and Tourism supported the intent of this bill. The Structural Engineers Association of Hawaii supported this measure with amendments. The Department of Health (DOH) and Hawaii Hurricane Relief Fund opposed this bill. The Department of Commerce and Consumer Affairs, Consumer Advocate, Department of Human Services, Department of Accounting and General Services, Public Utilities Commission, Hawaii Lumber Products Association, Hawaii Association of Realtors, Hawaiian Electric Company, Inc., Hawaii Electric Light Company, and Maui Electric Company provided comments.

Your Committee has amended this bill by, among other things:

- (1) Removing the procedures for expenditure by the Governor of Emergency and Budget Reserve Fund moneys for natural disasters;
- (2) Removing the increase in the expenditure ceiling of the major disaster fund for any single natural disaster;
- (3) Removing all provisions regarding the Residential Disaster Assistance Special Fund;
- (4) Removing all provisions regarding price gouging and profiteering during a state disaster;
- (5) Requiring the interest earned from the principal in the Hurricane Relief Trust Fund be deposited in the Civil Defense Disaster Preparedness Special Fund (Civil Defense Special Fund);
- (6) Capping the Civil Defense Special Fund at \$20,000,000.
- (7) Allowing moneys in the Civil Defense Special Fund to be used for additional purposes including:
 - (A) Developing a unified management strategy for disaster preparedness;
 - (B) Identifying vulnerabilities to natural hazards;
 - (C) Construct, retrofit, and improve buildings that could be used as public shelters;
 - (D) Develop statewide safe room standards;
 - (E) Purchase and maintain emergency supplies; and
 - (F) Purchase early warning systems;
- (8) Adding additional duties for the Prepared Emergency Response Commission (Commission) including advising the Department of Defense (DOD) on the creation of a comprehensive plan in all matters pertaining to natural disaster preparation and natural hazards, mitigation, response, and recovery;
- (9) Removing the requirement that DOD adopt the recommendations of the Commission;
- (10) Requiring the DOD, rather than the Administration, to work with the counties to identify temporary emergency shelters;
- (11) Requiring DOD, rather than the DOH to conduct a study to assess all hospitals and nursing homes;
- (12) Requiring all existing health care facilities licensed and/or certified by DOH or the Department of Human Services to file a disaster preparedness plan with DOD;
- (13) Clarifying that temporary emergency housing shall be for individuals and families that are made homeless due to a natural disaster;
- (14) Requiring temporary shelters to include accessible entrances and exits and restrooms when the facilities are to be provided for disabled persons or persons with enhanced health needs;
- (15) Requiring the Public Utilities Commission to determine if the risk of damage from natural hazards could be mitigated by placing electric or telecommunications systems below ground;
- (16) Removing the provision establishing a rebuttable presumption in favor of placing electric transmission systems underground in tsunami prone areas;
- (17) Changing the effective date to July 1, 2020, to promote further discussion; and

- (18) Making technical, nonsubstantive changes for 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. 2214, 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. 2214, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Pine.

SCRep. 1679-06 Finance on S.B. No. 2343

The purpose of this bill is to ensure the health and safety of Hawaii's elderly and disabled in care facilities by authorizing the Department of Health (DOH) and the Department of Human Services (DHS) to conduct criminal background checks of persons providing care or having access to the elderly and disabled in healthcare facilities.

DOH, the State Council on Developmental Disabilities, Disability and Communication Access Board, Policy Advisory Board for Elder Affairs, Healthcare Association of Hawaii, and Kokua Council testified in support of this bill. The Department of Human Services (DHS) supported this measure with comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

Your Committee notes that DHS supported this measure but expressed concern that its ability to act was not explicitly linked to a criminal history of relevant crimes as defined in the bill.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2343, 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. 2343, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1680-06 Finance on S.B. No. 3114

The purpose of this bill is to protect Hawaii's environment from litter by appropriating funds from the Deposit Beverage Container Special Fund (Special Fund) to each county for the Community Work Day Program (Program). The Program partners with businesses to promote island-wide cleanup efforts.

Maui Soda and Ice, Ltd., and a concerned individual testified in support of this bill. The Department of Health supported this bill with amendments. Windward Ahupua'a Alliance offered comments.

Your Committee strongly supports efforts to reduce litter, but remains cautious about using the Special Fund for activities that exist outside of the recycling of bottles and cans.

Accordingly, your Committee has amended this bill by:

- (1) Appropriating funds from the general fund, instead of the Special Fund;
- (2) Changing the effective date to July 1, 2020, to encourage 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. 3114, 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. 3114, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Pine.

SCRep. 1681-06 Finance on S.B. No. 3186

The purpose of this bill is to explore approaches ensuring that Hawaii's consumers enjoy fair and competitive gasoline prices by:

- (1) Amending sections 486H-13 and 486H-16, Hawaii Revised Statutes, the Maximum Pre-tax Wholesale Gasoline Price Program, to:
 - (A) Add the Singapore spot daily price in determining the baseline gasoline price, with the lowest three of the four geographic market average weekly prices averaged for the State's baseline gasoline price;
 - (B) Require the Public Utilities Commission (PUC) to use the average of the remaining business days for a week that contains a holiday or holidays;
 - (C) Delete the location adjustment factor;
 - (D) Reduce the marketing margin factor from 18 to 14 cents;

- (E) Allocate different percentages of the zone price adjustment to different distributors performing different functions in the distribution system; and
 - (F) Allow the zone price adjustments and the allocation of the zone price adjustments to be adjusted on a zone-by-zone basis;
- (2) Identifying unfair trade practices in the petroleum industry and providing penalties;
 - (3) Requiring each refiner to semi-annually file with PUC informational cost reports, including detailed operating and overhead cost information;
 - (4) Establishing the Petroleum Industry Monitoring, Analysis, and Reporting Program, to be developed and administered by PUC;
 - (5) Establishing the Petroleum Industry Monitoring, Analysis, and Reporting Special Fund;
 - (6) Suspending the maximum pre-tax wholesale gasoline price law; and
 - (7) Repealing the maximum pre-tax wholesale gasoline price law effective January 1, 2011.

The Gas Company testified in support of this bill with amendments. Aloha Petroleum, Ltd., supported the intent of this measure. The Department of Budget and Finance opposed this bill in part. The Department of Business, Economic Development, and Tourism, PUC, Western States Petroleum Association, and a concerned individual provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 3186, 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. 3186, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Carroll, Tanaka and Meyer.

SCRep. 1682-06 Finance on S.B. No. 2190

The purpose of this measure is to amend the Employment Security Law to:

- (1) Lower the maximum taxable wage base for contributions by employers to the Unemployment Insurance Fund;
- (2) Remove the maximum age restriction on the unemployment insurance contribution exemption for children who are employed by a parent; and
- (3) Provide for an automatic repeal of the tax relief provided for in this bill should the economy take a significant downturn.

General Contractors Association of Hawaii, Kauai Chamber of Commerce, The Chamber of Commerce of Hawaii, Retail Merchants of Hawaii, Building Industry Association of Hawaii, Building Owners and Managers Association Hawaii, National Federation of Independent Businesses, Society for Human Resource Management – Hawaii Chapter, Iron Workers Stabilization Fund, Kokea Construction & Consultants, Inc., American Savings Bank, Oahu Plumbing & Sheet Metal, Ltd., KOGA Engineering & Construction, Inc., KAI Hawaii, Inc., Honolulu Wood Treating LLC, Mark Development, Inc., Erwin Cabrinha & Au, LLP, Mouse Builders, Inc., Star Protection Agency, LLC, Delta Construction Corporation, Homeworks Construction Inc., American Building Maintenance Family of Services, and Associated Builders and Contractors, Inc., Hawaii Chapter testified in support of this bill in its H.D. 1 version. The Hawaii State AFL-CIO, Hawaii State Teachers Association, Hawaii Government Employees Association AFSCME Local 152, United Public Workers AFSCME Local 646, International Longshore and Warehouse Union Local 142, Hawaii Carpenters Union and SHOPO supported this bill in its S.D. 1 version that provided a balance of relief to employers and employees. The Department of Labor and Industrial Relations, KilaKila Employer Services, and The Hawaii Business League supported H.D. 1, but with no improvement of any kind in benefits.

Your Committee is concerned that providing relief to employers without recognizing the condition of our unemployed does not create the type of balance helpful to the workforce community as a whole. Your Committee has therefore amended this bill accordingly.

The Unemployment Trust Fund (Fund) has a reported balance of \$457 million. Your Committee recognizes that this balance was achieved not only through contributions from employers over the past few years, but also from freezing the calculation of employee benefits over the past ten years with only limited exceptions. Your Committee is mindful that significant declines in the economy for just 18 months could deplete the balance leaving the Fund without enough reserves during an economic downturn. Therefore, recognizing the needs and contributions of both sides of the workforce while limiting the amount of relief provided to employers and employees is appropriate.

Your Committee has amended this bill to limit the relief to employers for one year down from two years. Even with one year, employers will realize a reportedly 55 million dollars in savings in contributions. This period of relief is consistent with prior legislation that provided single year relief to employers during times of economic upswing or reserves in the balance. With only minor exceptions, the Legislature has not provided adjustments to the statutory language on benefits paid to unemployed workers for over a decade.

Your Committee recognizes that Hawaii's unemployed have played a role in creating the present balance, going for several years without any substantial changes in the calculation of unemployed benefits.

Your Committee finds that adjustments in four areas of benefits will address the different challenges that workers face who make up Hawaii's varied employment workforce without depleting the fund significantly.

Your Committee also finds that the cap on weekly benefit amounts in section 383-22(b), Hawaii Revised Statutes (HRS), intended as an incentive to unemployed to get back quickly into the workplace, arbitrarily punishes workers who were earning well above the State's average weekly wage prior to their unemployment. Reducing their benefits further by a 70 percent reduction to the State's average weekly wage is unnecessary as an incentive for them to get back to their higher earning power. Moving to 80 percent will not address all their concerns, but will give some relief to workers who are looking at substantial decreases in their earning capacity while unemployed. Your Committee finds it more appropriate to address a further increase in the cap in future years and has limited this increase to a one-time adjustment.

Many workers in Hawaii hold two or more jobs to meet the basic economic needs of themselves and their families. Your Committee finds that section 383-23, HRS, that reduces the unemployment benefit by earnings from a second job except for a nominal amount, may act as a disincentive for employees to continue the second job while unemployed. Your Committee has increased to \$150 the amount of wages an employee must earn from another job while unemployed before his benefits are reduced by the amount of his wages over the \$150.

Your Committee further finds that more and more employees are being laid off because of downturns in certain fields such as agriculture and manufacturing. A slight adjustment to section 383-24, HRS, on the number of maximum weeks an employee can receive benefits will give employees coming from these fields the additional time they may need to locate new fields of work that often require skills or knowledge that are not easily transferable from their prior type of employment.

Hawaii's economy does not benefit when good workers who have had momentary lapses in judgment find themselves terminated and barred from unemployment benefits. This sudden state of unemployment deprives these employees of benefits and will only create unexpected, economic crises to them and their families. Your Committee further finds, as a matter of policy, that what constitutes misconduct, raised in *Medeiros v. Hawaii Dep't of Labor and Industrial Relations*, 108 Haw. 258 (2005), should be statutorily established in section 383-30(2), HRS, to protect the benefits of employees who are terminated for misconduct that does not rise to willful or wanton misconduct.

Accordingly, your Committee has amended this measure by:

- (1) Reducing the adjustment to the employer's contribution for the year 2007 with a \$7,000 base;
- (2) Increasing to 30 weeks the maximum potential benefits paid to an eligible employee;
- (3) Increasing to 80 percent the cap on maximum weekly benefit amounts;
- (4) Increasing to \$150 the threshold for deducting wages earned in a benefit week; and
- (5) Amending the law to exclude benefits to employees terminated for willful or wanton misconduct.

Technical, nonsubstantive amendments were also made for 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. 2190, 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. 2190, S.D. 1, H.D. 2.

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

SCRep. 1683-06 Finance on S.B. No. 2997

The purpose of this bill is to enable the following entities to better carry out their responsibilities by exempting them from the requirements of the Hawaii Public Procurement Code (Code):

- (1) The services of contractors under contract with a governmental body to prepare a study or report for the Legislature;
- (2) The Hawaii Strategic Development Corporation (HSDC);
- (3) The Natural Energy Laboratory of Hawaii Authority (NELHA); and
- (4) The High Technology Development Corporation (HTDC).

HSDC and HTDC testified in support of this bill. The Legislative Reference Bureau supported the provisions relating to the exemption of contractors who prepare studies and reports for the Legislature. The University of Hawaii also supported this bill with amendments. The Department of Accounting and General Services, State Procurement Office, and American Council of Engineering Companies of Hawaii opposed this measure.

Your Committee has amended this bill by:

- (1) Limiting the exemption for those preparing studies or reports for the Legislature to contractors under contract with a legislative agency instead of a governmental body;
- (2) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for consistency, 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. 2997, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2997, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Pine.

SCRep. 1684-06 Health on H.R. No. 53

The purpose of this resolution is to develop a comprehensive statewide youth suicide and early intervention and prevention plan to provide effective early intervention and prevention services to deal with the rising rates of youth suicides.

Your Committee received comments on this resolution from the State of Hawaii, Department of Health and testimony in support from the Hawaii Suicide Prevention Steering Committee.

Your Committee finds that more children and young adults die from suicide each year than from cancer, heart disease, AIDS, birth defects, stroke, and chronic lung disease combined and nationally over four thousand youths take their lives annually, making suicide the third largest cause of death among those who are between ten and twenty-four years of age. Moreover, in Hawaii suicide is the second leading cause of death among those who are fifteen to twenty-four years of age and the rates of youth suicide have been on the rise in the last decade among both females and males and among all ethnic groups in Hawaii. Suicide is a serious public health tragedy affecting not only children and young adults, but all adults in Hawaii, and preserving and protecting the lives of all people is a priority for the State.

Accordingly, your Committee notes that a concerted statewide youth suicide education, intervention, and prevention plan is needed to ensure prevention strategies to effectively deal with youth suicide.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 53 and recommends its adoption.

Signed by all members of the Committee except Representatives Cabanilla, Nishimoto and Sonson.

SCRep. 1685-06 Health on H.C.R. No. 69

The purpose of this concurrent resolution is to develop a comprehensive statewide youth suicide and early intervention and prevention plan to provide effective early intervention and prevention services to deal with the rising rates of youth suicides.

Your Committee received comments on this concurrent resolution from the State of Hawaii, Department of Health and testimony in support from the Hawaii Suicide Prevention Steering Committee.

Your Committee finds that more children and young adults die from suicide each year than from cancer, heart disease, AIDS, birth defects, stroke, and chronic lung disease combined and nationally over four thousand youths take their lives annually, making suicide the third largest cause of death among those who are between ten and twenty-four years of age. Moreover, in Hawaii suicide is the second leading cause of death among those who are fifteen to twenty-four years of age and the rates of youth suicide have been on the rise in the last decade among both females and males and among all ethnic groups in Hawaii. Suicide is a serious public health tragedy affecting not only children and young adults, but all adults in Hawaii, and preserving and protecting the lives of all people is a priority for the State.

Accordingly, your Committee notes that a concerted statewide youth suicide education, intervention, and prevention plan is needed to ensure prevention strategies to effectively deal with youth suicide.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 69 and recommends its adoption.

Signed by all members of the Committee except Representatives Cabanilla, Nishimoto and Sonson.

SCRep. 1686-06 Health on H.R. No. 89

The purpose of this resolution is to support healthy lifestyles by urging community planners and other government leaders to create environments that include healthier food choices in schools and public buildings and exercise choices, such as mass transit alternatives, expanded parks, bike lanes, walking paths, and other amenities, to make it easier to get and stay fit.

The Department of Health, Department of Education, Kaiser Permanente, a member of the Mililani/Waipio/Melemanu Neighborhood Board No. 25, and a concerned individual supported this resolution.

Your Committee finds that a healthy lifestyle is important to the health of an individual as well as to the entire community. We currently have an excellent example of such a program that works--Kokua Kalihi Valley Community Health Center. It is important to encourage healthy living and create "heart healthy communities" by fostering and encouraging healthy lifestyles through the public policy development and community planning responsibilities.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 89 and recommends its adoption.

Signed by all members of the Committee except Representatives Cabanilla, Nishimoto and Sonson.

SCRep. 1687-06 Health on H.C.R. No. 122

The purpose of this concurrent resolution is to support healthy lifestyles by urging community planners and other government leaders to create environments that include healthier food choices in schools and public buildings, and exercise choices such as mass transit alternatives, expanded parks, bike lanes, walking paths, and other amenities, to make it easier to get and stay fit.

The Department of Health, Department of Education, Kaiser Permanente, a member of the Mililani/Waipio/Melemanu Neighborhood Board No. 25, and a concerned individual supported this concurrent resolution.

Your Committee finds that a healthy lifestyle is important to the health of an individual as well as to the entire community. The Kokua Kalihi Valley Community Health Center is an excellent example of such a program that works. It is important to encourage healthy living and create "heart healthy communities" by fostering and encouraging healthy lifestyles through public policy development and community planning responsibilities.

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

Signed by all members of the Committee except Representatives Cabanilla, Nishimoto and Sonson.

SCRep. 1688-06 Health on H.C.R. No. 126

The purpose of this concurrent resolution is to aid women through the process of menopause to ensure their health and well-being. This measure supports the United States Food and Drug Administration's campaign to provide women with the latest, most helpful educational information on menopausal hormonal therapy to help them make the best decisions for themselves.

The American Menopause Foundation, Inc., and Wyeth Pharmaceuticals supported this concurrent resolution.

Your Committee finds that with more than 156,000 women in Hawaii over 50 years of age, many are experiencing the effects of menopause. If not properly treated by a trained physician or nurse practitioner, the health risks of pre-menopausal and post-menopausal women can result in an increased number of women afflicted by osteoporosis and cardiovascular disease, in addition to living with other symptoms that affect quality of life, such as rapid heart beat and depression. Therefore, it is important that women have the information and treatment they need to maintain a strong and healthy lifestyle.

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

Signed by all members of the Committee except Representatives Cabanilla, Nishimoto and Sonson.

SCRep. 1689-06 Health on H.C.R. No. 219

The purpose of this concurrent resolution is to set forth a process to form and operate a health information exchange system that would improve the quality, and timeliness of health care, reduce costs, and eliminate duplicative tests and clerical errors.

The Department of Health (DOH), Hawaii Science and Technology Council, and Hawaii Health Information Exchange, Inc., supported this concurrent resolution.

Your Committee has amended this concurrent resolution by:

- (1) Giving DOH a more supportive than participatory role in the formation of the health information exchange system;
 - (2) Changing the title to read as follows: "REQUESTING THE DEPARTMENT OF HEALTH TO SUPPORT THE FORMATION OF A HEALTH INFORMATION EXCHANGE SYSTEM FOR THE STATE OF HAWAII";
- and
- (3) Making technical, nonsubstantive changes for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 219, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 219, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Nishimoto and Sonson.

SCRep. 1690-06 Consumer Protection & Commerce on H.R. No. 43

The purpose of this resolution is to prepare for a shortage of licensed tradesmen and contractors to rebuild Hawaii in the event of a natural disaster by requesting the Department of Commerce and Consumer Affairs to establish a task force to study:

- (1) Authorizing expedited licensing or licensing exemptions for tradesmen and contractors; and
- (2) Establishing price controls on building materials.

The Hawaii Association of REALTORS supported this resolution. The Building Industry Association of Hawaii supported this measure in part and opposed this measure in part. The Contractors License Board supported the intent of this resolution and suggested amendments. The Department of Commerce and Consumer Affairs and State Farm Insurance Companies commented on this measure and suggested amendments.

The recent Gulf Coast hurricanes and our own experiences with rebuilding after hurricanes Iwa and Iniki demand that we anticipate and plan for a shortage of skilled and licensed contractors and tradesmen after a natural disaster.

Upon consideration of the issues raised at the hearing, your Committee has amended this resolution by:

- (1) Changing its title to read:
REQUESTING THE PREPARED EMERGENCY RESPONSE COMMISSION TO STUDY EXPEDITED LICENSING OR LICENSING EXEMPTIONS FOR CONTRACTORS AND TRADESMEN IN THE EVENT OF A NATURAL DISASTER;
- (2) Removing the establishment of price controls from the study;
- (3) Providing that the Prepared Emergency Response Commission (Response Commission) perform the study, or in its absence, a task force established by the Director of Commerce and Consumer Affairs pursuant to the measure;
- (4) Removing from the task force, the:
 - (A) Comptroller;
 - (B) Vice-Director of Civil Defense;
 - (C) Representative of an insurer that writes less than 20 percent of the Hawaii homeowners insurance market;
 - (D) Representative of the Property and Casualty Insurance Association of America;
 - (E) Executive Director of the Office of Consumer Protection; and
 - (F) Three representatives of construction materials supply houses;
 and
- (5) Adding to the task force, a representative of:
 - (A) Subcontractors Association of Hawaii;
 - (B) Building Industry Association of Hawaii;
 - (C) General Contractors Association of Hawaii;
 - (D) Associated Builders and Contractors; and
 - (E) Hawaii Association of REALTORS.

Your Committee requests that the Response Commission or task force, as the case may be, consider and make recommendations on the appropriate time and method of terminating any licensing exemptions or regulations proposed by the task force.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 43, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 43, H.D. 1.

Signed by all members of the Committee except Representatives Ito, Karamatsu, Sonson, Souki and Stonebraker.

SCRep. 1691-06 Consumer Protection & Commerce on H.C.R. No. 58

The purpose of this concurrent resolution is to prepare for a shortage of licensed tradesmen and contractors to rebuild Hawaii in the event of a natural disaster by requesting the Department of Commerce and Consumer Affairs to establish a task force to study:

- (1) Authorizing expedited licensing or licensing exemptions for tradesmen and contractors; and
- (2) Establishing price controls on building materials.

The Hawaii Association of REALTORS supported this concurrent resolution. The Building Industry Association of Hawaii supported this measure in part and opposed this measure in part. The Contractors License Board supported the intent of this concurrent resolution and suggested amendments. The Department of Commerce and Consumer Affairs and State Farm Insurance Companies commented on this measure and suggested amendments.

The recent Gulf Coast hurricanes and our own experiences with rebuilding after hurricanes Iwa and Iniki demand that we anticipate and plan for a shortage of skilled and licensed contractors and tradesmen after a natural disaster.

Upon consideration of the issues raised at the hearing, your Committee has amended this concurrent resolution by:

- (1) Changing its title to read:
REQUESTING THE PREPARED EMERGENCY RESPONSE COMMISSION TO STUDY EXPEDITED LICENSING OR LICENSING EXEMPTIONS FOR CONTRACTORS AND TRADESMEN IN THE EVENT OF A NATURAL DISASTER;
- (2) Removing the establishment of price controls from the study;
- (3) Providing that the Prepared Emergency Response Commission (Response Commission) perform the study, or in its absence, a task force established by the Director of Commerce and Consumer Affairs pursuant to the measure;

- (4) Removing from the task force, the:
- (A) Comptroller;
 - (B) Vice-Director of Civil Defense;
 - (C) Representative of an insurer that writes less than 20 percent of the Hawaii homeowners insurance market;
 - (D) Representative of the Property and Casualty Insurance Association of America;
 - (E) Executive Director of the Office of Consumer Protection; and
 - (F) Three representatives of construction materials supply houses;
- and
- (5) Adding to the task force, a representative of:
- (A) Subcontractors Association of Hawaii;
 - (B) Building Industry Association of Hawaii;
 - (C) General Contractors Association of Hawaii;
 - (D) Associated Builders and Contractors; and
 - (E) Hawaii Association of REALTORS.

Your Committee requests that the Response Commission or task force, as the case may be, consider and make recommendations on the appropriate time and method of terminating any licensing exemptions or regulations proposed by the task force.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 58, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 58, H.D. 1.

Signed by all members of the Committee except Representatives Ito, Karamatsu, Sonson, Souki and Stonebraker.

SCRep. 1692-06 Higher Education on H.R. No. 150

The purpose of this resolution is to support the concept of a public-private joint venture to develop a new advanced simulator airline training facility in Hawaii.

The Honolulu Community College and Global Aeronautics LLC, supported this measure. The Department of Transportation (DOT) supported the intent of this measure.

Your Committee believes that DOT raised legitimate concerns about the use of state land for aviation purposes in compliance with Federal Aviation Administration policies and procedures. These concerns need to be addressed prior to entering into a public-private joint venture.

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.R. No. 150 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1693-06 Higher Education on H.C.R. No. 196

The purpose of this concurrent resolution is to support the concept of a public-private joint venture to develop a new advanced simulator airline training facility in Hawaii.

The Honolulu Community College and Global Aeronautics LLC, supported this measure. The Department of Transportation (DOT) supported the intent of this measure.

Your Committee believes that DOT raised legitimate concerns about the use of state land for aviation purposes in compliance with Federal Aviation Administration policies and procedures. These concerns need to be addressed prior to entering into a public-private joint venture.

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. 196 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1694-06 Higher Education on H.R. No. 129

The purpose of this resolution is to request the University of Hawaii (UH) to revitalize Lalamilo Station with the collaboration of UH's College of Tropical Agriculture and Human Resources (CTAHR) faculty, staff, and administrators working closely with other government agencies and community stakeholders.

CTAHR supported the intent of this measure.

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.R. No. 129 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1695-06 Higher Education on H.C.R. No. 170

The purpose of this concurrent resolution is to request the University of Hawaii (UH) to revitalize Lalamilo Station with the collaboration of UH's College of Tropical Agriculture and Human Resources (CTAHR) faculty, staff, and administrators working closely with other government agencies and community stakeholders.

CTAHR supported the intent of this measure.

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. 170 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1696-06 Higher Education on H.R. No. 126

The purpose of this resolution is to increase educational opportunities for the workforce in West Hawaii by urging the University of Hawaii (UH) to pursue the design and planning of a two-year West Hawaii Community College (HCC) campus on UH lands in North Kona. The current HCC campus is located in a shopping center.

The Representative from the 7th Representative District testified in support of this measure.

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.R. No. 126 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1697-06 Higher Education on H.C.R. No. 167

The purpose of this concurrent resolution is to increase educational opportunities for the workforce in West Hawaii by urging the University of Hawaii (UH) to pursue the design and planning of a two-year West Hawaii Community College (HCC) campus on UH lands in North Kona. The current HCC campus is located in a shopping center.

The Representative from the 7th Representative District testified in support of this measure.

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. 167 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1698-06 Higher Education on H.R. No. 217

The purpose of this resolution is to express outrage at recent Congressional cuts to federal student loan programs.

The University of Hawaii and National Association of Student Personnel Administrators supported this measure.

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.R. No. 217 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1699-06 Higher Education on H.C.R. No. 282

The purpose of this concurrent resolution is to express outrage at recent Congressional cuts to federal student loan programs.

The University of Hawaii and National Association of Student Personnel Administrators supported this measure.

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. 282 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1700-06 Higher Education on H.R. No. 29

The purpose of this resolution is to urge the University of Hawaii to establish undergraduate and graduate degree programs in information security to develop skilled and trained graduates to assist the State in defending against cyber-threats.

Several concerned individuals testified in support of this measure.

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.R. No. 29 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1701-06 Higher Education on H.C.R. No. 298

The purpose of this concurrent resolution is to request the University of Hawaii's College of Tropical Agriculture and Human Resources (CTAHR) to study the feasibility of mandated or incentive-based voluntary rooftop landscaping.

CTAHR supported the intent of this measure. The Land Use Research Foundation of Hawaii opposed this measure. The Department of Agriculture provided comments.

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. 298 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.
(Representative Green voted no.)

SCRep. 1702-06 Higher Education on H.R. No. 198

The purpose of this resolution is to request the University of Hawaii Board of Regents to name the Komohana Research and Extension Center in honor of Tadashi Higaki.

Green Point Nurseries, Inc., Big Island Dendrobium Growers Association, and numerous concerned individuals supported this measure. The University of Hawaii at Manoa's College of Tropical Agriculture and Human Resources provided comments.

Your Committee has amended this measure by:

- (1) Clarifying the provision to reflect only naming the administrative and extension wing of the Komohana Research and Extension Center in honor of Tadashi Higaki;
- (2) Changing the title to read: "REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO NAME THE ADMINISTRATIVE AND EXTENSION WING OF THE KOMOHANA RESEARCH AND EXTENSION CENTER IN HONOR OF TADASHI HIGAKI"; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

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.R. No. 198, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 198, H.D. 1.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1703-06 Higher Education on H.C.R. No. 258

The purpose of this concurrent resolution is to request the University of Hawaii Board of Regents to name the Komohana Research and Extension Center in honor of Tadashi Higaki.

Green Point Nurseries, Inc., Big Island Dendrobium Growers Association, and numerous concerned individuals supported this measure. The University of Hawaii at Manoa's College of Tropical Agriculture and Human Resources provided comments.

Your Committee has amended this measure by:

- (1) Clarifying the provision to reflect only naming the administrative and extension wing of the Komohana Research and Extension Center in honor of Tadashi Higaki;
- (2) Changing the title to read: "REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO NAME THE ADMINISTRATIVE AND EXTENSION WING OF THE KOMOHANA RESEARCH AND EXTENSION CENTER IN HONOR OF TADASHI HIGAKI"; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

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. 258, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 258, H.D. 1.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1704-06 Higher Education on H.R. No. 248

The purpose of this resolution is to protect the environmental and cultural aspects of Mauna Kea while maintaining and enhancing its scientific importance by requesting the University of Hawaii (UH) to review and report on the long-term development of observatory sites on the summit of Mauna Kea.

UH and the UH Institute for Astronomy testified in support of this resolution.

Your Committee has amended this measure by:

- (1) Specifying that the University of Hawaii Institute for Astronomy is be responsible for conducting the review and preparing the report to the Legislature; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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.R. No. 248, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 248, H.D. 1.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1705-06 Higher Education on H.C.R. No. 314

The purpose of this concurrent resolution is to protect the environmental and cultural aspects of Mauna Kea while maintaining and enhancing its scientific importance by requesting the University of Hawaii (UH) to review and report on the long-term development of observatory sites on the summit of Mauna Kea.

UH and the UH Institute for Astronomy testified in support of this concurrent resolution.

Your Committee has amended this measure by:

- (1) Specifying that the University of Hawaii Institute for Astronomy is responsible for conducting the review and preparing the report to the Legislature; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 314, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 314, H.D. 1.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1706-06 Higher Education on H.R. No. 101

The purpose of this resolution is to urge the President and Board of Regents of the University of Hawaii (UH) to reaffirm their commitment to maintaining a systemwide office of the Vice President for Student Affairs and to fill the vacant position of the Vice President for Student Affairs.

The Hawaii Commission for National and Community Service, National Association of Student Personnel Administrators Hawaii, Associated Students of UH at Manoa, UH Student Caucus, and several concerned individuals testified in support of this measure. The UH Professional Assembly and a concerned individual opposed this measure. UH offered comments.

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.R. No. 101 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1707-06 Higher Education on H.C.R. No. 137

The purpose of this concurrent resolution is to urge the President and Board of Regents of the University of Hawaii (UH) to reaffirm their commitment to maintaining a systemwide office of the Vice President for Student Affairs and to fill the vacant position of the Vice President for Student Affairs.

The Hawaii Commission for National and Community Service, National Association of Student Personnel Administrators Hawaii, Associated Students of UH at Manoa, UH Student Caucus, and several concerned individuals testified in support of this measure. The UH Professional Assembly and a concerned individual opposed this measure. UH offered comments.

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. 137 and recommends its adoption.

Signed by all members of the Committee except Representatives Harbin, Waters and Finnegan.

SCRep. 1708-06 Higher Education/Housing on H.R. No. 167

The purpose of this resolution is to request that the University of Hawaii (UH) conduct a study to determine whether a state-mandated special assessment should be levied and collected against some portion of commercial and industrial lessors' windfall profits resulting from the

reversion of improvements on their properties at the conclusion of ground leases. The assessment would be dedicated to the creation of state-sponsored affordable housing opportunities for the residents of Hawaii.

A concerned individual testified in support of this resolution. UH supported the intent of this measure. The Land Use Research Foundation of Hawaii opposed this measure.

UH suggested convening a meeting with various stakeholders and interested parties to discuss the issues raised in this resolution to help facilitate the purposes of this measure. Your Committees concur with this recommendation, as it is not the intent of this measure to adversely affect UH's budget, and believe that this measure could be an opportunity for graduate students to conduct a study and see the direct results of their work.

As affirmed by the records of votes of the members of your Committees on Higher Education and Housing that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 167 and recommend its adoption.

Signed by all members of the Committee except Representatives Chang, Harbin, Kawakami, Sonson, Waters, Halford and Pine.

SCRep. 1709-06 Higher Education/Housing on H.C.R. No. 203

The purpose of this concurrent resolution is to request that the University of Hawaii (UH) conduct a study to determine whether a state-mandated special assessment should be levied and collected against some portion of commercial and industrial lessors' windfall profits resulting from the reversion of improvements on their properties at the conclusion of ground leases. The assessment would be dedicated to the creation of state-sponsored affordable housing opportunities for the residents of Hawaii.

A concerned individual testified in support of this concurrent resolution. UH supported the intent of this measure. The Land Use Research Foundation of Hawaii opposed this measure.

UH suggested convening a meeting with various stakeholders and interested parties to discuss the issues raised in this concurrent resolution to help facilitate the purposes of this measure. Your Committees concur with this recommendation, as it is not the intent of this measure to adversely affect UH's budget, and believe that this measure could be an opportunity for graduate students to conduct a study and see the direct results of their work.

As affirmed by the records of votes of the members of your Committees on Higher Education and Housing that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 203 and recommend its adoption.

Signed by all members of the Committee except Representatives Chang, Harbin, Kawakami, Sonson, Waters, Halford and Pine.

SCRep. 1710-06 Human Services on H.R. No. 56

The purpose of this resolution is to request the Department of Human Services (DHS) to ensure that the current Residential Alternative Community Care Program model is not dismantled in the transition to QUEST Expanded Access.

The Adult Foster Home Association of Hawaii, Case Management Council, Case Management, Inc., Catholic Charities Hawaii, and numerous concerned individuals testified in support of this resolution. DHS did not support this measure.

Your Committee has amended this resolution by:

- (1) Changing its title to read: "URGING THE DEPARTMENT OF HUMAN SERVICES, ADULT FOSTER HOME ASSOCIATION, AND CASE MANAGEMENT COUNCIL TO WORK TOGETHER TO CLEARLY DEFINE AND RECOMMEND THE THREE DISTINCT COMPONENTS OF THE RESIDENTIAL ALTERNATIVES COMMUNITY CARE FOSTER FAMILY HOMES SERVICE ARRAY AND THEIR MODE OF SERVICE DELIVERY, FOR INCLUSION IN THE DEPARTMENT OF HUMAN SERVICES QUEST EXPANDED ACCESS REQUEST FOR PROPOSAL";
- (2) Providing background on the proposed QUEST Expanded Access and Community Care Foster Family Homes;
- (3) Specifying that DHS is urged to work together with the Adult Foster Home Association, Case Management Council, and other stakeholders to recommend three distinct components of the Residential Alternatives Community Care Foster Family Homes Service Array and mode of service delivery for inclusion in the QUEST Expanded Access request for proposal; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 56, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 56, H.D. 1.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1711-06 Human Services on H.C.R. No. 72

The purpose of this concurrent resolution is to request the Department of Human Services (DHS) to ensure that the current Residential Alternative Community Care Program model is not dismantled in the transition to QUEST Expanded Access.

The Adult Foster Home Association of Hawaii, Case Management Council, Case Management, Inc., Catholic Charities Hawaii, and numerous concerned individuals testified in support of this concurrent resolution. DHS did not support this measure.

Your Committee has amended this concurrent resolution by:

- (1) Changing its title to read: "URGING THE DEPARTMENT OF HUMAN SERVICES, ADULT FOSTER HOME ASSOCIATION, AND CASE MANAGEMENT COUNCIL TO WORK TOGETHER TO CLEARLY DEFINE AND RECOMMEND THE THREE DISTINCT COMPONENTS OF THE RESIDENTIAL ALTERNATIVES COMMUNITY CARE FOSTER FAMILY HOMES SERVICE ARRAY AND THEIR MODE OF SERVICE DELIVERY, FOR INCLUSION IN THE DEPARTMENT OF HUMAN SERVICES QUEST EXPANDED ACCESS REQUEST FOR PROPOSAL";
- (2) Providing background on the proposed QUEST Expanded Access and Community Care Foster Family Homes;
- (3) Specifying that DHS is urged to work together with the Adult Foster Home Association, Case Management Council, and other stakeholders to recommend three distinct components of the Residential Alternatives Community Care Foster Family Homes Service Array and mode of service delivery for inclusion in the QUEST Expanded Access request for proposal; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 72, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 72, H.D. 1.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1712-06 Transportation/Higher Education on H.R. No. 206

The purpose of this resolution is to increase cargo space at Honolulu Harbor while working to preserve the University of Hawaii Marine Center (Marine Center) by requesting that the University of Hawaii (UH) collaborate with the Department of Transportation (DOT) to pursue on a priority basis the relocation of the Marine Center from the former Kapalama Military Reservation (KMR), Honolulu Harbor.

DOT, Hawaii Harbor Users Group (HHUG), The Chamber of Commerce of Hawaii, Alexander and Baldwin, Inc., Matson Navigation Company, Inc., A&B Properties, Inc., Horizon Lines, LLC, Young Brothers, Limited, and Maritime Consultants of the Pacific testified in support of this resolution. UH, the School of Ocean and Earth Science and Technology (SOEST), and numerous concerned professors and individuals testified in opposition to this measure. Numerous individuals submitted comments on this measure.

Your Committees find that harbor space at Honolulu Harbor is at a premium and that cargo space is expected to reach capacity by 2011. Increasing container space and the requisite facilities of Honolulu Harbor to handle increased cargo is of the utmost importance for the well-being of the people of this state. KMR was purchased by the State with the intent to use KMR to expand the cargo handling capacity and capability of Honolulu Harbor.

However, your Committees are also cognizant of the fact that the Marine Center, located at Snug Harbor at KMR, is used by SOEST and other researchers, both from UH and around the world, to conduct marine research and educational programs that have a profound impact on the scientific community worldwide. The Marine Center also provides Hawaii and UH with educational and economic advantages that are significant on both a national and international level.

Your Committees note that while space at Honolulu Harbor is finite and that increasing cargo space is important, preserving the Marine Center, a "jewel" of the UH System, is also of the utmost importance, and that DOT and UH need to work collaboratively to accomplish this task. However, accomplishing this task is daunting and may take increased financial resources. Your Committees find that in collaboratively developing relocation plans for the Marine Center, UH and DOT should also share in any relocation costs.

Your Committees have amended this measure by:

- (1) Stressing the importance of the Marine Center;
- (2) Stipulating that prior to the relocation of the Marine Center, DOT and UH find a suitable location offering comparable dock space, storage and staging areas, services, size, and proximity to UH, that is beneficial to all parties involved and ensure that funding is available for its relocation;
- (3) Requesting HHUG to include representatives of SOEST, as well as the Marine Center, in its harbor planning process regarding the development of harbor lands;
- (4) Clarifying that DOT and UH work collaboratively with each other to pursue, on a priority basis, the relocation of the Marine Center;
- (5) Changing its title to read: "REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF TRANSPORTATION TO WORK COLLABORATIVELY TO PURSUE, ON A PRIORITY BASIS, THE RELOCATION OF THE UNIVERSITY OF HAWAII MARINE CENTER FROM THE FORMER KAPALAMA MILITARY RESERVATION, HONOLULU HARBOR"; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Transportation and Higher Education that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 206, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 206, H.D. 1.

Signed by all members of the Committee except Representatives Harbin, Takumi, Tanaka and Ching.

SCRep. 1713-06 Transportation/Higher Education on H.C.R. No. 266

The purpose of this concurrent resolution is to increase cargo space at Honolulu Harbor while working to preserve the University of Hawaii Marine Center (Marine Center) by requesting that the University of Hawaii (UH) collaborate with the Department of Transportation (DOT) to pursue on a priority basis the relocation of the Marine Center from the former Kapalama Military Reservation (KMR), Honolulu Harbor.

DOT, Hawaii Harbor Users Group (HHUG), The Chamber of Commerce of Hawaii, Alexander and Baldwin, Inc., Matson Navigation Company, Inc., A&B Properties, Inc., Horizon Lines, LLC, Young Brothers, Limited, and Maritime Consultants of the Pacific testified in support of this concurrent resolution. UH, the School of Ocean and Earth Science and Technology (SOEST), and numerous concerned professors and individuals testified in opposition to this measure. Numerous individuals submitted comments on this measure.

Your Committees find that harbor space at Honolulu Harbor is at a premium and that cargo space is expected to reach capacity by 2011. Increasing container space and the requisite facilities of Honolulu Harbor to handle increased cargo is of the utmost importance for the well-being of the people of this state. KMR was purchased by the State with the intent to use KMR to expand the cargo handling capacity and capability of Honolulu Harbor.

However, your Committees are also cognizant of the fact that the Marine Center, located at Snug Harbor at KMR, is used by SOEST and other researchers, both from UH and around the world, to conduct marine research and educational programs that have a profound impact on the scientific community worldwide. The Marine Center also provides Hawaii and UH with educational and economic advantages that are significant on both a national and international level.

Your Committees note that while space at Honolulu Harbor is finite and that increasing cargo space is important, preserving the Marine Center, a "jewel" of the UH System, is also of the utmost importance, and that DOT and UH need to work collaboratively to accomplish this task. However, accomplishing this task is daunting and may take increased financial resources. Your Committees find that in collaboratively developing relocation plans for the Marine Center, UH and DOT should also share in any relocation costs.

Your Committees have amended this measure by:

- (1) Stressing the importance of the Marine Center;
- (2) Stipulating that prior to the relocation of the Marine Center, DOT and UH find a suitable location offering comparable dock space, storage and staging areas, services, size, and proximity to UH, that is beneficial to all parties involved and ensure that funding is available for its relocation;
- (3) Requesting HHUG to include representatives of SOEST, as well as the Marine Center, in its harbor planning process regarding the development of harbor lands;
- (4) Clarifying that DOT and UH work collaboratively with each other to pursue, on a priority basis, the relocation of the Marine Center;
- (5) Changing its title to read: "REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF TRANSPORTATION TO WORK COLLABORATIVELY TO PURSUE, ON A PRIORITY BASIS, THE RELOCATION OF THE UNIVERSITY OF HAWAII MARINE CENTER FROM THE FORMER KAPALAMA MILITARY RESERVATION, HONOLULU HARBOR"; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Transportation and Higher Education that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 266, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 266, H.D. 1.

Signed by all members of the Committee except Representatives Harbin, Takumi, Tanaka and Ching.

SCRep. 1714-06 Housing/Water, Land, & Ocean Resources on H.R. No. 156

The purpose of this resolution is to request the Hawaii Public Housing Administration, in consultation with the Department of Land and Natural Resources, Department of Hawaiian Home Lands (DHHL), Office of Hawaiian Affairs (OHA), each branch of the Armed Forces in Hawaii, and the Planning Director of each county, to study the use of trailer parks as a possible solution for Hawaii's affordable housing crisis.

OHA supported the intent of this resolution. The Housing and Community Development Corporation of Hawaii and DHHL offered comments.

Your Committees have amended this resolution by:

- (1) Changing its title to read: "REQUESTING THE HAWAIIAN AFFAIRS, ALL PUBLIC HOUSING ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF HAWAIIAN AFFAIRS, HAWAIIAN HOME LANDS, OFFICE OF HAWAIIAN AFFAIRS, UNITED STATES ARMED FORCES IN HAWAIIAN AFFAIRS, AND THE COUNTIES TO STUDY THE USE OF TRAILER PARKS AS A POSSIBLE OPTION FOR SOLVING HAWAII'S HOMELESS AND AFFORDABLE HOUSING CRISIS";
- (2) Clarifying that trailer parks may also be a possible option for solving Hawaii's homeless crisis, in addition to Hawaii's affordable housing problem; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Housing and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 156, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 156, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Green, Kawakami, Waters, Halford and Meyer.

SCRep. 1715-06 Housing/Water, Land, & Ocean Resources on H.C.R. No. 202

The purpose of this concurrent resolution is to request the Hawaii Public Housing Administration, in consultation with the Department of Land and Natural Resources, Department of Hawaiian Home Lands (DHHL), Office of Hawaiian Affairs (OHA), each branch of the Armed Forces in Hawaii, and the Planning Director of each county, to study the use of trailer parks as a possible solution for Hawaii's affordable housing crisis.

OHA supported the intent of this concurrent resolution. The Housing and Community Development Corporation of Hawaii and DHHL offered comments.

Your Committees have amended this concurrent resolution by:

- (1) Changing its title to read: "REQUESTING THE HAWAII PUBLIC HOUSING ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF HAWAIIAN HOME LANDS, OFFICE OF HAWAIIAN AFFAIRS, UNITED STATES ARMED FORCES IN HAWAII, AND THE COUNTIES TO STUDY THE USE OF TRAILER PARKS AS A POSSIBLE OPTION FOR SOLVING HAWAII'S HOMELESS AND AFFORDABLE HOUSING CRISIS";
- (2) Clarifying that trailer parks may also be a possible option for solving Hawaii's homeless crisis, in addition to Hawaii's affordable housing problem; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Housing and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 202, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 202, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Green, Kawakami, Waters, Halford and Meyer.

SCRep. 1716-06 Housing/Water, Land, & Ocean Resources on H.R. No. 228

The purpose of this resolution is to request the Department of Land and Natural Resources (DLNR), in consultation with the Housing and Community Development Corporation of Hawaii, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, each branch of the United States Armed Forces in Hawaii, and the Planning Director of each county, to study the feasibility and usefulness of manufactured-housing parks as one possible element in the Legislature's efforts to solve the State's affordable housing crisis.

DLNR offered comments.

Your Committees have amended this resolution by:

- (1) Changing its title to read: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE POSSIBILITY OF THE STATE DEVELOPING AND OPERATING MANUFACTURED-HOUSING PARKS TO HELP ALLEVIATE HAWAII'S HOMELESS AND AFFORDABLE HOUSING CRISIS";
- (2) Clarifying that manufactured-housing parks may also be a possible option for solving Hawaii's homeless crisis, in addition to Hawaii's affordable housing problem; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Housing and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 228, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 228, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Green, Kawakami, Waters, Halford and Meyer.

SCRep. 1717-06 Housing/Water, Land, & Ocean Resources on H.C.R. No. 293

The purpose of this concurrent resolution is to request the Department of Land and Natural Resources (DLNR), in consultation with the Housing and Community Development Corporation of Hawaii, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, each branch of the United States Armed Forces in Hawaii, and the Planning Director of each county, to study the feasibility and usefulness of manufactured-housing parks as one possible element in the Legislature's efforts to solve the State's affordable housing crisis.

DLNR offered comments.

Your Committees have amended this concurrent resolution by:

- (1) Changing its title to read: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE POSSIBILITY OF THE STATE DEVELOPING AND OPERATING MANUFACTURED-HOUSING PARKS TO HELP ALLEVIATE HAWAII'S HOMELESS AND AFFORDABLE HOUSING CRISIS";
- (2) Clarifying that manufactured-housing parks may also be a possible option for solving Hawaii's homeless crisis, in addition to Hawaii's affordable housing problem; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Housing and Water, Land, & Ocean Resources that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 293, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 293, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Green, Kawakami, Waters, Halford and Meyer.

SCRep. 1718-06 Human Services on H.R. No. 109

The purpose of this measure is to clarify and declare that providers of domestic services who are authorized and subsidized by the Department of Human Services to provide domestic services are excluded from the application of the State's Workers' Compensation Law, Temporary Disability Law, and Prepaid Health Care Law.

Your Committee drafted a proposed House Draft on this measure that, among other things, requested that:

- (1) The Legislative Reference Bureau, with the assistance of the Attorney General and the Departments of Labor and Industrial Relations, Human Services, and Taxation, conduct a study on the exemptions of domestic services authorized by the Department of Human Services under the Social Security Act to:
 - (A) Provide clarification on the relationship between providers as recipients of social service payments and those employed to provide domestic services; and
 - (B) Analyze the propriety of the exemption of these domestic services from the Employment Security Law (chapter 383, Hawaii Revised Statutes);
- (2) The Attorney General, the Departments of Labor and Industrial Relations, Human Services, and Taxation, and other relevant agencies defer any enforcement action related to chapters 383 (Employment Security), 386 (Workers' Compensation), 392 (Temporary Disability), and 393 (Prepaid Health Care), Hawaii Revised Statutes, until the end of the 2007 Regular Session; and
- (3) A report and proposed legislation be submitted to the Legislature on this issue not later than twenty days prior to the convening of the 2007 Regular Session.

Your Committee finds that the Department of Human Services contracts with social care providers, including corporations and private agencies, to perform attendant care and day care services authorized under the Social Security Act, as amended.

Sections 386-1, 392-3 and 393-5, Hawaii Revised Statutes, exclude "domestic" services from the definitions of "employment" for individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of social care providers.

However, the "domestic" exemption is not included in the Hawaii Employment Security Law, chapter 383, Hawaii Revised Statutes.

Your Committee finds that it is in the public interest, benefit, and welfare to exclude from the definition of "employment" in chapters 383, 386, 392 and 393, Hawaii Revised Statutes, those individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of social care providers. This would ensure that social care providers continue to operate and use their resources to provide services to elderly and disabled adults in Hawaii.

Your Committee further finds that it is in the public interest, benefit, and welfare to have a friendly regulatory environment for businesses, including consistent employment benefit laws. Therefore, your Committee finds that it is contrary to the public interest, benefit, and welfare to have inconsistent laws that exclude the "domestic" exemption in the Hawaii Employment Security Law but include the "domestic" exemption in the Hawaii Workers' Compensation law, Temporary Disability Law, and Prepaid Health Care Law.

Your Committee also finds that it would be in the public interest if the Department of Labor and Industrial Relations and other state agencies would act consistently with the intent of the Legislature to exclude social care providers and their employees who perform social services from the definition of "employment" in chapters 383, 386, 392, and 393, Hawaii Revised Statutes.

Your Committee finds that actions not consistent with this intent may jeopardize and seriously impair the ability of social care providers to continue to operate and to use their resources to provide services to elderly and disabled adults in Hawaii.

Accordingly, your Committee has amended this measure by:

- (1) Changing its title to read: "REQUESTING THE ATTORNEY GENERAL TO PROVIDE A DEFINITIVE LEGAL OPINION REGARDING WHETHER CHAPTERS 383, 386, 392, AND 393, HAWAII REVISED STATUTES, EACH EXCLUDE FROM THE DEFINITION OF "EMPLOYMENT" THOSE INDIVIDUALS WHO PERFORM ATTENDANT CARE AND DAY CARE SERVICES AUTHORIZED UNDER THE SOCIAL SECURITY ACT, AS AMENDED, IN THE EMPLOY OF PERSONS, INCLUDING CORPORATIONS AND PRIVATE AGENCIES, WHO CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES AND WHO ARE THE RECIPIENTS OF SOCIAL SERVICE PAYMENTS";
- (2) Replacing the request that the Legislative Reference Bureau conduct a study with a request to the Attorney General to:
 - (A) Provide a definitive legal opinion (as soon as possible) regarding whether sections 386-1, 392-3 and 393-5, Hawaii Revised Statutes, exclude from each section's definition of "employment" those individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of persons (including corporations and private agencies) who contract with the Department of Human Services to provide care services and who are the recipients of social service payments;

- (B) Provide a definitive legal opinion (as soon as possible) regarding whether chapter 383, Hawaii Revised Statutes, excludes from the chapter's definition of "employment" those individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of persons (including corporations and private agencies) who contract with the Department of Human Services to provide care services and who are the recipients of social service payments; and
 - (C) Provide proposed legislation, if the Attorney General opines that these individuals are not already excluded from the definition of "employment", to amend chapters 383, 386, 392, and 393, Hawaii Revised Statutes, to retroactively and prospectively exclude, from each section's definition of "employment", those individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of persons (including corporations and private agencies) who contract with the Department of Human Services to provide care services and who are the recipients of social service payments; and
- (3) Ensuring that social care providers continue to operate and use their resources to provide services to elderly and disabled adults in Hawaii by requesting that the Attorney General, the Department of Labor and Industrial Relations, the Department of Taxation, and other state agencies and private entities suspend all application and enforcement, until June 30, 2007, of all of the relevant provisions of chapter 383, 386, 392, and 393, Hawaii Revised Statutes, regarding insurance, withholdings, payments, and all similar requirements on persons, including corporations and private agencies, contracting with Department of Human Services to provide attendant care and day care services authorized under the Social Security Act, as amended, as these laws relate to individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of these contracting persons; and
 - (4) Making technical nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 109, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 109, H.D. 1.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1719-06 Human Services on H.C.R. No. 147

The purpose of this measure is to clarify and declare that providers of domestic services who are authorized and subsidized by the Department of Human Services to provide domestic services are excluded from the application of the State's Workers' Compensation Law, Temporary Disability Law, and Prepaid Health Care Law.

Your Committee drafted a proposed Senate Draft on this measure that, among other things, requested that:

- (1) The Legislative Reference Bureau, with the assistance of the Attorney General and the Departments of Labor and Industrial Relations, Human Services, and Taxation, conduct a study on the exemptions of domestic services authorized by the Department of Human Services under the Social Security Act to:
 - (A) Provide clarification on the relationship between providers as recipients of social service payments and those employed to provide domestic services; and
 - (B) Analyze the propriety of the exemption of these domestic services from the Employment Security Law (chapter 383, Hawaii Revised Statutes);
- (2) The Attorney General, the Departments of Labor and Industrial Relations, Human Services, and Taxation, and other relevant agencies defer any enforcement action related to chapters 383 (Employment Security), 386 (Workers' Compensation), 392 (Temporary Disability), and 393 (Prepaid Health Care), Hawaii Revised Statutes, until the end of the 2007 Regular Session; and
- (3) A report and proposed legislation be submitted to the Legislature on this issue not later than twenty days prior to the convening of the 2007 Regular Session.

Your Committee finds that the Department of Human Services contracts with social care providers, including corporations and private agencies, to perform attendant care and day care services authorized under the Social Security Act, as amended.

Sections 386-1, 392-3 and 393-5, Hawaii Revised Statutes, exclude "domestic" services from the definitions of "employment" for individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of social care providers.

However, the "domestic" exemption is not included in the Hawaii Employment Security Law, chapter 383, Hawaii Revised Statutes.

Your Committee finds that it is in the public interest, benefit, and welfare to exclude from the definition of "employment" in chapters 383, 386, 392 and 393, Hawaii Revised Statutes, those individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of social care providers. This would ensure that social care providers continue to operate and use their resources to provide services to elderly and disabled adults in Hawaii.

Your Committee further finds that it is in the public interest, benefit, and welfare to have a friendly regulatory environment for businesses, including consistent employment benefit laws. Therefore, your Committee finds that it is contrary to the public interest, benefit, and welfare to have inconsistent laws that exclude the "domestic" exemption in the Hawaii Employment Security Law but include the "domestic" exemption in the Hawaii Workers' Compensation law, Temporary Disability Law, and Prepaid Health Care Law.

Your Committee also finds that it would be in the public interest if the Department of Labor and Industrial Relations and other state agencies would act consistently with the intent of the Legislature to exclude social care providers and their employees who perform social services from the definition of "employment" in chapters 383, 386, 392, and 393, Hawaii Revised Statutes.

Your Committee finds that actions not consistent with this intent may jeopardize and seriously impair the ability of social care providers to continue to operate and to use their resources to provide services to elderly and disabled adults in Hawaii.

Accordingly, your Committee has amended this measure by:

- (1) Changing its title to read: "REQUESTING THE ATTORNEY GENERAL TO PROVIDE A DEFINITIVE LEGAL OPINION REGARDING WHETHER CHAPTERS 383, 386, 392, AND 393, HAWAII REVISED STATUTES, EACH EXCLUDE FROM THE DEFINITION OF "EMPLOYMENT" THOSE INDIVIDUALS WHO PERFORM ATTENDANT CARE AND DAY CARE SERVICES AUTHORIZED UNDER THE SOCIAL SECURITY ACT, AS AMENDED, IN THE EMPLOY OF PERSONS, INCLUDING CORPORATIONS AND PRIVATE AGENCIES, WHO CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES AND WHO ARE THE RECIPIENTS OF SOCIAL SERVICE PAYMENTS";
- (2) Replacing the request that the Legislative Reference Bureau conduct a study with a request to the Attorney General to:
 - (A) Provide a definitive legal opinion (as soon as possible) regarding whether sections 386-1, 392-3 and 393-5, Hawaii Revised Statutes, exclude from each section's definition of "employment" those individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of persons (including corporations and private agencies) who contract with the Department of Human Services to provide care services and who are the recipients of social service payments;
 - (B) Provide a definitive legal opinion (as soon as possible) regarding whether chapter 383, Hawaii Revised Statutes, excludes from the chapter's definition of "employment" those individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of persons (including corporations and private agencies) who contract with the Department of Human Services to provide care services and who are the recipients of social service payments; and
 - (C) Provide proposed legislation, if the Attorney General opines that these individuals are not already excluded from the definition of "employment", to amend chapters 383, 386, 392, and 393, Hawaii Revised Statutes, to retroactively and prospectively exclude, from each section's definition of "employment", those individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of persons (including corporations and private agencies) who contract with the Department of Human Services to provide care services and who are the recipients of social service payments; and
- (3) Ensuring that social care providers continue to operate and use their resources to provide services to elderly and disabled adults in Hawaii by requesting that the Attorney General, the Department of Labor and Industrial Relations, the Department of Taxation, and other state agencies and private entities suspend all application and enforcement, until June 30, 2007, of all of the relevant provisions of chapter 383, 386, 392, and 393, Hawaii Revised Statutes, regarding insurance, withholdings, payments, and all similar requirements on persons, including corporations and private agencies, contracting with Department of Human Services to provide attendant care and day care services authorized under the Social Security Act, as amended, as these laws relate to individuals who perform attendant care and day care services authorized under the Social Security Act, as amended, in the employ of these contracting persons; and
- (4) Making technical nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 147, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 147, H.D. 1.

Signed by all members of the Committee except Representative Stonebraker.

SCRep. 1720-06 Consumer Protection & Commerce on H.R. No. 90

The purpose of this resolution is to take a proactive approach to the recruitment of qualified nurses to fill the State's nursing shortage by requesting the National Council of State Boards of Nursing (Council) to establish a testing center in the Philippines, to allow nurses in that jurisdiction to take the National Council Licensure Examination that qualifies them to work as registered or practical nurses in Hawaii.

The Board of Nursing, Hawai'i Nurses' Association, and the Representative from the 38th district supported this bill.

Your Committee finds that the Council administers the licensing examination for nurses in several locations outside of the United States. The Council has recently expanded the number of these sites, however, they do not include the Philippines. If the licensing examination were offered in that country, nurses who take and pass the examination would be ready for employment in our hospitals as soon as they meet visa requirements.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 90 and recommends its adoption.

Signed by all members of the Committee except Representatives Sonson and Stonebraker.

SCRep. 1721-06 Consumer Protection & Commerce on H.C.R. No. 123

The purpose of this concurrent resolution is to take a proactive approach to the recruitment of qualified nurses to fill the State's nursing shortage by requesting the National Council of State Boards of Nursing (Council) to establish a testing center in the Philippines, to allow nurses in that jurisdiction to take the National Council Licensure Examination that qualifies them to work as registered or practical nurses in Hawaii.

The Board of Nursing, Hawai'i Nurses' Association, and the Representative from the 38th district supported this bill.

Your Committee finds that the Council administers the licensing examination for nurses in several locations outside of the United States. The Council has recently expanded the number of these sites, however, they do not include the Philippines. If the licensing examination were offered in that country, nurses who take and pass the examination would be ready for employment in our hospitals as soon as they meet visa requirements.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce 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 Sonson and Stonebraker.

SCRep. 1722-06 Public Safety & Military Affairs on H.R. No. 95

The purpose of this resolution is to request the Director of Public Safety to report on its six-year plan to address overcrowding in the State's prisons and jail system.

Your Committee distributed a proposed draft of H.R. No. 95 H.D. 1 for review and consideration before the hearing on this measure. Specifically, the proposed draft requests the Director of Public Safety to conduct a security audit of the Hawaii Youth Correctional Facility (HYCF).

The Office of Youth Services supported this proposed measure. The Department of Public Safety provided comments.

Your Committee finds that there have been several escapes in the past from HYCF, including a recent escape in 2005. Any escape from HYCF significantly impacts public safety, especially that of the surrounding community. Therefore, a security audit that will review HYCF's existing practices, procedures, policies, as well as make recommendations to address these safety concerns will be beneficial to the public, security staff, and inmates.

After much discussion and consideration, your Committee has amended this measure by:

- (1) Substituting its contents with the proposed draft of H.R. 95, H.D. 1;
- (2) Changing the title to read: "REQUESTING THE DIRECTOR OF PUBLIC SAFETY TO CONDUCT A SECURITY AUDIT OF THE HAWAII YOUTH CORRECTIONAL FACILITY."; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 95, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 95, H.D. 1.

Signed by all members of the Committee except Representatives Nakasone, Souki, Moses and Stonebraker.

SCRep. 1723-06 Public Safety & Military Affairs on H.C.R. No. 130

The purpose of this concurrent resolution is to request the Director of Public Safety to report on its six-year plan to address overcrowding in the State's prisons and jail system.

Your Committee distributed a proposed draft of H.C.R. No. 130 H.D. 1 for review and consideration before the hearing on this measure. Specifically, the proposed draft requests the Director of Public Safety to conduct a security audit of the Hawaii Youth Correctional Facility (HYCF).

The Office of Youth Services supported this proposed measure. The Department of Public Safety provided comments.

Your Committee finds that there have been several escapes in the past from HYCF, including a recent escape in 2005. Any escape from HYCF significantly impacts public safety, especially that of the surrounding community. Therefore, a security audit that will review HYCF's existing practices, procedures, policies, as well as make recommendations to address these safety concerns will be beneficial to the public, security staff, and inmates.

After much discussion and consideration, your Committee has amended this measure by:

- (1) Substituting its contents with the proposed draft of H.C.R. 130, H.D. 1;
- (2) Changing the title to read: "REQUESTING THE DIRECTOR OF PUBLIC SAFETY TO CONDUCT A SECURITY AUDIT OF THE HAWAII YOUTH CORRECTIONAL FACILITY."; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 130, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 130, H.D. 1.

Signed by all members of the Committee except Representatives Nakasone, Souki, Moses and Stonebraker.

SCRep. 1724-06 International Affairs/Tourism & Culture on S.C.R. No. 83

The purpose of this concurrent resolution is to recognize the importance of a cultural exchange between the people of Hawai'i and the Island of Ra'iatea, French Polynesia, and to request Ke Ala 'Olino Native Cultural Center to convene a task force to help facilitate a cultural exchange.

Several concerned individuals submitted testimony in support of this measure. The Senator from the Sixth Senatorial District, and the Mayor of the Village of Taputapuatea, Ra'iatea, French Polynesia submitted comments.

The native people of Ra'iatea and the native Hawaiian people share a common ancestry and culture, as the native Hawaiian people are believed to be descendants of ocean voyagers from Ra'iatea who named our islands after Hawaiki, their ancient homeland. An active and productive exchange with Ra'iatea would encourage native Hawaiians and the people of Hawaii as a whole to recognize our Polynesian heritage and to participate in activities that strengthen our bonds with fellow Pacific islands.

As affirmed by the records of votes of the members of your Committees on International Affairs and Tourism & Culture that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 83 and recommend its adoption.

Signed by all members of the Committee except Representatives Sonson, Ching and Thielen.

SCRep. 1725-06 Judiciary on H.R. No. 190

The purpose of this resolution is to set in motion the process necessary to develop a strategic plan to establish receiving facilities that provide comprehensive multi-disciplinary screenings and risks and needs assessments to ensure an integrated model of care and seamless array of services for at-risk youth.

The Hawaii County Office of the Prosecuting Attorney and a concerned individual supported this resolution.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 190 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Morita and Souki.

SCRep. 1726-06 Judiciary on H.C.R. No. 250

The purpose of this concurrent resolution is to set in motion the process necessary to develop a strategic plan to establish receiving facilities that provide comprehensive multi-disciplinary screenings and risks and needs assessments to ensure an integrated model of care and seamless array of services for at-risk youth.

The Hawaii County Office of the Prosecuting Attorney and a concerned individual supported this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 250 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Morita and Souki.

SCRep. 1727-06 Judiciary on H.R. No. 80

The purpose of this resolution is to prevent additional burdens from being placed upon victims of motor vehicle theft when they are made to pay the towing fines of their abandoned vehicle by urging the Honolulu Police Department (HPD) to check the status of an abandoned motor vehicle prior to towing.

A concerned individual testified in support of this bill.

Your Committee has amended this resolution by:

- (1) Urging the Department of Public Safety Sheriffs, as well as HPD to check vehicle status prior to towing abandoned vehicles;
- (2) Amending the title to read: "URGING THE HONOLULU POLICE DEPARTMENT AND THE DEPARTMENT OF PUBLIC SAFETY SHERIFFS TO CHECK VEHICLE STATUS PRIOR TO TOWING TO ENSURE TOWING FEES OF STOLEN VEHICLES WILL NOT BE PASSED ON TO THE VICTIMS"; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 80, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 80, H.D. 1.

Signed by all members of the Committee except Representatives Kanoho, Morita and Souki.

SCRep. 1728-06 Judiciary on H.C.R. No. 108

The purpose of this concurrent resolution is to prevent additional burdens from being placed upon victims of motor vehicle theft when they are made to pay the towing fines of their abandoned vehicle by urging the Honolulu Police Department (HPD) to check the status of an abandoned motor vehicle prior to towing.

A concerned individual testified in support of this bill.

Your Committee has amended this concurrent resolution by:

- (1) Urging the Department of Public Safety Sheriffs, as well as HPD to check vehicle status prior to towing abandoned vehicles;
- (2) Amending the title to read: "URGING THE HONOLULU POLICE DEPARTMENT AND THE DEPARTMENT OF PUBLIC SAFETY SHERIFFS TO CHECK VEHICLE STATUS PRIOR TO TOWING TO ENSURE TOWING FEES OF STOLEN VEHICLES WILL NOT BE PASSED ON TO THE VICTIMS"; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 108, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 108, H.D. 1.

Signed by all members of the Committee except Representatives Kanofo, Morita and Souki.

SCRep. 1729-06 Consumer Protection & Commerce on H.C.R. No. 73

The purpose of this concurrent resolution is to increase Hawaii's preparedness to reconstruct in the event of a natural disaster by requesting the Director of Commerce and Consumer Affairs to establish a task force on:

- (1) Expedited, temporary, or special circumstances licensure of, or a license exemption for contractors and tradesmen; and
- (2) Establishing price controls on building materials and supplies.

The Building Industry Association supported this measure. The Contractors License Board supported the intent of this measure with amendments. The Department of Commerce and Consumer Affairs (DCCA) commented on this concurrent resolution.

Upon consideration, your Committee has amended this concurrent resolution to address the need for a sunrise review of the regulation of nurse aides. A proposed draft of the amended concurrent resolution was circulated and your Committee received testimony in support of the proposed draft from the Department of Health, Healthcare Association of Hawaii, and Hawaii Long Term Care Association. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs commented on the proposed draft.

Your Committee finds that nurse aides that work in facilities that receive Medicaid or Medicare funding must be certified pursuant to federal regulations. However, no comparable state requirement exists for nurse aides working in other settings. DCCA has until now been certifying this latter group, but has indicated that it will discontinue certification because no state requirement exists.

During the 2006 session, legislation was introduced to require certification of nurse aides who work in settings not funded by Medicaid or Medicare. Accordingly, this amended concurrent resolution:

- (1) Is entitled:

"REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE CERTIFICATION OF NURSE AIDES WHO WORK IN SETTINGS OTHER THAN MEDICARE- OR MEDICAID-CERTIFIED NURSING FACILITIES AND THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO RESCIND ITS DECISION TO END CERTIFICATION OF THESE NURSE AIDES";
- (2) Will protect consumers and ensure the safety of patients receiving nurse aide services in facilities that do not receive Medicare or Medicaid funding, by requesting an Auditor's sunrise review of the certification of these nurse aides proposed by S.B. No. 3277, S.D. 1; and
- (3) Addresses employment concerns of currently certified nurse aides who work in facilities that do not receive Medicare or Medicaid funding by requesting DCCA to:
 - (A) Rescind its decision to end certification of these nurse aides; and
 - (B) Extend the current certifications of this group until a law requiring their certification is enacted.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 73, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 73, H.D. 1.

Signed by all members of the Committee except Representatives Kanofo, Karamatsu, Schatz, Sonson and Stonebraker.

SCRep. 1730-06 Energy & Environmental Protection/Agriculture on H.R. No. 120

The purpose of this resolution is to urge the President and Congress of the United States to support H.R. No. 3468, cited as the "Hawaii Invasive Species Prevention Act," to control the introduction and spread of invasive species and diseases in Hawaii. H.R. No. 3468 would, among other things:

- (1) Prevent any federal agency from authorizing, funding, or carrying out any action that would likely cause or promote the introduction or spread of invasive species and diseases in Hawaii;
- (2) Require federal agencies to consider invasive species and disease issues when planning any activity that may cause the accidental introduction of invasive species and diseases in Hawaii;

- (3) Establish a system of quarantine protocols;
- (4) Allow federal officials to assist and cooperate with local and state efforts to eradicate or control invasive species; and
- (5) Authorize an appropriation to carry out the purposes of the legislation.

The Department of Land and Natural Resources, The Nature Conservancy of Hawai'i, C&H Farms, and the Maui County Farm Bureau testified in support of this resolution. The Department of Agriculture supported the intent of this measure.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 120 and recommend its adoption.

Signed by all members of the Committee except Representatives Carroll, Harbin, Karamatsu, Schatz, Wakai, Pine and Stonebraker.

SCRep. 1731-06 Energy & Environmental Protection/Agriculture on H.C.R. No. 160

The purpose of this concurrent resolution is to urge the President and Congress of the United States to support H.R. No. 3468, cited as the "Hawaii Invasive Species Prevention Act," to control the introduction and spread of invasive species and diseases in Hawaii. H.R. No. 3468 would, among other things:

- (1) Prevent any federal agency from authorizing, funding, or carrying out any action that would likely cause or promote the introduction or spread of invasive species and diseases in Hawaii;
- (2) Require federal agencies to consider invasive species and disease issues when planning any activity that may cause the accidental introduction of invasive species and diseases in Hawaii;
- (3) Establish a system of quarantine protocols;
- (4) Allow federal officials to assist and cooperate with local and state efforts to eradicate or control invasive species; and
- (5) Authorize an appropriation to carry out the purposes of the legislation.

The Department of Land and Natural Resources, The Nature Conservancy of Hawai'i, C&H Farms, and the Maui County Farm Bureau testified in support of this concurrent resolution. The Department of Agriculture supported the intent of this measure.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 160 and recommend its adoption.

Signed by all members of the Committee except Representatives Carroll, Harbin, Karamatsu, Schatz, Wakai, Pine and Stonebraker.

SCRep. 1732-06 Water, Land, & Ocean Resources on H.C.R. No. 278

The purpose of this measure is to request that the Hawaii Community Development Authority to submit a report to the Legislature on the carrying capacity of the infrastructure of the Kakaako Community Development District.

Prior to conducting a public hearing on the measure, your Committee amended the measure by:

- (1) Deleting the substantive provisions of the measure;
- (2) Inserting proposed provisions that request the Office of Hawaiian Affairs, Departments of Transportation, Hawaiian Home Lands, and Land and Natural Resources, the City and County of Honolulu, the Honolulu Board of Water Supply, Queen Emma Foundation, and Kamehameha Schools to support the establishment of a cultural preserve in Ha'iku Valley and North Halawa Valley; and
- (3) Amending the title of the measure to reflect the intent of the measure's new purpose.

Testimony in support of the proposed amendments was received from the Office of Hawaiian Affairs, the Department of Land and Natural Resources, Honolulu Board of Water Supply, Association of Hawaiian Civic Clubs, Koolau Foundation, Koolaupoko Hawaiian Civic Club, and Na Iwi O Heeiea Kea. The Department of Transportation supported the intent of the proposed amendments; provided that the Department would still be allowed to maintain the H-3 Freeway.

Your Committee has further amended the proposed draft by:

- (1) Adding additional information on the significance of Ha'iku and Halawa Valleys;
- (2) Noting the previous work of community groups on this issue that has culminated in the establishment of the Halawa-Lulukū Interpretive Development Plan;
- (3) Changing the focus of the proposed draft from supporting the establishment of cultural preserves in these areas to declaring that it is the intent of the Legislature that these preserves be established and that the identified public and private organizations work with community groups, interested individuals, and cultural experts of the affected areas to effectuate the objectives of the Halawa-Lulukū Interpretive Development Plan;
- (4) Requesting that the Office of Hawaiian Affairs be the lead agency in spearheading the implementation of the Halawa-Lulukū Interpretive Development Plan;

- (5) Requesting that a current archeological study and inventory of each valley be included as a necessary step toward completing the Halawa-Luluku Interpretive Development Plan;
- (6) Requesting that the Office of Hawaiian Affairs submit a report to the Legislature on the actions taken pursuant to this measure; and
- (7) Making technical nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 278, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 278, H.D. 1.

Signed by all members of the Committee except Representatives Morita and Meyer.

SCRep. 1733-06 Water, Land, & Ocean Resources/Health on H.R. No. 207

The purpose of this measure is to express support for Ulupalakua Ranch on the island of Maui for receiving the Hawaii Environmental Stewardship Award from the Hawaii Cattlemen's Council and for being nominated for the same award at the national level.

At a public hearing held on April 7, 2006, your Committees received testimony on a proposed H.D. 1 that fosters public notification and comment regarding activities concerning the operation and maintenance of public potable water systems, including the addition of new or different products, substances, or chemicals to the potable water and the commencement of any repairs, maintenance, or other improvements to any part of a potable water system. The proposed H.D. 1 also requests the Department of Health to hold a public hearing on any notice it receives from a public agency regarding the foregoing activities.

The Board of Water Supply of the City and County of Honolulu testified in support of the intent of the proposal, and the Department of Health testified in opposition to the proposal.

Upon further consideration, your Committees have amended this measure by replacing its contents with an amended version of the proposed H.D. 1 that requests:

- (1) All public agencies providing potable water to the public to notify the Department of Health in writing ninety days prior to the addition of any new or different product, substance, or chemical to the potable water; and
- (2) The applicable county to notify persons affected, in the event the Department of Health approves the addition of any new or different product, substance, or chemical to the potable water.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 207, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 207, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Carroll, Sonson, Halford and Meyer.

SCRep. 1734-06 Water, Land, & Ocean Resources/Health on H.C.R. No. 267

The purpose of this measure is to express support for Ulupalakua Ranch on the island of Maui for receiving the Hawaii Environmental Stewardship Award from the Hawaii Cattlemen's Council and for being nominated for the same award at the national level.

At a public hearing held on April 7, 2006, your Committees received testimony on a proposed H.D. 1 that fosters public notification and comment regarding activities concerning the operation and maintenance of public potable water systems, including the addition of new or different products, substances, or chemicals to the potable water and the commencement of any repairs, maintenance, or other improvements to any part of a potable water system. The proposed H.D. 1 also requests the Department of Health to hold a public hearing on any notice it receives from a public agency regarding the foregoing activities.

The Board of Water Supply of the City and County of Honolulu testified in support of the intent of the proposal, and the Department of Health testified in opposition to the proposal.

Upon further consideration, your Committees have amended this measure by replacing its contents with an amended version of the proposed H.D. 1 that requests:

- (1) All public agencies providing potable water to the public to notify the Department of Health in writing ninety days prior to the addition of any new or different product, substance, or chemical to the potable water; and
- (2) The applicable county to notify persons affected, in the event the Department of Health approves the addition of any new or different product, substance, or chemical to the potable water.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 267, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 267, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Carroll, Sonson, Halford and Meyer.

SCRep. 1735-06 Water, Land, & Ocean Resources/Agriculture on H.R. No. 234

The purpose of this measure is to convene a Land Use Working Group under the auspices of the Legislature and the Land Use Commission to address land issues relating to non-agricultural activity on agriculturally classified lands and to report their findings and recommendations to the 2007 Regular Session of the Legislature.

The Department of Agriculture, the Office of Planning, and the Land Use Commission testified in support of this measure. The Land Use Research Foundation and Hawaii Farm Bureau supported the intent of this measure and offered their comments.

Written testimony in support of this measure was received from the Sierra Club, the Maui County Farm Bureau, and the Hawaii Association of Realtors.

Your Committees on Water, Land, & Ocean Resources and Agriculture believe that this is an important and necessary step to take in effecting comprehensive reform of the state Land Use Laws.

Your Committees have amended this measure to:

- (1) Clarify the members of the task force;
- (2) Specify issues to be addressed by the task force;
- (3) Change the title to more accurately reflect the body of this measure; and
- (4) Make technical nonsubstantive changes for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 234, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 234, H.D. 1.

Signed by all members of the Committee except Representatives Evans, Herkes, Wakai, Meyer and Stonebraker.

SCRep. 1736-06 Water, Land, & Ocean Resources/Agriculture on H.C.R. No. 300

The purpose of this measure is to convene a Land Use Working Group under the auspices of the Legislature and the Land Use Commission to address land issues relating to non-agricultural activity on agriculturally classified lands and to report their findings and recommendations to the 2007 Regular Session of the Legislature.

The Department of Agriculture, the Office of Planning, and the Land Use Commission testified in support of this measure. The Land Use Research Foundation and Hawaii Farm Bureau supported the intent of this measure and offered their comments.

Written testimony in support of this measure was received from the Sierra Club, the Maui County Farm Bureau, and the Hawaii Association of Realtors.

Your Committees on Water, Land, & Ocean Resources and Agriculture believe that this is an important and necessary step to take in effecting comprehensive reform of the state Land Use Laws.

Your Committees have amended this measure to:

- (1) Clarify the members of the task force;
- (2) Specify issues to be addressed by the task force;
- (3) Change the title to more accurately reflect the body of this measure; and
- (4) Make technical nonsubstantive changes for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 300, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 300, H.D. 1.

Signed by all members of the Committee except Representatives Evans, Herkes, Wakai, Meyer and Stonebraker.

SCRep. 1737-06 Tourism & Culture on H.R. No. 160

The purpose of this resolution is to educate visitors and residents on the important contributions made to Hawaii by the pineapple industry by requesting appropriate House committees to investigate various possibilities to restore or replace the Dole pineapple-shaped water tank at the site of the old Dole Cannery.

The Hawaii Agriculture Research Center, Hawaii Farm Bureau Federation, Historic Hawaii Foundation, and Warren G. Haight & Associates supported this measure. The Department of Land and Natural Resources and Castle & Cooke supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Deleting the provision requesting appropriate House committees to investigate various possibilities to restore or replace the Dole pineapple-shaped water tank at the site of the old Dole Cannery;
- (2) Deleting the provision specifying that the House committees invite interested parties to share their expertise and support the investigation;

- (3) Establishing that the Chair of the House Committee on Tourism and Culture is requested to designate a member of the House Committee on Tourism and Culture to conduct informal discussions on ways to replicate the historic Iwilei pineapple-shaped water tank;
- (4) Changing the title to read as follows:

"REQUESTING THE CHAIR OF THE HOUSE COMMITTEE ON TOURISM AND CULTURE TO DESIGNATE A MEMBER OF THE HOUSE COMMITTEE ON TOURISM AND CULTURE TO CONDUCT INFORMAL DISCUSSIONS ON WAYS TO REPLICATE THE HISTORIC IWILEI PINEAPPLE-SHAPED WATER TANK.";
- (5) Specifying that the Hawaii Farm Bureau Federation, Hawaii Agriculture Research Center, Pineapple Growers of Hawaii, Castle & Cooke Hawaii, and the Chair of the House Committee on Tourism and Culture each receive a certified copy of this measure;
- (6) Deleting the Speaker of the House of Representatives from the list of entities receiving a certified copy of this measure; and
- (7) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Tourism & Culture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 160, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 160, H.D. 1.

Signed by all members of the Committee except Representatives Wakai and Ching.

SCRep. 1738-06 Tourism & Culture on H.C.R. No. 212

The purpose of this concurrent resolution is to educate visitors and residents on the important contributions made to Hawaii by the pineapple industry by requesting appropriate House and Senate committees to investigate various possibilities to restore or replace the Dole pineapple-shaped water tank at the site of the old Dole Cannery.

The Hawaii Agriculture Research Center, Hawaii Farm Bureau Federation, Historic Hawaii Foundation, and Warren G. Haight & Associates supported this measure. The Department of Land and Natural Resources and Castle & Cooke supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Deleting the provision requesting appropriate House and Senate committees to investigate various possibilities to restore or replace the Dole pineapple-shaped water tank at the site of the old Dole Cannery;
- (2) Deleting the provision specifying that the House and Senate committees invite interested parties to share their expertise and support the investigation;
- (3) Establishing that the Chair of the House Committee on Tourism and Culture and the Chair of the Senate Committee on Tourism are each requested to designate a member of their respective committees to conduct informal discussions on ways to replicate the historic Iwilei pineapple-shaped water tank;
- (4) Changing the title to read as follows:

"REQUESTING THE CHAIR OF THE HOUSE COMMITTEE ON TOURISM AND CULTURE AND THE CHAIR OF THE SENATE COMMITTEE ON TOURISM TO EACH DESIGNATE A MEMBER OF THEIR RESPECTIVE COMMITTEES TO CONDUCT INFORMAL DISCUSSIONS ON WAYS TO REPLICATE THE HISTORIC IWILEI PINEAPPLE-SHAPED WATER TANK.";
- (5) Specifying that the Hawaii Farm Bureau Federation, Hawaii Agriculture Research Center, Pineapple Growers of Hawaii, Castle & Cooke Hawaii, the Chair of the Senate Committee on Tourism, and the Chair of the House Committee on Tourism and Culture each receive a certified copy of this measure;
- (6) Deleting the Speaker of the House of Representatives and the President of the Senate from the list of entities receiving a certified copy of this measure; and
- (7) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Tourism & Culture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 212, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 212, H.D. 1.

Signed by all members of the Committee except Representatives Wakai and Ching.

SCRep. 1739-06 Consumer Protection & Commerce on H.C.R. No. 92

The purpose of this concurrent resolution is to address Hawaii's critical nursing shortage by requesting:

- (1) A relaxation of restrictions on temporary nonimmigrant visas for nurses taking the nursing examination; and
- (2) The allocation of more employment visas for nurses.

The Board of Nursing, Healthcare Association of Hawaii, Immigration Network Services, Filipino Nurses' Organization of Hawaii, and a concerned individual supported this measure.

Your Committee finds that Hawaii, like the rest of the nation, is facing an unprecedented shortage of nurses that is expected to become even more severe unless corrective measures are taken now. Relaxing immigration restrictions is one way in which more qualified nurses can be recruited to fill the need.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 92, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Karamatsu, Schatz, Sonson and Stonebraker.

SCRep. 1740-06 Consumer Protection & Commerce on H.C.R. No. 156

The purpose of this concurrent resolution is to provide all areas throughout the state with equal access to public, educational, and governmental cable television systems access facilities, equipment, and operations by requesting the Department of Commerce and Consumer Affairs (DCCA) to develop a plan for this purpose.

A concerned individual supported this concurrent resolution. Hawaii Consumers supported this measure with amendments. DCCA and Oceanic Time Warner Cable commented on this measure.

Upon consideration, your Committee has amended this concurrent resolution by replacing its title and contents with a resolution based on the National Conference of Insurance Legislators Model State Resolution in Opposition to Federal Preemptive Insurance Regulatory Measures.

These amendments were distributed as a proposed draft and your Committee received testimony supporting the proposed draft from DCCA, Island Insurance Company, Ltd., First Insurance Company of Hawaii, Ltd., and Hawaii Medical Service Association. Kaiser Permanente supported the intent of the proposed draft.

As amended, this concurrent resolution:

- (1) Is entitled:

"EXPRESSING STRONG OPPOSITION TO PREEMPTIVE FEDERAL INSURANCE LEGISLATION THAT WOULD THREATEN THE POWER OF STATE LEGISLATURES, GOVERNORS, INSURANCE COMMISSIONERS, AND ATTORNEYS GENERAL TO OVERSEE, REGULATE, AND INVESTIGATE THE BUSINESS OF INSURANCE AND PROTECT CONSUMERS"; and

- (2) Opposes federal regulation that would establish unwieldy and inaccessible federal bureaucracies and preempt the essential role of state insurance regulation in protecting consumers and responding to consumer needs.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 156, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 156, H.D. 1.

Signed by all members of the Committee except Representatives Kanoho, Karamatsu, Schatz, Sonson and Stonebraker.

SCRep. 1741-06 Agriculture/Energy & Environmental Protection on H.R. No. 216

The purpose of this resolution is to help ensure the health and safety of consumers, farmers, and the general public by requesting the Department of Health (DOH) to study the impact of waste-derived fertilizers, animal feed, soil amendments, agricultural minerals, auxiliary soil, and plant substances.

DOH, the Hawaii Farm Bureau Federation, Maui County Farm Bureau, and several concerned individuals supported this measure. The Hawaiian Alliance for Responsible Technology & Science and a concerned individual supported this measure with amendments. The Hawaii Agriculture Research Center supported the intent of this measure. The Department of Agriculture submitted comments.

Your Committees note that testimony provided during the public hearing indicated that standards developed by the Association of American Plant Food Control Officials have been in place for content levels of non-nutritive metals in fertilizers, soil amendments, agricultural minerals, auxiliary soils, and plant substances. In spite of these standards, however, your Committees also recognize that there still exist conflicting claims on the allowable levels of hazardous wastes in fertilizers, animal feed, and other agricultural products and substances.

Your Committees have amended this measure by:

- (1) Clarifying that the study focus on the impact of hazardous substances in fertilizers instead of waste-derived fertilizers;
- (2) Changing the title to conform to the revision to read:

"REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE IMPACT OF HAZARDOUS SUBSTANCES IN FERTILIZERS, ANIMAL FEED, SOIL AMENDMENTS, AGRICULTURAL MINERALS, AUXILIARY SOIL, AND PLANT SUBSTANCES ON THE HEALTH AND SAFETY OF CONSUMERS, FARMERS, AND THE GENERAL PUBLIC"; and

- (3) Making technical, nonsubstantive amendments for consistency and style.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 216, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 216, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Harbin, Herkes, Karamatsu, Pine and Stonebraker.

SCRep. 1742-06 Education on H.R. No. 130

The purpose of this resolution is to encourage students to become good citizens who contribute to building healthy communities by urging the Department of Education (DOE) to require 100 hours of community service from each student prior to graduation from high school.

DOE supported the intent of this resolution.

Your Committee has amended this resolution by:

- (1) Specifying that numerous states, public school districts, and private schools throughout the nation are integrating service learning and community service projects as essential components of the academic curriculum, as well as requirements for graduation;
- (2) Clarifying that the active participation and engagement of students in the civic health of their communities is essential to developing contributing citizens with lifelong habits of service and civic responsibility;
- (3) Stating that place-based education, community-based education, and the pedagogy of service learning offer students relevancy and engagement with the world in which they live, and have been proven to be curricular approaches that enhance student interest and increase the chances of students remaining in school to graduate;
- (4) Clarifying that service learning, community-based education, and community service projects are excellent ways to enable students to practice civic responsibility, understand their roles as citizens in a representative democracy, and encourage volunteerism through civic participation;
- (5) Urging the Board of Education (BOE) to request DOE to develop plans to integrate creative approaches for service learning and community services in the requirements for each student to graduate from high school;
- (6) Clarifying that DOE is urged to offer teacher and administrator in-service on integrating service learning and place-based and community-based learning strategies into the regular curriculum so that community service projects become an integral part of a student's learning experience prior to graduation from high school;
- (7) Clarifying that DOE is requested to engage each high school's career and guidance counselors, student activities coordinator or student government advisor, school community council, and student council leaders, with the assistance of community organizations and businesses, in dialoging and planning for the integration of service learning, including community service projects, into the school's educational curriculum;
- (8) Amending the title to read: "URGING THE BOARD OF EDUCATION TO REQUEST THE DEPARTMENT OF EDUCATION TO DEVELOP PLANS TO INTERGRATE CREATIVE APPROACHES FOR SERVICE LEARNING AND COMMUNITY SERVICE IN THE REQUIREMENTS FOR EACH STUDENT TO GRADUATE FROM HIGH SCHOOL"; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 130, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 130, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin and Kahikina.

SCRep. 1743-06 Education on H.C.R. No. 171

The purpose of this concurrent resolution is to encourage students to become good citizens who contribute to building healthy communities by urging the Department of Education (DOE) to require 100 hours of community service from each student prior to graduation from high school.

DOE supported the intent of this concurrent resolution.

Your Committee has amended this concurrent resolution by:

- (1) Specifying that numerous states, public school districts, and private schools throughout the nation are integrating service learning and community service projects as essential components of the academic curriculum, as well as requirements for graduation;
- (2) Clarifying that the active participation and engagement of students in the civic health of their communities is essential to developing contributing citizens with lifelong habits of service and civic responsibility;
- (3) Stating that place-based education, community-based education, and the pedagogy of service learning offer students relevancy and engagement with the world in which they live, and have been proven to be curricular approaches that enhance student interest and increase the chances of students remaining in school to graduate;

- (4) Clarifying that service learning, community-based education, and community service projects are excellent ways to enable students to practice civic responsibility, understand their roles as citizens in a representative democracy, and encourage volunteerism through civic participation;
- (5) Urging the Board of Education (BOE) to request DOE to develop plans to integrate creative approaches for service learning and community services in the requirements for each student to graduate from high school;
- (6) Clarifying that DOE is urged to offer teacher and administrator in-service on integrating service learning and place-based and community-based learning strategies into the regular curriculum so that community service projects become an integral part of a student's learning experience prior to graduation from high school;
- (7) Clarifying that DOE is requested to engage each high school's career and guidance counselors, student activities coordinator or student government advisor, school community council, and student council leaders, with the assistance of community organizations and businesses, in dialoging and planning for the integration of service learning, including community service projects, into the school's educational curriculum;
- (8) Amending the title to read: "URGING THE BOARD OF EDUCATION TO REQUEST THE DEPARTMENT OF EDUCATION TO DEVELOP PLANS TO INTERGRATE CREATIVE APPROACHES FOR SERVICE LEARNING AND COMMUNITY SERVICE IN THE REQUIREMENTS FOR EACH STUDENT TO GRADUATE FROM HIGH SCHOOL"; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 171, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 171, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin and Kahikina.

SCRep. 1744-06 Education on H.R. No. 243

The purpose of this resolution is to:

- (1) Enable educators to provide educational program content and pedagogy that is relevant to students; and
- (2) Perpetuate the Hawaiian culture of our state,

by requesting the Department of Education (DOE) to develop a plan for all public school principals, vice principals, and teachers to satisfactorily complete at least one course in Hawaiian language and culture instruction as part of their licensing requirements.

The director of the University of Hawaii (UH) at Manoa Center for Hawaiian Studies and Hawaiian Language, co-coordinator of Hookulaiwi Program of the UH at Manoa College of Education, and several concerned individuals testified in support of this resolution. DOE supported the intent of this measure. A concerned individual opposed this measure.

Your Committee has amended this resolution by:

- (1) Requesting DOE to develop a plan, in collaboration with UH at Manoa Center for Hawaiian Studies and Hawaiian Language, Hookulaiwi Program of the UH at Manoa College of Education, and College of Hawaiian Language Ka Haka Ula O Keelikolani at UH-Hilo, to encourage current public school principals, vice principals, and teachers to satisfactorily complete at least one course in Hawaiian language and culture instruction, including creative strategies and incentives;
- (2) Requesting the UH at Manoa Center for Hawaiian Studies and Hawaiian Language to initiate the planning dialogue, which includes a re-evaluation of the Praxis exam in regards to integrating Hawaiian language and culture into satisfactory performance indicators;
- (3) Amending the title to read: "REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO ENCOURAGE CURRENT PUBLIC SCHOOL PRINCIPALS, VICE PRINCIPALS, AND TEACHERS TO INTERGRATE HAWAIIAN LANGUAGE AND CULTURE INTO THE SCHOOLS"; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin, Kahikina and Finnegan.

SCRep. 1745-06 Education on H.C.R. No. 309

The purpose of this concurrent resolution is to:

- (1) Enable educators to provide educational program content and pedagogy that is relevant to students; and
- (2) Perpetuate the Hawaiian culture of our state,

by requesting the Department of Education (DOE) to develop a plan for all public school principals, vice principals, and teachers to satisfactorily complete at least one course in Hawaiian language and culture instruction as part of their licensing requirements.

The director of the University of Hawaii (UH) at Manoa Center for Hawaiian Studies and Hawaiian Language, co-coordinator of Hookulaiwi Program of the UH at Manoa College of Education, and several concerned individuals testified in support of this concurrent resolution. DOE supported the intent of this measure. A concerned individual opposed this measure.

Your Committee has amended this concurrent resolution by:

- (1) Requesting DOE to develop a plan, in collaboration with UH at Manoa Center for Hawaiian Studies and Hawaiian Language, Hookulaiwi Program of the UH at Manoa College of Education, and College of Hawaiian Language Ka Haka Ula O Keelikolani at UH-Hilo, to encourage current public school principals, vice principals, and teachers to satisfactorily complete at least one course in Hawaiian language and culture instruction, including creative strategies and incentives;
- (2) Requesting the UH at Manoa Center for Hawaiian Studies and Hawaiian Language to initiate the planning dialogue, which includes a re-evaluation of the Praxis exam in regards to integrating Hawaiian language and culture into satisfactory performance indicators;
- (3) Amending the title to read: "REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO ENCOURAGE CURRENT PUBLIC SCHOOL PRINCIPALS, VICE PRINCIPALS, AND TEACHERS TO INTERGRATE HAWAIIAN LANGUAGE AND CULTURE INTO THE SCHOOLS"; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 309, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 309, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin, Kahikina and Finnegan.

SCRep. 1746-06 Economic Development & Business Concerns/International Affairs on H.R. No. 214

The purpose of this resolution is to promote the expansion and diversification of Hawaii's aerospace industry through the establishment of a Pacific International Space Center for Exploration Systems.

Testimony in support of this measure was submitted by DBEDT, Maritime Consultants of the Pacific and a concerned citizen.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business Concerns and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 214 and recommend its adoption.

Signed by all members of the Committee except Representatives Abinsay, Arakaki, Magaoay, Sonson, Wakai and Ching.

SCRep. 1747-06 Economic Development & Business Concerns/International Affairs on H.C.R. No. 277

The purpose of this resolution is to promote the expansion and diversification of Hawaii's aerospace industry through the establishment of a Pacific International Space Center for Exploration Systems.

Testimony in support of this measure was submitted by DBEDT, Maritime Consultants of the Pacific and a concerned citizen.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business Concerns and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 277 and recommend its adoption.

Signed by all members of the Committee except Representatives Abinsay, Arakaki, Magaoay, Sonson, Wakai and Ching.

SCRep. 1748-06 Consumer Protection & Commerce on H.R. No. 63

The purpose of this resolution is to promote the delivery of safe, high-quality health care in Hawaii by urging health care facilities to establish direct-care registered nurse-to-patient staffing requirements based on the "Utilization Guide for the American Nurses Association Principles for Safe Staffing."

Kaiser Permanente and several concerned individuals supported this resolution. Queen's Medical Center supported the intent of this measure and requested an amendment. The Department of Health opposed this measure.

Your Committee heard testimony that two of the state's major health care facilities base their staffing ratios on the "Utilization Guide for the American Nurses Association Principles for Safe Staffing" but actual staffing levels are dependent on the evaluation of many factors.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 63 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanoho, Karamatsu, Schatz, Sonson and Stonebraker.

SCRep. 1749-06 Consumer Protection & Commerce on H.C.R. No. 83

The purpose of this concurrent resolution is to promote the delivery of safe, high-quality health care in Hawaii by urging health care facilities to establish direct-care registered nurse-to-patient staffing requirements based on the "Utilization Guide for the American Nurses Association Principles for Safe Staffing."

Kaiser Permanente and several concerned individuals supported this concurrent resolution. Queen's Medical Center supported the intent of this measure and requested an amendment. The Department of Health opposed this measure.

Your Committee heard testimony that two of the state's major health care facilities base their staffing ratios on the "Utilization Guide for the American Nurses Association Principles for Safe Staffing" but actual staffing levels are dependent on the evaluation of many factors.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 83 and recommends its adoption.

Signed by all members of the Committee except Representatives Kanohe, Karamatsu, Schatz, Sonson and Stonebraker.

SCRep. 1750-06 Higher Education/Education on H.R. No. 231

The purpose of this resolution is to ensure that blind and visually-impaired children have the opportunity to sign language by:

- (1) Requesting that the University of Hawaii (UH), Department of Education (DOE), and Department of Health coordinate sign language instruction within UH's special education, early childhood education, early intervention, and medical degree and certificate programs, with service providers and programs;
- (2) Requesting DOE to authorize funds to expand Teleschool, especially for eligible preschool special education students who need time to develop at home; and
- (3) Requesting DOE to provide video programs and curriculum that help children, as well as families and professionals, learn sign language.

Several concerned individuals testified in support of this measure. The UH Community Colleges and UH-Kapiolani Community College supported the intent of this measure. DOE opposed this measure.

Your Committees wish to note that these sign language instruction services are intended to be supplemental rather than required services under Individualized Education Programs. For example, the expansion of Teleschool for eligible preschool special education students is intended to make another vehicle of learning available to hearing-impaired children, augmenting their education.

The services are also meant to be extended to individuals who are neither deaf nor hearing impaired.

As affirmed by the records of votes of the members of your Committees on Higher Education and Education that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 231 and recommend its adoption.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin and Kahikina.

SCRep. 1751-06 Higher Education/Education on H.C.R. No. 296

The purpose of this concurrent resolution is to ensure that blind and visually-impaired children have the opportunity to sign language by:

- (1) Requesting that the University of Hawaii (UH), Department of Education (DOE), and Department of Health coordinate sign language instruction within UH's special education, early childhood education, early intervention, and medical degree and certificate programs, with service providers and programs;
- (2) Requesting DOE to authorize funds to expand Teleschool, especially for eligible preschool special education students who need time to develop at home; and
- (3) Requesting DOE to provide video programs and curriculum that help children, as well as families and professionals, learn sign language.

Several concerned individuals testified in support of this measure. The UH Community Colleges and UH-Kapiolani Community College supported the intent of this measure. DOE opposed this measure.

Your Committees wish to note that these sign language instruction services are intended to be supplemental rather than required services under Individualized Education Programs. For example, the expansion of Teleschool for eligible preschool special education students is intended to make another vehicle of learning available to hearing-impaired children, augmenting their education.

The services are also meant to be extended to individuals who are neither deaf nor hearing impaired.

As affirmed by the records of votes of the members of your Committees on Higher Education and Education that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 296 and recommend its adoption.

Signed by all members of the Committee except Representatives Cabanilla, Chang, Harbin and Kahikina.

SCRep. 1752-06 Health/International Affairs on H.R. No. 108

The purpose of this resolution is to urge the United States Trade Representative to consult with the states, to pursue the exchange of an interpretive note with Australia to clarify that the state and local administration of Medicaid programs and pharmaceutical assistance programs

under the Medicare Modernization Act are not included in the definition of "federal healthcare program" under Annex 2-C of the United States-Australia Free Trade Agreement.

Your Committees distributed a proposed draft of H.R. No. 108 H.D. 1, for review and consideration before hearing this measure. Specifically, the proposed draft:

- (1) Urges the President and Congress to legalize illegal immigrants;
- (2) Requests the federal and state Departments of Health to provide medical service to this population in medical emergencies; and
- (3) Disapproves of criminalizing citizens who work with and for immigrants and immigrants themselves.

The Hawaii Human Rights Center supported this measure.

Your Committees have amended this resolution by:

- (1) Changing the title to read: "URGING THE PRESIDENT OF THE UNITED STATES AND UNITED STATES CONGRESS TO LEGALIZE ILLEGAL IMMIGRANTS AND REQUESTING THE FEDERAL AND STATE DEPARTMENTS OF HEALTH TO PROVIDE MEDICAL SERVICES TO THIS POPULATION IN MEDICAL EMERGENCIES";
- (2) Substituting its contents with the proposed draft;
- (3) Adding a provision that references the proposed Hawaii Dream Act that would permit qualifying immigrants who have graduated from a local public high school to pay in-state tuition in college; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the records of votes of the members of your Committees on Health and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 108, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 108, H.D. 1.

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

SCRep. 1753-06 Health/International Affairs on H.C.R. No. 145

The purpose of this concurrent resolution is to urge the United States Trade Representative to consult with the states, to pursue the exchange of an interpretive note with Australia to clarify that the state and local administration of Medicaid programs and pharmaceutical assistance programs under the Medicare Modernization Act are not included in the definition of "federal healthcare program" under Annex 2-C of the United States-Australia Free Trade Agreement.

Your Committees distributed a proposed draft of H.C.R. No. 145 H.D. 1, for review and consideration before hearing this measure. Specifically, the proposed draft:

- (1) Urges the President and Congress to legalize illegal immigrants;
- (2) Requests the federal and state Departments of Health to provide medical service to this population in medical emergencies; and
- (3) Disapproves of criminalizing citizens who work with and for immigrants and immigrants themselves.

The Hawaii Human Rights Center supported this measure.

Your Committees have amended this concurrent resolution by:

- (1) Changing the title to read: "URGING THE PRESIDENT OF THE UNITED STATES AND UNITED STATES CONGRESS TO LEGALIZE ILLEGAL IMMIGRANTS AND REQUESTING THE FEDERAL AND STATE DEPARTMENTS OF HEALTH TO PROVIDE MEDICAL SERVICES TO THIS POPULATION IN MEDICAL EMERGENCIES";
- (2) Substituting its contents with the proposed draft;
- (3) Adding a provision that references the proposed Hawaii Dream Act that would permit qualifying immigrants who have graduated from a local public high school to pay in-state tuition in college; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the records of votes of the members of your Committees on Health and International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 145, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 145, H.D. 1.

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

SCRep. 1754-06 Health on H.C.R. No. 36

The purpose of this concurrent resolution is to control bedbugs and inform visitors and residents of these potential threats by requesting the Director of Health (Director) to conduct a prevention and education campaign on the increasing incidence of bedbugs.

The National Pest Management Association supported this measure. The Department of Health opposed this measure.

Your Committee has amended this measure by inserting a provision requesting the Director to work with the Hawaii Tourism Authority to ensure that:

- (1) Hotels and other visitor accommodations provide adequate information relating to bedbugs; and
- (2) Hotels and other visitor accommodations are themselves provided with accurate information regarding bedbugs from appropriate health officials.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 36, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 36, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla and Halford.
(Representative Green voted no.)

SCRep. 1755-06 Health on H.C.R. No. 106

The purpose of this concurrent resolution is to:

- (1) Urge the Department of Health (DOH) to convene a working group of scientists, health experts, and stakeholders to conduct a scientific study on the feasibility and effectiveness of curtailing H5N1 by neutralizing the feral chicken population of Hawaii;
- (2) Request the working group to discuss and present to the Legislature, among other things:
 - (A) The development and use of a color-coded, avian influenza activity scale of infected feral chickens, similar to the United States Department of Health and Human Services (USDHHS) Centers for Disease Control and Prevention's (CDC) Flu Activity Map, representing the five threat condition levels and corresponding colors;
 - (B) An algorithm to create a computer software model that can calculate various infection scenarios occurring in the Hawaiian Islands resulting from feral chickens infected with H5N1;
 - (C) Potential neutralization systems, tactics, procedures, vehicles, devices, and personnel for an island-wide feral chicken neutralization program; and
 - (D) Alternative methods for the control of feral chickens;

and
- (3) Request the working group to request assistance from and collaborate with various organizations in conducting this feasibility and effectiveness study.

DOH testified in opposition to this concurrent resolution.

DOH advised that it would be a waste of resources and ineffective attempt to neutralize feral chicken to curtail H5N1 because of the large area over which the chickens would be spread and the large number of other wild birds. Therefore, your Committee has amended this concurrent resolution by removing the reference to feral chicken neutralization, and instead have DOH work with the agencies to:

- (1) Coordinate planning and preventative measures to protect Hawaii from an avian flu epidemic; and
- (2) Establish a response system.

Your Committee has also amended the title of this concurrent resolution to read: "URGING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO CONDUCT A FEASIBILITY STUDY ON PREVENTING AN AVIAN INFLUENZA PANDEMIC" and added language explaining how the virus could become a widespread threat.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 106, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 106, H.D. 1.

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

SCRep. 1756-06 Health on H.C.R. No. 113

The purpose of this concurrent resolution is to reduce the number of individuals admitted by court order to the Hawaii State Hospital by requesting the Department of Health (DOH) to convene a task force to analyze the identification, diagnosis, and treatment of individuals with mental illness who are referred from the state criminal judicial system.

The Hawaii Disability Rights Center, Hawaii Behavioral Health Coalition, Hawaii Government Employees Association, ILWU Local 142, and several concerned individuals testified in support of this concurrent resolution. The National Association of Social Workers supported this measure with amendments. DOH opposed this measure.

Your Committee has amended this concurrent resolution by:

- (1) Requesting the Governor instead of the Department of Health to convene the task force;
- (2) Changing the composition of the task force to include representatives from:
 - (A) The Police Department of all four counties; and
 - (B) The Office of the Prosecuting Attorney of each county;
- (3) Requesting the task force to meet at least monthly from September of 2006 to December of 2007, and submit a final report and any recommendations to the Legislature no later than 20 days prior to the convening of the Regular Session of 2008;
- (4) Amending the title to read: "REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE TO EVALUATE AND RECOMMEND POSSIBLE PROCEDURAL, STATUTORY, AND PUBLIC POLICY CHANGES TO MINIMIZE THE CENSUS AT HAWAII STATE HOSPITAL AND PROMOTE COMMUNITY-BASED HEALTH SERVICES FOR FORENSIC PATIENTS"; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 113, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 113, H.D. 1.

Signed by all members of the Committee except Representatives Cabanilla, Nishimoto and Sonson.

SCRep. 1757-06 Water, Land, & Ocean Resources/Housing/Economic Development & Business Concerns on H.R. No. 238

The purpose of this resolution is to request the counties to require that all new residential and commercial developments be equipped with water conservation devices.

The Land Use Research Foundation of Hawaii agreed with the intent of this measure, but expressed concerns via written testimony. Two individuals submitted written testimony in support of this measure.

Your Committees are aware that the State's freshwater resources are of utmost concern and the joint effort of individuals, businesses, and communities is required to ensure a sufficient supply for present and future generations. One method of conserving water is to require the installation of water conservation devices in new residential and commercial developments, including low-flow plumbing, low-flush toilets, faucet aerators, and other devices that promote water conservation. The implementation of water conservation policies by the counties will go a long way toward cultivating conservation awareness and efforts and helping to ensure the most efficient use of Hawaii's previous freshwater resources.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources, Housing, and Economic Development & Business Concerns that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 238 and recommend its adoption.

Signed by all members of the Committee except Representatives Abinsay, Carroll, Hale, Herkes, Magaoay, Sonson, Ching, Halford, Meyer and Pine.

SCRep. 1758-06 Water, Land, & Ocean Resources/Housing/Economic Development & Business Concerns on H.C.R. No. 304

The purpose of this concurrent resolution is to request the counties to require that all new residential and commercial developments be equipped with water conservation devices.

The Land Use Research Foundation of Hawaii agreed with the intent of this measure, but expressed concerns via written testimony. Two individuals submitted written testimony in support of this measure.

Your Committees are aware that the State's freshwater resources are of utmost concern and the joint effort of individuals, businesses, and communities is required to ensure a sufficient supply for present and future generations. One method of conserving water is to require the installation of water conservation devices in new residential and commercial developments, including low-flow plumbing, low-flush toilets, faucet aerators, and other devices that promote water conservation. The implementation of water conservation policies by the counties will go a long way toward cultivating conservation awareness and efforts and helping to ensure the most efficient use of Hawaii's previous freshwater resources.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources, Housing, and Economic Development & Business Concerns that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 304 and recommend its adoption.

Signed by all members of the Committee except Representatives Abinsay, Carroll, Hale, Herkes, Magaoay, Sonson, Ching, Halford, Meyer and Pine.

SCRep. 1759-06 Water, Land, & Ocean Resources/Energy & Environmental Protection on H.C.R. No. 192

The purpose of this measure is to request the Public Utilities Commission to:

- (1) Investigate electric tariffs and other incentives to promote electric usage during off-peak periods; and

- (2) Provide incentives for electric customers to invest in energy storage equipment that will better utilize Hawaii's existing power system infrastructure through aggressive load shifting.

Prior to the hearing on this measure, your Committees circulated a proposed House Draft I requesting the Attorney General to appoint a special deputy attorney general to independently and with impartiality investigate the Kaloko reservoir dam breach.

Your Committees received testimony in support of the resolution from the Honorable Neil Abercrombie, Congressman for First District of Hawaii, the Honorable JoAnn A. Yukimura, Kauai County Councilmember, and five concerned citizens from Kauai. The Attorney General testified in opposition to the resolution.

Your Committees find that the Kaloko reservoir dam breach is qualitatively and quantitatively different than any other disaster that has struck Hawaii. While your Committees are mindful that asking the Attorney General to step aside is an unusual action, appointing an independent investigator will not establish a precedent for future cases because it is highly unlikely that a case of this nature will ever arise again.

Your Committees further find that the integrity of the Attorney General is not the issue here. Rather, it is the credibility of the outcome of the investigation that is at stake. While some suggest that the Attorney General may be too close to State and private actors and their representatives in potential legal proceedings to arrive at an independent conclusion, others feel just as strongly that the Attorney General is too intent on blaming those same actors.

Finally, your Committees find, that just as appointment of an independent investigator does not constitute an admission that the Attorney General is unable to conduct an independent investigation, the refusal to do so should not be used as a means to vindicate the Attorney General's ability to conduct that investigation. Instead, the public, especially those immediately affected by the Kaloko reservoir dam disaster, must be shown that their government will do whatever is necessary to find the unvarnished truth. The first step in that process is to appoint an investigator whose impartiality cannot be questioned, either in perception or in reality.

Your Committees have amended the proposed House Draft I by:

- (1) Updating the reference to House Bill No. 970 to reflect its current status;
- (2) Reciting the language from House Bill No. 970 that provides an appropriation for an independent investigation; and
- (3) Specifying that conclusions about the cause of the dam breach are at stake in the absence of an independent investigation.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 192, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 192, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Meyer, Pine and Thielen.

SCRep. 1760-06 Water, Land, & Ocean Resources on H.R. No. 187

The purpose of this measure is to request the Board of Land and Natural Resources to allow the Department of Land and Natural Resources to negotiate a new lease with any existing lessee who has made improvements to the lessee's recreation-residence use lot and wishes to continue to lease a recreation-residence use lot at the Kokee and Waimea Canyon State Park.

The Kokee Leaseholders Association, and many concerned individuals testified in support of this measure. In addition, numerous written testimonies were received in support of this measure. The Department of Land and Natural Resources and a concerned individual submitted testimony in opposition to this measure.

Your Committee finds that the Board of Land and Natural Resources' decision to subject the disposition of the recreation-residence use lots at Kokee to a public auction process will not achieve the fairness intended or allow a realistic opportunity for public bidding but will instead severely limit successful awards to a select wealthy few.

In addition, with the present inflated real estate prices, market-driven real estate companies may set off another auction bidding frenzy, as occurred in the 1985 public sale with over one thousand bidders, that will favor not the public as a whole, but instead benefit profit-inspired real estate companies, time share rentals, second home owners, and wealthy speculators.

This anticipated profit-driven auction will have compelling consequences not only on the public, the people of Kauai, and existing Kokee cabin lessees, but it could also critically affect the vital environment of the Kokee forest, and the cultural integrity and historical significance of these areas and communities.

Your Committee believes that additional time may be needed for further discussion towards reaching a meaningful resolution to this matter, to avoid unfair competition with market-driven speculators, and to address numerous important public policy issues raised at the public hearing.

Another concern of your Committee is the substandard conditions of all cesspools in the area, at both residential and state facilities, including comfort stations throughout the park. Any consideration by the Board of Land and Natural Resources to terminate these leases could cost several million dollars to meet Environmental Protection Agency requirements; however, the residential cesspools would be "grandfathered" if retained by current lessees.

Your Committee has amended this Resolution by:

- (1) Requesting that the Board of Land and Natural Resources:
 - (A) Employ a "right of first refusal" option to existing lessees who wish to renew their leases, at fair market value, for the enjoyment of their families, friends, and members of the community;

- (B) Dispose at public auction recreation-residence use lots expired leases at Kokee after reasonable negotiations with an existing lessee fail to result in agreement; provided that the new lessee shall be required to compensate the prior lessee for improvements on the lot at the tax assessed value of the improvements, unless the prior lessee chooses to exercise the option of an appraisal of the improvements at the prior lessee's own expense, and that the new lessee may also secure an appraisal at the new lessee's own expense, and if no agreement on value of the improvements is reached, a third independent appraiser selected by the two appraisers may be utilized, with the costs jointly shared; or
 - (C) In the alternative, defer any plans to terminate or auction the Kokee recreation-residence use lots for two years to allow for consideration and implementation of these policies;
- (2) Further requesting that the Board of Land Natural Resources:
- (A) Establish Kokee, along with certain designated qualifying cabins, as a historic preservation district;
 - (B) Address issues of Environmental Protection Agency requirements on wastewater disposal that may have a financial impact on the State and its taxpayers, if the Board of Land and Natural Resource's current plan for a public auction goes forward;
 - (C) Return to the state park inventory any recreation-residence use lot that becomes unoccupied and adopting as a primary goal, the reduction of residential-recreational use lots at Kokee through attrition or other appropriate means;
 - (D) Pursue the concept of lodges, under privatized construction and management contracts, to enable the general public, without the benefit of access to one of the few Kokee cabins, the enjoyment of the Kokee experience; and
 - (E) Provide chairs of the respective House and Senate committees overseeing water and land use matters with updated status reports of actions taken or not taken by the Board of Land and Natural Resources following its regular monthly meetings, and to submit a report to the Legislature, not later than twenty days prior to the convening of the Regular Session of 2007; and
- (3) Making technical nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 187, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 187, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Meyer and Thielen.

SCRep. 1761-06 Water, Land, & Ocean Resources on H.C.R. No. 246

The purpose of this measure is to request the Board of Land and Natural Resources to allow the Department of Land and Natural Resources to negotiate a new lease with any existing lessee who has made improvements to the lessee's recreation-residence use lot and wishes to continue to lease a recreation-residence use lot at the Kokee and Waimea Canyon State Park.

The Kokee Leaseholders Association, and many concerned individuals testified in support of this measure. In addition, numerous written testimonies were received in support of this measure. The Department of Land and Natural Resources and a concerned individual submitted testimony in opposition to this measure.

Your Committee finds that the Board of Land and Natural Resources' decision to subject the disposition of the recreation-residence use lots at Kokee to a public auction process will not achieve the fairness intended or allow a realistic opportunity for public bidding but will instead severely limit successful awards to a select wealthy few.

In addition, with the present inflated real estate prices, market-driven real estate companies may set off another auction bidding frenzy, as occurred in the 1985 public sale with over one thousand bidders, that will favor not the public as a whole, but instead benefit profit-inspired real estate companies, time share rentals, second home owners, and wealthy speculators.

This anticipated profit-driven auction will have compelling consequences not only on the public, the people of Kauai, and existing Kokee cabin lessees, but it could also critically affect the vital environment of the Kokee forest, and the cultural integrity and historical significance of these areas and communities.

Your Committee believes that additional time may be needed for further discussion towards reaching a meaningful resolution to this matter, to avoid unfair competition with market-driven speculators, and to address numerous important public policy issues raised at the public hearing.

Another concern of your Committee is the substandard conditions of all cesspools in the area, at both residential and state facilities, including comfort stations throughout the park. Any consideration by the Board of Land and Natural Resources to terminate these leases could cost several million dollars to meet Environmental Protection Agency requirements; however, the residential cesspools would be "grandfathered" if retained by current lessees.

Your Committee has amended this Concurrent Resolution by:

- (1) Requesting that the Board of Land and Natural Resources:
 - (A) Employ a "right of first refusal" option to existing lessees who wish to renew their leases, at fair market value, for the enjoyment of their families, friends, and members of the community;

- (B) Dispose at public auction recreation-residence use lots expired leases at Kokee after reasonable negotiations with an existing lessee fail to result in agreement; provided that the new lessee shall be required to compensate the prior lessee for improvements on the lot at the tax assessed value of the improvements, unless the prior lessee chooses to exercise the option of an appraisal of the improvements at the prior lessee's own expense, and that the new lessee may also secure an appraisal at the new lessee's own expense, and if no agreement on value of the improvements is reached, a third independent appraiser selected by the two appraisers may be utilized, with the costs jointly shared; or
 - (C) In the alternative, defer any plans to terminate or auction the Kokee recreation-residence use lots for two years to allow for consideration and implementation of these policies;
- (2) Further requesting that the Board of Land Natural Resources:
- (A) Establish Kokee, along with certain designated qualifying cabins, as a historic preservation district;
 - (B) Address issues of Environmental Protection Agency requirements on wastewater disposal that may have a financial impact on the State and its taxpayers, if the Board of Land and Natural Resource's current plan for a public auction goes forward;
 - (C) Return to the state park inventory any recreation-residence use lot that becomes unoccupied and adopting as a primary goal, the reduction of residential-recreational use lots at Kokee through attrition or other appropriate means;
 - (D) Pursue the concept of lodges, under privatized construction and management contracts, to enable the general public, without the benefit of access to one of the few Kokee cabins, the enjoyment of the Kokee experience; and
 - (E) Provide chairs of the respective House and Senate committees overseeing water and land use matters with updated status reports of actions taken or not taken by the Board of Land and Natural Resources following its regular monthly meetings, and to submit a report to the Legislature, not later than twenty days prior to the convening of the Regular Session of 2007; and
- (3) Making technical nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 246, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 246, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Meyer and Thielen.

SCRep. 1762-06 Water, Land, & Ocean Resources on H.C.R. No. 220

The purpose of this measure is to request the City and County of Honolulu to maintain the current zoning of a one hundred seventy-two acre parcel of real property in the Royal Kunia development for the establishment of a park, golf course, or continued use as open space.

Prior to hearing this measure, your Committee made available for public review a proposed H.D. 1 that would replace the contents of this measure. This proposed H.D. 1 requests that the Board of Land and Natural Resources review and update the Keehi Lagoon Recreation Plan and explore the leasing of unused fast and submerged lands at Keehi Lagoon for the private development of boating and ocean recreational facilities.

A present tenant of the Ala Wai Boat Harbor and the Hawaii Government Employees Association, AFSCME Local 152, submitted testimony supporting the intent of the proposed H.D. 1, with amendments. The Department of Land and Natural Resources recommended holding this measure pending the completion of an Airport Master Plan update by the Department of Transportation that may impact the Keehi Lagoon area.

Your Committee notes that House Concurrent Resolution 68, Regular Session 2003, contained a similar request that the Board of Land and Natural Resources explore the leasing of lands at Keehi Lagoon for the private development of boating and ocean recreational facilities. To date, the Board of Land and Natural Resources has not acted and the pent-up demand for boat berthing space noted in the earlier concurrent resolution continues to grow. Your Committee hopes that this concurrent resolution will prod the Board of Land and Natural Resources to act in an expeditious manner to address this urgent demand.

Your Committee has amended this measure by deleting its contents and substituting the proposed H.D. 1, which your Committee has further amended to:

- (1) Delete references to updating the Keehi Lagoon Recreation Plan;
- (2) Delete references to submerged lands; and
- (3) Make technical nonsubstantive changes for the purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 220, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 220, H.D. 1.

Signed by all members of the Committee except Representatives Berg, Meyer and Thielen.
(Representatives Evans, Harbin and Waters voted no.)

SCRep. 1763-06 Agriculture on H.C.R. No. 180

The purpose of this concurrent resolution is to encourage improvements for agricultural irrigation systems by requesting the Board of Agriculture and the Agribusiness Development Corporation (ADC) to seek federal matching funds for the Irrigation Repair and Maintenance Special Fund (Special Fund).

The Pineapple Growers Association of Hawaii, Meadow Gold Dairies, and Hawaii Crop Improvement Association supported this measure. The Maui County Farm Bureau, Alexander & Baldwin, Inc., and the Hawaiian Commercial & Sugar Company supported this measure with amendments. The Department of Agriculture opposed this measure. ADC submitted comments.

Your Committee has amended this measure by:

- (1) Removing references to former sugarcane and pineapple plantation lands converted to diversified agriculture and clarifying that the purpose of the Special Fund is to provide for the repair and maintenance of irrigation systems used for agricultural production;
- (2) Clarifying that landowners may apply for funding assistance from the Special Fund; provided that the landowner agrees to:
 - (A) File for designation of the majority of all lands served by the water produced by the irrigation system as important agricultural lands; and
 - (B) Use the majority of all lands serviced by the irrigation system for agricultural production;
 and
- (3) Making technical, nonsubstantive changes for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 180, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 180, H.D. 1.

Signed by all members of the Committee except Representatives Karamatsu, Halford and Stonebraker.

SCRep. 1764-06 Agriculture/Energy & Environmental Protection on H.C.R. No. 280

The purpose of this concurrent resolution is to help ensure the health and safety of consumers, farmers, and the general public by requesting the Department of Health (DOH) to study the impact of waste-derived fertilizers, animal feed, soil amendments, agricultural minerals, auxiliary soil, and plant substances.

DOH, the Hawaii Farm Bureau Federation, Maui County Farm Bureau, and several concerned individuals supported this measure. The Hawaiian Alliance for Responsible Technology & Science and a concerned individual supported this measure with amendments. The Hawaii Agriculture Research Center supported the intent of this measure. The Department of Agriculture submitted comments.

Your Committees note that testimony provided during the public hearing indicated that standards developed by the Association of American Plant Food Control Officials have been in place for content levels of non-nutritive metals in fertilizers, soil amendments, agricultural minerals, auxiliary soils, and plant substances. In spite of these standards, however, your Committees also recognize that there still exist conflicting claims on the allowable levels of hazardous wastes in fertilizers, animal feed, and other agricultural products and substances.

Your Committees have amended this measure by:

- (1) Clarifying that the study focus on the impact of hazardous substances in fertilizers instead of waste-derived fertilizers;
- (2) Changing the title to conform to the revision to read:

"REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE IMPACT OF HAZARDOUS SUBSTANCES IN FERTILIZERS, ANIMAL FEED, SOIL AMENDMENTS, AGRICULTURAL MINERALS, AUXILIARY SOIL, AND PLANT SUBSTANCES ON THE HEALTH AND SAFETY OF CONSUMERS, FARMERS, AND THE GENERAL PUBLIC"; and
- (3) Making technical, nonsubstantive amendments for consistency and style.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 280, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 280, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Harbin, Herkes, Karamatsu, Pine and Stonebraker.

SCRep. 1765-06 Agriculture/Energy & Environmental Protection on H.R. No. 195

The purpose of this resolution is to protect and preserve Hawaii's natural environment by requesting the Department of Agriculture (DOA) to establish a Pesticide Disposal Assistance Program (Disposal Program) that would reduce the amount of pesticides that could contaminate our water and land.

The Hawaii Agriculture Research Center, C&H Farms, Hawaii Crop Improvement Association, Hawaii Farm Bureau Federation, and Maui County Farm Bureau supported this measure. The Hawaiian Alliance for Responsible Technology & Science and Hawaii Pest Control Association supported this measure and suggested amendments. DOA supported the intent of this measure.

Your Committees have amended this measure by:

- (1) Specifying that pesticide users who control pests in and around structures are also confronted with challenges in the disposal of their containers and that it is desirable to include these containers in the Disposal Program;
- (2) Deleting the provision requesting DOA to create a task force to coordinate the establishment of the proposed Disposal Program;
- (3) Requesting the Pesticides Advisory Committee to study the establishment of the proposed Disposal Program, in consultation with a representative from each county and a representative from the pesticides industry, and submit a report to the Legislature prior to the Regular Session of 2007; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 195, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 195, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Harbin, Herkes, Karamatsu, Pine and Stonebraker.

SCRep. 1766-06 Agriculture/Energy & Environmental Protection on H.C.R. No. 255

The purpose of this concurrent resolution is to protect and preserve Hawaii's natural environment by requesting the Department of Agriculture (DOA) to establish a Pesticide Disposal Assistance Program (Disposal Program) that would reduce the amount of pesticides that could contaminate our water and land.

The Hawaii Agriculture Research Center, C&H Farms, Hawaii Crop Improvement Association, Hawaii Farm Bureau Federation, and Maui County Farm Bureau supported this measure. The Hawaiian Alliance for Responsible Technology & Science and Hawaii Pest Control Association supported this measure and suggested amendments. DOA supported the intent of this measure.

Your Committees have amended this measure by:

- (1) Specifying that pesticide users who control pests in and around structures are also confronted with challenges in the disposal of their containers and that it is desirable to include these containers in the Disposal Program;
- (2) Deleting the provision requesting DOA to create a task force to coordinate the establishment of the proposed Disposal Program;
- (3) Requesting the Pesticides Advisory Committee to study the establishment of the proposed Disposal Program, in consultation with a representative from each county and a representative from the pesticides industry, and submit a report to the Legislature prior to the Regular Session of 2007; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 255, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 255, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Harbin, Herkes, Karamatsu, Pine and Stonebraker.

SCRep. 1767-06 Water, Land, & Ocean Resources on H.R. No. 119

The purpose of this measure is to request the Department of Transportation to develop a statewide greenbelts strategy.

Specifically, this measure requests the Department of Transportation, with the assistance of the Department of Land and Natural Resources, to develop a statewide greenbelts strategy to promote the identification or development of transportation system management models and alternatives to the automobile while preserving the natural resources and beauty of the State. The Department of Transportation is further requested to:

- (1) Incorporate existing and proposed non-motorized transportation and recreational master plans for each island;
- (2) Assess existing and potential lands for beautification projects, corridors, and linkages to create greenbelts on each island, including existing and former railway lines, trails, creek and river corridors, roadways, and other areas that are underutilized and that could be converted to public recreational use;
- (3) Gather information on other greenbelts programs throughout the United States and the world;
- (4) Facilitate the coordination of the planning and implementation of greenbelts with federal, state, and county agencies, businesses, and citizens;
- (5) Facilitate the coordination of the planning of sustainable communities for the State;
- (6) Examine funding strategies from public and private sources to implement various projects;
- (7) Propose ways to educate and inform government officials and the public on the many benefits of greenbelts;
- (8) Establish further goals and strategies to create greenbelts in Hawaii and set priorities for their implementation; and

- (9) Promote the health, safety, and welfare of the community by striving for a balance between motorized and non-motorized transit systems.

Your Committee received testimony in support of this measure from Windward Ahupua'a Alliance. The Department of Transportation submitted testimony in opposition to this measure, stating that the Department's long-range planning already includes transportation greenbelts.

Upon further consideration, your Committee has amended this measure by substituting the word "ENCOURAGING" in place of "REQUESTING" and by substituting the phrase "FURTHER PROMOTE ITS" in place of "DEVELOP A" in the title of this measure to read:

"ENCOURAGING THE DEPARTMENT OF TRANSPORTATION, WITH ASSISTANCE FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO FURTHER PROMOTE ITS STATEWIDE GREENBELTS STRATEGY."

Your Committee has also made several technical nonsubstantive amendments to conform with the change in the title of the measure and for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 119, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 119, H.D. 1.

Signed by all members of the Committee except Representatives Morita and Meyer.

SCRep. 1768-06 Water, Land, & Ocean Resources on H.C.R. No. 159

The purpose of this measure is to request the Department of Transportation to develop a statewide greenbelts strategy.

Specifically, this measure requests the Department of Transportation, with the assistance of the Department of Land and Natural Resources, to develop a statewide greenbelts strategy to promote the identification or development of transportation system management models and alternatives to the automobile while preserving the natural resources and beauty of the State. The Department of Transportation is further requested to:

- (1) Incorporate existing and proposed non-motorized transportation and recreational master plans for each island;
- (2) Assess existing and potential lands for beautification projects, corridors, and linkages to create greenbelts on each island, including existing and former railway lines, trails, creek and river corridors, roadways, and other areas that are underutilized and that could be converted to public recreational use;
- (3) Gather information on other greenbelts programs throughout the United States and the world;
- (4) Facilitate the coordination of the planning and implementation of greenbelts with federal, state, and county agencies, businesses, and citizens;
- (5) Facilitate the coordination of the planning of sustainable communities for the State;
- (6) Examine funding strategies from public and private sources to implement various projects;
- (7) Propose ways to educate and inform government officials and the public on the many benefits of greenbelts;
- (8) Establish further goals and strategies to create greenbelts in Hawaii and set priorities for their implementation; and
- (9) Promote the health, safety, and welfare of the community by striving for a balance between motorized and non-motorized transit systems.

Your Committee received testimony in support of this measure from Windward Ahupua'a Alliance. The Department of Transportation submitted testimony in opposition to this measure, stating that the Department's long-range planning already includes transportation greenbelts.

Upon further consideration, your Committee has amended this measure by substituting the word "ENCOURAGING" in place of "REQUESTING" and by substituting the phrase "FURTHER PROMOTE ITS" in place of "DEVELOP A" in the title of this measure to read:

"ENCOURAGING THE DEPARTMENT OF TRANSPORTATION, WITH ASSISTANCE FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO FURTHER PROMOTE ITS STATEWIDE GREENBELTS STRATEGY."

Your Committee has also made several technical nonsubstantive amendments to conform with the change in the title of the measure and for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 159, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 159, H.D. 1.

Signed by all members of the Committee except Representatives Morita and Meyer.

SCRep. 1769-06 Finance on H.C.R. No. 235

Your Committee heard this concurrent resolution as a proposed house draft 1. As proposed, this concurrent resolution requests a study to determine the feasibility of providing video-conferencing capability in the State Capitol.

Testimony in support of the proposed draft was received from a concerned individual.

Your Committee has amended this concurrent resolution to reflect the proposed house draft 1.

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. 235, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 235, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Nakasone, Tanaka and Meyer.

SCRep. 1770-06 Finance on H.C.R. No. 260

Your Committee heard this concurrent resolution as a proposed house draft 1. As proposed, this concurrent resolution requests the Comptroller to establish a voluntary public transit benefit program for state employees.

Testimony in support of the proposed draft was received from the Hawaii Government Employees Association.

Your Committee has amended this concurrent resolution to reflect the proposed house draft 1.

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. 260, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 260, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Nakasone, Tanaka and Meyer.

SCRep. 1771-06 Finance on H.C.R. No. 11

The purpose of this concurrent resolution is to request the Hawaii Invasive Species Council to report on strategies to prevent the spread of coqui frogs and other invasive species.

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. 11, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone, Tanaka and Meyer.

SCRep. 1772-06 Finance on H.C.R. No. 37

The purpose of this concurrent resolution is to request the Auditor to assess the social and financial effects of requiring insurance coverage for survivors of brain 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 H.C.R. No. 37 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1773-06 Finance on H.C.R. No. 38

The purpose of this concurrent resolution is to request the Auditor to examine the procedures employed by the Governor in organizing and coordinating government trade missions.

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. 38 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.
(Representatives Moses and Stevens voted no.)

SCRep. 1774-06 Finance on H.C.R. No. 42

The purpose of this concurrent resolution is to request the Auditor to conduct a sunrise review of mixed martial 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 H.C.R. No. 42, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1775-06 Finance on H.R. No. 59

The purpose of this resolution is to support a fair and equitable contract for union workers at the Hawaii Tribune-Herald.

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. 59 and recommends its adoption.

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

SCRep. 1776-06 Finance on H.C.R. No. 77

The purpose of this concurrent resolution is to support a fair and equitable contract for union workers at the Hawaii Tribune-Herald.

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. 77 and recommends its adoption.

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

SCRep. 1777-06 Finance on H.C.R. No. 80

The purpose of this measure is to request the President and Congress of the United States to adopt changes to the Medicare Part D 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 H.C.R. No. 80 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1778-06 Finance on H.R. No. 65

The purpose of this measure is to request a study to show the costs associated with, and the advisability of, mandating the use of seat belts for minors in every school bus.

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. 65 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1779-06 Finance on H.C.R. No. 87

The purpose of this measure is to request a study to show the costs associated with, and the advisability of, mandating the use of seat belts for minors in every school bus.

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. 87 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1780-06 Finance on H.C.R. No. 97

The purpose of this measure is to request the Auditor to conduct a management audit of the State Historic Preservation Division of the Department of Land and Natural Resources that covers the period from January 2003 to the present.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 97 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1781-06 Finance on H.C.R. No. 105

The purpose of this measure is to urge the Hawaii Health Systems Corporation to enter into a lease/purchase agreement for a parking structure for Maui Memorial Medical Center in Wailuku, Maui to be funded by the issuance of certificates of participation.

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. 105 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1782-06 Finance on H.C.R. No. 128

The purpose of this measure is to request a financial and management audit of the Warrants Section of the Sheriff Division of the Department of Public Safety.

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. 128 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1783-06 Finance on H.C.R. No. 141

The purpose of this measure is to urge the Department of Land and Natural Resources to work with the Samuel Mills Damon Estate Trustees, Moanalua Gardens Foundation, The Trust for Public Lands, The Nature Conservancy, and the Office of Hawaiian Affairs to purchase the Moanalua Gardens.

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. 141, H.D. 1, and recommends its adoption.

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

SCRep. 1784-06 Finance on H.C.R. No. 146

The purpose of this measure is to call for the rigorous reexamination of the development expansion plan at Turtle Bay Resort due to the passage of time and changed conditions of the North Shore and the Island of Oahu.

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. 146 and recommends its adoption.

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

SCRep. 1785-06 Finance on H.C.R. No. 148

The purpose of this measure is to request the counties to study and to consider implementing rent control ordinances authorized under State 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. 148, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1786-06 Finance on H.R. No. 123

The purpose of this measure is to request the Auditor to conduct a financial and 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 H.R. No. 123, H.D. 1, and recommends its adoption.

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

SCRep. 1787-06 Finance on H.C.R. No. 163

The purpose of this measure is to request the Auditor to conduct a financial and 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 H.C.R. No. 163, H.D. 1, and recommends its adoption.

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

SCRep. 1788-06 Finance on H.R. No. 148

The purpose of this measure is to request the Auditor to conduct a study to determine the multiplier effect of the agricultural industry in Hawaii's economy.

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. 148 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1789-06 Finance on H.C.R. No. 194

The purpose of this measure is to request the Auditor to conduct a study to determine the multiplier effect of the agricultural industry in Hawaii's economy.

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. 194 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1790-06 Finance on H.C.R. No. 205

The purpose of this measure is to request the Auditor to review proposed plans and existing and anticipated appropriation requests of the Stadium Authority and the Governor for the repair, renovation, refurbishment, or replacement of the Aloha Stadium.

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 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1791-06 Finance on H.C.R. No. 223

The purpose of this measure is to request the Auditor to conduct an audit to determine whether funds allocated from the Hawaii Tobacco Settlement Special Fund to the University Revenue-Undertakings Fund have been appropriately expended.

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. 223 and recommends its adoption.

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

SCRep. 1792-06 Finance on H.R. No. 193

The purpose of this measure is to request the Auditor to conduct a study of the shoreline setback reference line.

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. 193 and recommends its adoption.

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

SCRep. 1793-06 Finance on H.C.R. No. 253

The purpose of this measure is to request the Auditor to conduct a study of the shoreline setback reference line.

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. 253 and recommends its adoption.

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

SCRep. 1794-06 Finance on H.C.R. No. 257

The purpose of this measure is to request the Auditor to conduct a management and fiscal audit of the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 257 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1795-06 Finance on H.R. No. 209

The purpose of this measure is to request the Governor to designate and celebrate 2008 as the Year of the Family and to establish a Family Celebration Commission to administer the celebration.

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. 209 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1796-06 Finance on H.C.R. No. 269

The purpose of this measure is to request the Governor to designate and celebrate 2008 as the Year of the Family and to establish a Family Celebration Commission to administer the celebration.

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. 269 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1797-06 Finance on H.R. No. 232

The purpose of this measure is to request the Auditor to conduct a management audit of the administrative practices of the Hawaii Community Development Authority.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 232 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1798-06 Finance on H.C.R. No. 297

The purpose of this measure is to request the Auditor to conduct a management audit of the administrative practices of the Hawaii Community Development Authority.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 297 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1799-06 Finance on H.R. No. 233

The purpose of this measure is to request the Hawaii Community Development Authority, in collaboration with the Department of Land and Natural Resources, the Department of Budget and Finance, and the Department of Business, Economic Development, and Tourism, to develop a viable financial plan to assist Honolulu Marine with the construction of its facilities at Sand Island.

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. 233, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.
(Representative Evans voted no.)

SCRep. 1800-06 Finance on H.C.R. No. 299

The purpose of this measure is to request the Hawaii Community Development Authority, in collaboration with the Department of Land and Natural Resources, the Department of Budget and Finance, and the Department of Business, Economic Development, and Tourism, to develop a viable financial plan to assist Honolulu Marine with the construction of its facilities at Sand Island.

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. 299, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.
(Representative Evans voted no.)

SCRep. 1801-06 Finance on H.R. No. 235

The purpose of this measure is to request the State Department of Transportation to review the State's landing fees and determine whether the landing fees at State airports should be increased.

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. 235 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1802-06 Finance on H.C.R. No. 301

The purpose of this measure is to request the State Department of Transportation to review the State's landing fees and determine whether the landing fees at State airports should be increased.

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. 301 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone and Meyer.

SCRep. 1803-06 Finance on H.C.R. No. 248

The purpose of this concurrent resolution is request the Auditor to conduct a management audit of the Department of Transportation.

The Department of Transportation commented on this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 248 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone, Nishimoto, Tanaka, Wakai and Meyer.

SCRep. 1804-06 Finance on H.C.R. No. 316

The purpose of this concurrent resolution is to request the Attorney General to identify any legal impediments that would prevent the Department of Taxation from collecting the general excise tax surcharge for county mass transportation projects. This concurrent resolution further requests the Department of Taxation to submit a plan to the Legislature for the administration and collection of the surcharge.

The Department of the Attorney General provided comments on this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 316 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Nakasone, Tanaka, Wakai and Meyer.
(Representative Moses voted no.)

SCRep. 1805-06 Health on S.C.R. No. 15

The purpose of this concurrent resolution is to reiterate support for cancer research and treatment to end the pain, suffering, and loss attributed to this disease.

The Department of Health, Coalition for a Tobacco Free Hawaii, American Cancer Society, and several concerned individuals supported this concurrent resolution. The Cancer Research Center of Hawaii (CRCH) supported the intent of this measure.

Your Committee would like to recognize concerns brought to its attention by the director of CRCH. The director pointed out that many cancer research professionals from National Cancer Institute-designated cancer centers find that while the goal of eliminating pain and suffering caused by cancer by 2015 is laudable, it might create false hopes and expectations among the general public, which would result in inevitable disappointment because researchers find this goal to be impossible to achieve. These professionals do, however, find that a "significant reduction" in the pain and suffering caused by cancer by the year 2015 is an achievable and realistic goal.

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. 15, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Cabanilla, Nishimoto and Sonson.

SCRep. 1806-06 Human Services/Health on S.C.R. No. 108

The purpose of this measure is to urge the Congress of the United States of America to thoughtfully evaluate the current regime of Federal medical assistance payment law and to consider the introduction of amendments which would include exceptions for the placement of liens on a beneficiary's home if the person's adult children have an equity interest in the home and have resided there for at least one year prior to the person's admittance to a medical facility.

No testimony was offered in support, opposition, or commentative review of this measure.

Given the present stage of the Regular Session of 2006's proceedings, your Committee recognizes the essence of time regarding legislative requirements and wishes to emphasize that thorough study of this measure was restricted by the absence of testifiers and the short duration available for hearing.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 108 and recommend its adoption.

Signed by all members of the Committee except Representatives Arakaki, Kawakami, Nishimoto, Halford and Stonebraker.

SCRep. 1807-06 Human Services on S.C.R. No. 2

The purpose of this measure is to request the Department of Human Services to conduct a study and make recommendations on how to resolve the shortage of child care providers, facilities, and services within the State.

The Department of Human Services and Good Beginnings Alliance testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 2, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kawakami, Halford and Stonebraker.

SCRep. 1808-06 Human Services on S.C.R. No. 6

The purpose of this measure is to urge the Executive and Legislative Branch of the United States of America to avoid privatization of Social Security. Specifically, this measure seeks to warn the Federal Government of possible financial and economic perils resulting from such a privatization of Social Security by stating,

"...the analogy of fixing the problem of a leaky sink by destroying an entire house is much like what the federal government is planning to do when they eradicate the current Social Security policy and replace it with private investment accounts".

The Hawaii Government Employees Association AFSCME Local 152 AFL-CIO, and the League of Women Voters of Hawaii testified in support of this measure.

Your Committee recognizes that the future of Social Security is a complicated and expansive issue, and wishes to assert that it is not the intention of the members of your Standing Committee on Human Services in its limited scope as the relevant subject matter Committee to accuse or condemn the Federal Government, and further wishes to note that full study of this concurrent resolution was limited by a combination of Legislative time constraints and the absence of testimony by the Federal government.

Your Committee expresses its full respect and reverence for the Executive and Legislative Branch of our United States of America, and asserts that this measure has been passed in the hope of continuing dialogue regarding the future of Social Security.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 6, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Kawakami, Halford and Stonebraker.

SCRep. 1809-06 Human Services on S.C.R. No. 43

The purpose of this measure is to urge Hawaii's Congressional delegation to support legislation that assists hungry Americans.

The Hawaii Food Bank submitted testimony in support of this measure.

Your Committee recognizes that hunger is a terrible pall upon the face of our modern, 21st Century democracy, and supports initiatives to ensure the fulfillment of the eternal Words which remind us,

"Blessed are those who hunger and thirst for righteousness, for they will be filled."

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 43 and recommends its adoption.

Signed by all members of the Committee except Representatives Kawakami, Halford and Stonebraker.

SCRep. 1810-06 Human Services/Health on S.C.R. No. 144

The purpose of this measure is to request the Departments of Health and Human Services to convene a task force of stakeholders to develop a strategic, long-term infrastructure plan for Hawaii to ensure public safety while supporting aging in place.

The Department of Human Services, Department of Health, the Hawaii Long Term Care Association, and Hawaii Pacific Health testified in strong support of this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 144, S.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Kawakami, Nishimoto, Halford and Stonebraker.

SCRep. 1811-06 Human Services/Health on S.C.R. No. 204

The purpose of this measure is to designate the month of March as Caregiver's Month in Hawaii and to proclaim the worthy deeds of all caregivers as a lasting memorial to their continuing service to humanity.

Your Committee received testimony in support of this measure from the State of Hawaii Executive Office on Aging and the Adult Foster Home Association.

Your Committee recognizes that caregivers sacrifice much to provide the ongoing continuum of care to the people of Hawaii, and wishes to assert for the record that the act of upholding one's fellow man in the arms of merciful service is inkeeping with the highest values of our Nation, our institution of democracy, and most of all, the compelling Words engraved upon the statue which stands at the footsteps of our own State Capitol which read,

"Greater love has no one than this, that he lay down his life for his friends" (John 15:13).

Your Committee further wishes to assert that the actions of caregivers stand as lasting examples to inspire both the citizens of Hawaii, the people of our United States of America, and the countless masses of tourists and visitors who come to our State to remember that we are all mortal, that while we inhabit this planet, we all are all interconnected and drawn into a mysterious network of life, and that most of all, our least common denominator is our need for one another. In this regard, your Committee recognizes that not only is recognition for the exemplary actions of caregivers long overdue, but that Caregivers' Month is a celebration not just for those who care, but for all mankind.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 204, S.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Kawakami, Nishimoto, Halford and Stonebraker.

SCRep. 1812-06 Transportation/Labor & Public Employment on S.C.R. No. 47

The purpose of this concurrent resolution is to request that the Department of Transportation and the County Fire Chiefs collaborate and cooperate to reach a mutually agreeable solution over fire inspection responsibilities at the Honolulu International Airport and other State airports.

The Department of Transportation testified in support of this resolution.

As affirmed by the records of votes of the members of your Committees on Transportation and Labor & Public Employment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 47 and recommend its adoption.

Signed by all members of the Committee except Representatives Chong, M. Oshiro, Shimabukuro and Meyer.

SCRep. 1813-06 Transportation/Labor & Public Employment on S.C.R. No. 95

The purpose of this concurrent resolution is to urge the City and County of Honolulu to improve the synchronization of traffic signals on Ala Moana Boulevard between Punchbowl Street and Kalakaua Avenue, and to assume jurisdiction of that same portion of road in the interest of promoting safe traffic flow.

The Department of Transportation testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Transportation and Labor & Public Employment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 95 and recommend its adoption.

Signed by all members of the Committee except Representatives Chong, M. Oshiro, Shimabukuro and Meyer.

SCRep. 1814-06 Human Services on S.C.R. No. 52

The purpose of this measure is to request the Senate and House Committees on Human Services to convene and conduct interim hearings on the use of legal interventions available to the Family Court, including an assessment of the caseload, the long-term use of such interventions such as temporary restraining orders (TROs), the selection, use, and accountability of custody guardians ad litem, factfinders, parenting coordinators, and other court appointed personnel, an evaluation of definitions of the best interests of the child, an examination of other issues that may impact the timely and fair resolution of cases, and identification of practices that meet an acceptable national standard of care for the children and families before the Family Court.

Blueprint For Change, Children's Rights Council, Hawaii Psychiatric Medical Association and two concerned citizens submitted written testimony in support of this measure. The Office of Hawaiian Affairs supported the measure with amendments.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 52, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki, Cabanilla and Stonebraker.

SCRep. 1815-06 Human Services/Health on S.C.R. No. 67

The purpose of this measure is to request the Department of Human Services (DHS), Adult Foster Home Association and Case Management Council work together to clearly define and recommend the three distinct components of the Residential Alternatives Community Care Foster Family Homes services and their mode of service delivery for inclusion in the Department's Quest Expanded Access (QexA) request for proposal.

The Department of Human Services supported the intent of this measure with amendments.

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

- (1) Changing the title to read: "REQUESTING THE DEPARTMENT OF HUMAN SERVICES ENSURE THAT THE CURRENT RESIDENTIAL ALTERNATIVES COMMUNITY CARE FOSTER FAMILY HOMES SERVICE ARRAY IS NOT DISMANTLED WITH THE PROPOSED QUEST EXPANSION PROGRAM";
- (2) Making other minor, technical, non-substantive amendments for the purposes of clarity and style.

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

Signed by all members of the Committee except Representatives Arakaki, Cabanilla and Stonebraker.

SCRep. 1816-06 Economic Development & Business Concerns on S.C.R. No. 141

The purpose of this measure is to request the City and County of Honolulu to maintain the current zoning of a one hundred and seventy-two acre parcel of real property in Royal Kunia for the establishment of a park, golf course, or continued use as open space.

Testimony in support was submitted by one concerned individual and The Royal Kunia Community Association submitted comments regarding this issue.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 141 and recommends its adoption.

Signed by all members of the Committee except Representatives Abinsay, Herkes, Yamashita and Ching.

SCRep. 1817-06 Transportation on S.C.R. No. 33

The purpose of this concurrent resolution is to continue efforts to improve Hawaii's harbor system by requesting the Department of Transportation (DOT) to continue to work collaboratively with the Hawaii Harbor Users Group (HHUG) to implement planned improvements and construction to improve cargo terminal and container facilities at Honolulu Harbor, Kahului Harbor, and Hilo Harbor.

This measure also congratulates and commends DOT and HHUG for their superb work and collaboration in completing the HHUG Report.

DOT, the Office of the Mayor of the County of Maui, HHUG, Hawaii Business Roundtable, Hawaii Ship Agents Association, Maritime Consultants of the Pacific, and Alexander and Baldwin, Inc., testified in support of this concurrent resolution.

Your Committee finds that DOT and HHUG have worked well together to begin the arduous task of improving and maintaining Hawaii's commercial harbors, especially with regard to improving and constructing cargo facilities. Including all the harbor stakeholders in the planning process has proven successful and should be continued.

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, and recommends its adoption.

Signed by all members of the Committee except Representatives Caldwell and Chong.

SCRep. 1818-06 Transportation on S.C.R. No. 46

The purpose of this concurrent resolution is to decrease light pollution and save energy on the islands of Maui and Hawaii by requesting the Department of Transportation (DOT) to:

- (1) Comply with county ordinances and standards relating to outside lighting at airports and harbors; and
- (2) Provide cut-off or fully shielded lens fixtures to direct artificial lighting downward to prevent diffusion of the light into the atmosphere.

The University of Hawaii and members of the Maui County Council testified in support of this concurrent resolution. DOT supported the intent of this measure.

Your Committee finds that the use of fully shielded lighting fixtures will conserve energy and resources while maintaining appropriate outdoor lighting suitable for safety, utility, and security. These types of fixtures are also environmentally-friendly.

Although your Committee notes that a grammatical error exists in the title of this measure, passage of this measure may be prevented if the concurrent resolution is amended resulting in the demise of this important issue. Therefore, your Committee decided to pass this concurrent resolution without amendments noting that the grammatical error has no effect on the substance of the measure.

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. 46 and recommends its adoption.

Signed by all members of the Committee except Representatives Caldwell and Chong.

SCRep. 1819-06 Transportation on S.C.R. No. 48

The purpose of this concurrent resolution is to enhance motorcycle rider education by establishing a task force to recommend whether the Department of Transportation (DOT) should adopt the basic rider course of the Motorcycle Safety Foundation (MSF) as a comprehensive educational program for the entire motorcycle community.

Street Bikers United Hawaii, Street Bikers United Hawaii – Oahu Chapter, Street Bikers United Hawaii – Maui Chapter, Harley-Davidson Motor Company, Honda North America, Inc., MSF, and several concerned individuals testified in support of this concurrent resolution. DOT and a concerned individual opposed this measure.

Establishing a task force, as required by current administrative rules, to recommend whether DOT should adopt the basic rider course of the MSF as a comprehensive educational program will help to enhance the safety of all motorcycle riders in Hawaii.

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. 48, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Caldwell and Chong.

SCRep. 1820-06 Transportation on S.C.R. No. 74

The purpose of this concurrent resolution is to improve traffic conditions around Lahaina, on the island of Maui, by requesting the Department of Transportation (DOT) to:

- (1) Place top priority on the expeditious completion of the Lahaina Bypass Project (Project); and
- (2) Develop strategies to reduce motor vehicle use into and out of Lahaina in cooperation with the County of Maui and various stakeholders.

The Mayor of the County of Maui, several members of the Maui County Council, Maui Land and Pineapple Company, Inc., Maui Communicators, Classic Resorts, and numerous concerned individuals testified in support of this concurrent resolution. DOT supported the intent of this measure. Kaanapali Development Corporation submitted comments.

Your Committee finds that traffic congestion in the Lahaina area on the island of Maui has greatly increased and continues to be a problem for residents and visitors alike. Although a bypass road was planned for the area almost 30 years ago, no road has yet been built. Your Committee has been informed by DOT that it is currently in the process of planning the bid for the first phase of the Project, which it expects to award by the fall of 2006.

While your Committee understands the concern raised by DOT that providing monthly progress reports on the status of the Project and the motor vehicle use reduction plan may not be feasible and that quarterly reports would provide a more accurate picture of the progress of these projects, amending this measure to address this concern may result in the demise of this important issue. However, your Committee finds that should DOT determine that the provision of these monthly reports cannot be achieved in a timely manner due to other commitments, the Director of DOT should use his best discretion in determining when these reports should be furnished.

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. 74 and recommends its adoption.

Signed by all members of the Committee except Representatives Caldwell and Chong.

SCRep. 1821-06 Health on S.C.R. No. 116

The purpose of this concurrent resolution is to help ensure that women are informed of the availability and health benefits of hormone therapy to keep them healthy as they go through menopause.

The American Menopause Foundation, Inc., supported this concurrent resolution.

Your Committee finds that recent studies suggest that hormone therapy may not increase a woman's chances of developing breast cancer. The benefits of hormone therapy are clear, however, and women need to know that this option is available to them.

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. 116 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1822-06 Health on S.C.R. No. 129

The purpose of this concurrent resolution is to enhance the health and welfare of Hawaii's people by requesting cooperation from the Legislature and Department of Health in facilitating the development of a statewide health information exchange organization in Hawaii.

Hawaii Science and Technology Council, Hawaii Pacific Health, and Hawaii Health Information Exchange testified in support of this measure.

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. 129 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1823-06 Health on S.C.R. No. 140

The purpose of this measure is to request Leahi Hospital to develop a master plan and financial feasibility report for its existing campus that will take advantage of its unique location and relationships in east Honolulu.

Your Committee received testimony in support of this measure from the Hawaii Health Systems Corporation and one individual.

Your Committee finds that the existing campus of Leahi Hospital needs to be revitalized in order to achieve its vision as a Geriatric Center of Excellence. To achieve this goal the master plan and financial feasibility report, addressing all future on-campus construction, activities, and services, need to be completed.

Your Committee further finds that in order to develop an adequate master plan and financial feasibility report, financing of \$150,000.00 would be recommended.

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. 140, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1824-06 Health on S.C.R. No. 119

The purpose of this measure is to request the State of Hawaii to consider the merits of recognizing hypnotherapy as a legitimate profession, and hypnotherapists as providers of human services separate and independent from other mental health professions.

Your Committees received testimony in support of this measure from the American Council of Hypnotist Examiners, Hawaii Hypnotherapy Association, Aloha Chapter of the National Guild of Hypnotherapists, and three individuals.

Your Committees find that hypnotherapy is a legitimate form of alternative health care and is listed as a separate profession in the United States Department of Labor's Dictionary of Occupational Titles.

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. 119, S.D. 1, and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1825-06 Health on S.C.R. No. 117

The purpose of this concurrent resolution is to reduce the number of individuals admitted by court order to the Hawaii State Hospital by requesting the Governor, instead of the Department of Health (DOH), to convene a task force to analyze the identification, diagnosis, and treatment of individuals with mental illness who are referred from the state criminal judicial system.

The Hawaii Disability Rights Center, Hawaii Government Employees Association, and National Association of Social Workers testified in support of this concurrent resolution. The Department of Health supported this measure with amendments.

Your Committee has amended this concurrent resolution by:

- (1) Requesting the Governor instead of the Department of Health to convene the task force;
- (2) Changing the composition of the task force to include representatives from:
 - (A) The Police Department of all four counties; and
 - (B) The Office of the Prosecuting Attorney of each county;
- (3) Requesting the task force to meet at least monthly from September of 2006 to December of 2007, and submit a progress report with any recommendations regarding the issues reviewed, including any necessary legislation no later than 20 days prior to the convening of the Regular Session of 2007 and a final report with recommendations including any necessary legislation to the Legislature no later than 20 days prior to the convening of the Regular Session of 2008;
- (4) Amending the title to read: "REQUESTING THE governor TO CONVENE A TASK FORCE TO EVALUATE AND RECOMMEND POSSIBLE PROCEDURAL, STATUTORY, AND PUBLIC POLICY CHANGES TO MINIMIZE THE CENSUS AT HAWAII STATE HOSPITAL AND PROMOTE COMMUNITY-BASED HEALTH SERVICES FOR FORENSIC PATIENTS"; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style. [sic]

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. 117, 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. 117, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1826-06 Human Services/Health on S.C.R. No. 77

The purpose of this measure is to request the Legislative Reference Bureau to conduct separate studies on the adequacy of state health care reimbursements to providers who provide services for Medicaid or QUEST recipients and for workers' compensation-related claims.

Specifically, the measure requests that the Legislative Reference Bureau conduct two separate studies that examine payments to providers of health care services: one for Medicaid or QUEST recipients and another for injured employees under workers' compensation insurance. The measure also requests that the Legislative Reference Bureau submit these two studies on a staggered basis prior to the Regular Sessions of 2007 and 2008, respectively.

Testimony in support of this measure was submitted by the Hawaii Health Systems Corporation, Healthcare Association of Hawaii, the Hawaii Business Roundtable, and the Hawaii Long Term Care Association. The Legislative Reference Bureau submitted comments on this measure.

Your Committees find that the State pays for a considerable amount of health care and controls certain types of payments for health care made to providers. Your Committees further find that it is in the public interest to ensure that these health care payments made with state funds or controlled by the State are sufficient to cover the actual costs of care in the Medicare or QUEST context and under the workers compensation insurance system.

Your Committees have amended the measure by adding a provision that requests that interested parties submit relevant information and data applicable to determining reimbursement rates for providers of services for Medicaid or QUEST recipients to the Legislative Reference Bureau not later than May 31, 2006. In addition, technical nonsubstantive amendments were made to the text and title of the measure for the purposes of style and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 77, S.D. 2, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as S.C.R. No. 77, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Arakaki, Cabanilla and Stonebraker.

SCRep. 1827-06 Energy & Environmental Protection/Agriculture on S.C.R. No. 36

The purpose of this concurrent resolution is to request the United States Congress to support the enactment of the proposed federal Hawaii Invasive Species Prevention Act, H.R. 3468, that would establish certain federal findings and grant authority for Hawaii to institute a stricter incoming quarantine and inspection regime.

The Department of Land and Natural Resources, The Nature Conservancy of Hawai'i, Conservation Council for Hawai'i, Hawaii Crop Improvement Association, Pineapple Growers Association of Hawaii, and Meadow Gold Dairies testified in support of this concurrent resolution. The Department of Agriculture supported the overall intent of this measure.

Your Committees find that federal preemption prevents Hawaii from using incoming quarantine and inspection that are stricter than federal law. Passage of the Hawaii Invasive Species Prevention Act on the federal level would allow Hawaii to establish a regime comparable to the one currently mandated for passengers and cargo leaving Hawaii en route to the mainland.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Agriculture that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 36 and recommend its adoption.

Signed by all members of the Committee except Representatives Abinsay, Carroll, Harbin, Herkes, Pine, Stonebraker and Thielen.

SCRep. 1828-06 Consumer Protection & Commerce on S.C.R. No. 55

The purpose of this concurrent resolution is to determine the best method of providing consumers of variable annuity contracts with regulatory protection from unscrupulous sales practices by requesting the Legislative Reference Bureau (LRB) to examine how other states are addressing the issue of reclassifying a variable annuity contract as insurance rather than as a security.

The American Council of Life Insurers and National Association of Insurance and Financial Advisors Hawaii supported this measure. State Farm Insurance Companies supported the intent of this measure and requested an amendment. The Insurance Division of the Department of Commerce and Consumer Affairs and LRB commented on this measure.

Your Committee finds that variable annuity contracts have characteristics of both insurance and securities. They are a tax-deferred investment that typically invests in stock and bond mutual funds. They permit the investor to receive periodic payments from the investment, and provide a death benefit to the beneficiary if the investor dies during the accumulation phase of the contract.

These contracts can be unsuitable for certain investors, particularly seniors and those approaching retirement, because of risks such as short-term market movements and steep penalties for early withdrawals. Hawaii currently regulates variable annuity contracts as both insurance and a security. However, several bills were introduced this session to remove these contracts from securities regulation, in part because current regulation is said to be duplicative. This concurrent resolution seeks to examine some of the issues raised by these bills.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 55 and recommends its adoption.

Signed by all members of the Committee except Representatives Karamatsu, Morita, Sonson and Stonebraker.

SCRep. 1829-06 Consumer Protection & Commerce on S.C.R. No. 82

The purpose of this concurrent resolution is to ensure that local voices, ideas, and interests are included in the future of broadband telecommunications, broadcast, cable, print, and satellite communications media, by requesting the Federal Communications Commission (FCC) to convene a public meeting in Hawaii to consider these issues.

The International Brotherhood of Electrical Workers, Local 1260, Honolulu Community Media Council, Screen Actors Guild Hawaii, and a concerned individual supported this measure.

Your Committee finds that our nation was founded on the right of individuals to voice their ideas and have their opinions heard. Communications media is the marketplace of ideas, and Congress and the FCC must, in regulating this marketplace, ensure a place for local voices and interests.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 82, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Karamatsu, Morita, Sonson and Stonebraker.

SCRep. 1830-06 Consumer Protection & Commerce on S.C.R. No. 150

The purpose of this concurrent resolution is to ensure accessible, high-quality emergency and trauma care in Hawaii by requesting the Insurance Commissioner to convene a task force to examine provider reimbursement versus cost-of-care issues related to the physician on-call crisis.

The Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Hawaii Pacific Health, and Hawaii Medical Association supported this concurrent resolution. The Department of Commerce and Consumer Affairs opposed this measure.

Your Committee finds that this concurrent resolution would bring together hospitals with emergency departments, health care insurance companies, physicians, and government regulators, the parties most likely to have the insight and experience necessary to develop legislative solutions to the physician on-call crisis.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 150 and recommends its adoption.

Signed by all members of the Committee except Representatives Karamatsu, Morita, Sonson and Stonebraker.

SCRep. 1831-06 Consumer Protection & Commerce/Health on S.C.R. No. 113

The purpose of this concurrent resolution is take steps toward increasing access to mental health treatment in rural and other underserved areas of Hawaii by requesting the Legislative Reference Bureau (LRB) to study whether a limited prescriptive authority should be made available to qualified psychologists serving these areas.

The Hawaii Psychological Association, Waianae Coast Comprehensive Health Center, Hawaii Primary Care Association, Hawaii Medical Association, and a concerned individual supported this measure. The Hawaii Psychiatric Medical Association supported this measure and suggested amendments. LRB commented on this measure.

Your Committees believe that the study requested by this concurrent resolution will cast a more objective light on what has been an extremely contentious issue, and bring us closer to resolving the acute shortage of appropriate mental health care for those living in our rural and other underserved communities.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 113, S.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Karamatsu, Morita, Sonson and Stonebraker.

SCRep. 1832-06 Higher Education on S.C.R. No. 157

The purpose of this measure is to request the University of Hawaii Board of Regents to name the Komohana Research and Extension Center's Administrative Office Wing in honor of Dr. Tadashi Higaki.

The University of Hawaii College of Tropical Agriculture and Human Resources and numerous concerned individuals supported this measure.

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. 157, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Arakaki, Berg, Cabanilla, Harbin and Waters.

SCRep. 1833-06 Health on S.C.R. No. 1

The purpose of this measure is to provide greater awareness and education of cervical cancer prevention.

Your Committee received testimony in support of this measure from Planned Parenthood of Hawaii, Family Voices of Hawaii, and Merck & Company.

Your Committee finds that cervical cancer is the third most common cancer affecting women worldwide and is a highly preventable disease. Early detection of the disease through screening enables women to receive proper treatment in a timely manner. If detected early, cervical cancer has a survival rate of close to ninety-nine percent.

Your Committee further finds that making January Cervical Cancer month will allow supporters of cervical cancer prevention to provide the needed awareness and education on the disease and the importance of screening, regular exams, and early detection.

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. 1 and recommends its adoption.

Signed by all members of the Committee except Representative Cabanilla.

SCRep. 1834-06 Health/Human Services on S.C.R. No. 115

The purpose of this concurrent resolution is to assist the state's elderly population by requesting the Executive Office on Aging to convene a focus group with other stakeholders to assess yearly service delivery needs and long-term strategic planning for the Kupuna Care program.

No testimony was received for this measure.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 115, S.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Arakaki and Stonebraker.

SCRep. 1835-06 Human Services/Health on S.C.R. No. 81

The purpose of this measure is to urge the Department of Human Services (DHS) to remove the positive enrollment requirement relating to the QUEST program and to reinstate the plan change period provision and to report actions taken in response to this Concurrent Resolution to the Legislature no later than May 1, 2006.

The Department of Human Services "appreciated the intent" of this resolution but testified in opposition. AlohaCare, Community Clinic of Maui, Family Voices of Hawai'i, Hamakua Health Center, Inc., Hana Health, Hawai'i Primary Care Association, Kalihi-Palama Health Center, Kokua Kalihi Valley, Life Foundation, Mental Health Association in Hawai'i, MothersCare For Tomorrow's Children, Papa Ola Lokahi, Waianae Coast Comprehensive Health Center, and the Waikiki Health Center testified in support.

Upon further consideration, your Committees have amended the following measure by:

- (1) Changing the title to read: "URGING THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE IMPACT OF POSITIVE ENROLLMENT IN THE RECENTLY ISSUED QUEST REQUEST FOR PROPOSAL";
- (2) Clarifying that the Department of Human Services will adopt procedures and safeguards to ensure that disruption of service does not occur as a result of positive enrollment;
- (3) Making other minor, non-substantive, technical changes for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 81, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 81, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Nishimoto, Halford and Stonebraker.

SCRep. 1836-06 Energy & Environmental Protection on S.C.R. No. 86

The purpose of this concurrent resolution is to request the Department of Health (DOH) to report on the status of its litigation against Waste Management of Hawaii, Inc., and the City and County of Honolulu, concerning violations of the operating permit for Waimanalo Gulch Sanitary Landfill in West Oahu.

DOH testified in support of this concurrent resolution.

Upon careful consideration, your Committee proposed to replace the contents of this concurrent resolution with a resolution that would urge the Hawaii 2050 Task Force to use a science-based framework as the guide to mapping and measuring the successes in realizing the goals of the Sustainability Plan.

Your Committee recognizes that the future of our state depends on sustainable planning to ensure that Hawaii's limited resources and workforce are applied wisely. Your Committee finds that having the Hawaii 2050 Task Force employ a science-based framework will be useful in setting goals that address Hawaii's quality of life concerns.

Sustain Hawaii testified in support of the proposed HD1.

Accordingly, your Committee has amended this concurrent resolution by replacing its entire contents and inserting the contents of the proposed H.D. 1. Specifically, as amended, this concurrent resolution:

- (1) Urges the Hawaii 2050 Task Force to use a science-based framework as the guide to mapping and measuring the successes in realizing the goals of the Sustainability Plan;
- (2) Transmits certified copies of this Concurrent Resolution to the Governor, Director of the Office of Planning, Auditor, Senate President, Speaker of the House of Representatives, Chairperson of the Hawaii 2050 Task Force, Mayor of each County, and Dean of the University of Hawaii School of Urban and Regional Planning; and
- (3) Changing the title to read: "URGING THE HAWAII 2050 TASK FORCE TO USE A SCIENCE-BASED FRAMEWORK AS THE GUIDE TO MAPPING AND MEASURING THE SUCCESSES IN REALIZING THE GOALS OF THE SUSTAINABILITY PLAN".

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 86, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 86, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Harbin, Pine and Thielen.

SCRep. 1837-06 Labor & Public Employment on S.C.R. No. 49

The purpose of this concurrent resolution is to request the Department of Labor and Industrial Relations (DLIR) to conduct a study of the State Fire Council.

The State Fire Council and Honolulu Fire Department testified in support of this concurrent resolution. DLIR submitted comments.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 49, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ito, M. Oshiro and Meyer.

SCRep. 1838-06 Labor & Public Employment on S.C.R. No. 106

The purpose of this concurrent resolution is to protect the health, safety, and welfare of working people in Hawaii by urging Hawaii employers to develop and implement standards of conduct and policies for managers and employees to reduce workplace bullying and promote healthful and safe work environments.

The Hawaii Government Employees Association, Hawaii Federation of Business and Professional Women, and several concerned individuals testified in support of this concurrent resolution. The Department of Labor and Industrial Relations (DLIR) supported this measure but had concerns regarding the requested submission of a report to the Legislature.

Workplace bullying, abuse, and harassment are prevalent occurrences in many businesses nationwide. Your Committee finds that this type of behavior has a negative impact, not only on employees, but on employers as well. Reducing workplace harassment and bullying promotes a healthy and safe work environment.

However, your Committee understands the concerns raised by DLIR regarding the request that it report to the Legislature on Hawaii employers that have developed and implemented policies for reducing workplace bullying. While it may appear that this request would entail DLIR having to conduct a survey of all employers throughout the state, this is not the intent of your Committee. Rather, your Committee believes that this measure is requesting DLIR to submit a report to the Legislature on employers that have reported to DLIR on the development and implementation of standards of conduct and policies for the reduction of workplace bullying.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 106, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ito, M. Oshiro and Meyer.

SCRep. 1839-06 Agriculture/Energy & Environmental Protection on S.C.R. No. 14

The purpose of this concurrent resolution is to protect our unique and fragile ecosystem by requesting Hawaii's Congressional delegation to seek federal funding for the prevention and eradication of invasive species in Hawaii.

The Department of Land and Natural Resources, Conservation Council for Hawaii, and the Hawaii Association of REALTORS supported this concurrent resolution. The Department of Agriculture supported the intent of this measure.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 14, S.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Abinsay, Harbin, Karamatsu, Wakai, Waters, Pine, Stonebraker and Thielen.

SCRep. 1840-06 Agriculture/Energy & Environmental Protection on S.C.R. No. 159

The purpose of this concurrent resolution is to protect Hawaii's natural environment by requesting the Pesticides Advisory Committee to assist the Department of Agriculture (DOA) with establishing a Pesticide Disposal Assistance Program (Disposal Program) to provide an available, affordable mechanism by which farmers in the state can properly dispose of unwanted or unusable pesticides.

The Hawaii Farm Bureau Federation, Hawaii Crop Improvement Association, and the Hawaii Pest Control Association supported this concurrent resolution. DOA opposed this measure.

Upon further consideration, your Committees have amended this measure by deleting its contents and inserting the substance of H.C.R. No. 255, H.D. 1. Among other things, this amended measure:

- (1) Is entitled:
"REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH AN AGRICULTURAL PESTICIDE DISPOSAL ASSISTANCE PROGRAM.";
- (2) Requests DOA to establish a Disposal Program;
- (3) Requests the DOA Pesticides Advisory Committee to study the establishment of the Disposal Program, in consultation with a representative from each county and from the pesticides industry, and submit a report to the Legislature no later than 20 days prior to the convening of the Regular Session of 2007; and
- (4) Specifies that pesticide users who control pests in and around structures are also confronted with challenges in the disposal of their pesticide containers and that it is desirable to include these containers in the Disposal Program.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 159, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 159, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Abinsay, Harbin, Karamatsu, Wakai, Waters, Pine, Stonebraker and Thielen.

SCRep. 1841-06 Consumer Protection & Commerce on S.C.R. No. 31

The purpose of this concurrent resolution is to determine whether licensing of genetic counselors is reasonably necessary to protect the health, safety, or welfare of consumers by requesting the Auditor to conduct a sunrise analysis of the regulation of this profession proposed in S.B. No. 3231, S.D. 2.

Kaiser Permanente, March of Dimes, Hawaii Chapter, and many concerned individuals supported this measure.

Your Committee finds that genetic counselors are health care professionals who provide information and support to families who have members with birth defects or genetic disorders, or who may be at risk for a variety of inherited conditions. Communication of genetic information can often affect a patient's psychological well-being, as well as decisions regarding medical management, reproductive options, or treatment. This concurrent resolution takes the first step toward determining whether government regulation of this profession is justified.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 31, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Karamatsu, Morita, Sonson and Stonebraker.

SCRep. 1842-06 Public Safety & Military Affairs/Energy & Environmental Protection on S.C.R. No. 170

The purpose of this concurrent resolution is to support veterans by requesting the United State House of Representatives to pass H.R. 4259, the Veterans' Right to Know Act (Act).

Specifically, this Act would create a commission to bring relief and notification to veterans involved in Project 112 and the Shipboard Hazard and Defense Project and other incidents of chemical or biological testing so that these veterans may receive proper medical treatment and consideration for any service-related disability compensation.

The Office of Veterans Services, Vietnam Veterans of America, Inc., Radiated Veterans of America, Inc., and several concerned citizens supported this measure.

Your Committees find that veterans need and deserve the assistance of a commission to determine the scope and effects of chemical and biological weapons that may have harmed veterans and their descendants.

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 170 and recommend its adoption.

Signed by all members of the Committee except Representatives Carroll, Harbin, Ito, Nakasone, Moses, Pine, Stonebraker and Thielen.

SCRep. 1843-06 Public Safety & Military Affairs on S.C.R. No. 147

The purpose of this concurrent resolution is to urge Congress to authorize and appropriate funds to allow all members of the armed forces reserve component to access TRICARE health benefit coverage on a cost-share basis, without restrictions.

The Department of Defense, Hawaii National Guard Association, Hawaii National Guard Enlisted Association, Chamber of Commerce of Hawaii, and a concerned individual supported this measure.

Your Committee finds that the issue of medical readiness exists in the National Guard and, during mobilization, the number one reason for soldiers being rated non-deployable was a medical one. Allowing members of the National Guard and Reserves to have unrestricted access to TRICARE coverage would greatly enhance their personnel readiness.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 147 and recommends its adoption.

Signed by all members of the Committee except Representatives Tanaka and Stonebraker.

SCRep. 1844-06 Public Safety & Military Affairs on S.C.R. No. 12

The purpose of this measure is to request the state Department of Defense to submit to the Legislature a homeland security plan for approval to expend federal funds received from the Office of Domestic Preparedness and the state Homeland Security Program.

Several concerned individuals testified in support of this measure. The state Department of Defense provided comments.

Your Committee finds that this measure will provide accountability for federal Office of Domestic Preparedness and state Homeland Security Program moneys and keep the Legislature and public informed on homeland security issues and concerns.

Your Committee has amended this measure by making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 12, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Tanaka and Stonebraker.

SCRep. 1845-06 Legislative Management on S.C.R. No. 32

The purpose of this concurrent resolution is to request the State Procurement Office (SPO) and the State Ethics Commission to review possible Procurement Code and ethics violations by the Department of Business, Economic Development, and Tourism (DBEDT) relating to the 2005 trade missions to the People's Republic of China and the Republic of Korea.

The State Representative from the 39th District (Wahiawa, Whitmore Village, Poamoho) and a concerned individual testified in support of this measure. The SPO, State Ethics Commission, and DBEDT offered comments.

Your Committee finds that:

- (1) Since fundraising is not addressed by the Procurement Code, SPO did not review DBEDT's solicitation and expenditure of sponsorship funds; and
- (2) The deposit of solicited sponsorship funds with a fiduciary agent for securing goods and services is also not subject to the Procurement Code.

Accordingly, legislation would be required before subjecting fundraising activities and external accounts to the Procurement Code.

Your Committee has amended this measure by:

- (1) Deleting references to the State Procurement Office;
- (2) Changing the title to read: "REQUESTING THE STATE ETHICS COMMISSION TO REVIEW POSSIBLE ETHICS VIOLATIONS COMMITTED BY THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM"; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 32, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 32, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Yamane.
(Representative Halford voted no.)

SCRep. 1846-06 Water, Land, & Ocean Resources on S.C.R. No. 130

The purpose of this measure is to request the Department of Land and Natural Resources to study and recommend solutions to abate and prevent the accumulation of sediment at Wailoa Small Boat Harbor and along Hilo Bayfront.

A private citizen testified in support of the measure. The Department of Land and Natural Resources noted its appreciation of the intent of the measure and offered comments.

Your Committee finds that the Wailoa River discharges into the Hilo Bay and is one of the major causes of sediment build up in the bay. Your Committee believes that this issue needs to be addressed to mitigate the effects of nonpoint source pollution and to ensure safe passage for vessels in and out of the harbor.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 130, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Waters, Meyer and Thielen.

SCRep. 1847-06 Water, Land, & Ocean Resources on S.C.R. No. 137

The purpose of this Concurrent Resolution is to request the Association of Hawaiian Civic Clubs and the State of Hawaii to affirm and support the historic, cultural, and sacred significance of Mauna'ala - the Royal Mausoleum.

Additionally, the measure urges the Governor, the Department of Land and Natural Resources, and the Office of Hawaiian Affairs to support the restoration of Mauna'ala through the allocation of appropriate state funds.

The Department of Land and Natural Resources testified in support of this measure. Kamehameha Schools, the Charles R. Bishop Trust, the Oahu Council of the Association of Hawaiian Civic Clubs, the Association of Hawaiian Civic Clubs, and the Waimea Hawaiian Civic Club also supported this Concurrent Resolution.

Your Committee finds that the Royal Mausoleum is the burial place of Hawaiian royalty - members of the Kamehameha and Kalakaua lines and their retainers. The Royal Mausoleum at Mauna'ala is owned by the State of Hawaii and maintained and operated by the Division of State Parks of the Department of Land and Natural Resources. Your Committee further finds that Mauna'ala, the Royal Mausoleum, is of great cultural importance and supports the restoration, preservation, and appropriately sensitive maintenance and operation of this significant historic site.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 137 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Waters, Meyer and Thielen.

SCRep. 1848-06 Water, Land, & Ocean Resources on S.C.R. No. 148

The purpose of this measure is to urge the Department of Land and Natural Resources to work with the Samuel Mills Damon estate trustees, the Moanalua Gardens Foundation, the Trust for Public Lands, the Nature Conservancy, and Office of Hawaiian Affairs to purchase Moanalua Gardens.

The Department is also requested to report its findings to the Legislature twenty days prior to the convening of the Regular Session of 2007.

Your Committee received testimony in opposition to the Concurrent Resolution from the Department of Land and Natural Resources. The Nature Conservancy provided written testimony with comments regarding this measure.

Your Committee finds that the Samuel Mills Damon trust included many real estate holdings including Moanalua Gardens and Kamananui Valley, which adjoins the Gardens. During his lifetime and after his death, Samuel Damon allowed Moanalua Gardens to be used, enjoyed, and appreciated by the general public.

Under the terms of Samuel Damon's will, however, the assets of the Damon trust, including Moanalua Gardens and Kamananui Valley, must be liquidated. Rather than allow the public to lose access to Moanalua Gardens and Kamananui Valley, the State, the Trust for Public Lands, and the Nature Conservancy are working together to purchase and manage Kamananui Valley for \$5,500,000.

Your Committee also finds that, for over thirty-five years, the Moanalua Gardens Foundation has continued the legacy of Samuel Damon to protect and preserve Moanalua Gardens and Kamananui Valley. The Moanalua Gardens Foundation is interested in purchasing Moanalua Gardens in partnership with other organizations, to preserve it in perpetuity for the people of Hawaii and to operate and maintain Moanalua Gardens as a community resource.

This Concurrent Resolution supports the purchase of Moanalua Gardens to protect and preserve one of Hawaii's most treasured cultural and historical areas for the people of Hawaii and urges the Department to work with the named parties to accomplish this objective.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 148 and recommends its adoption.

Signed by all members of the Committee except Representatives Carroll, Waters, Meyer and Thielen.

SCRep. 1849-06 Water, Land, & Ocean Resources on S.C.R. No. 98

The purpose of this concurrent resolution is to protect the public's health and safety by urging the City and County of Honolulu to proceed with caution in reviewing developments on steep hillsides with potential rockfall hazards.

The Department of Land and Natural Resources testified in support of this measure. The Department of Planning and Permitting of the City and County of Honolulu and the Land Use Research Foundation of Hawaii offered comments.

Your Committee has amended this concurrent resolution by adding language requesting the Legislative Reference Bureau to contact the National Conference of State Legislatures and other states and county jurisdictions for statutes, ordinances, and rules relating to permitting development in areas subject to rockslides, and report back to the Legislature 15 days before the Regular Session of 2007.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 98, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 98, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Carroll, Waters, Meyer and Thielen.

SCRep. 1850-06 Water, Land, & Ocean Resources/Economic Development & Business Concerns on S.C.R. No. 196

The purpose of this concurrent resolution is to ensure that all aspects of the affect of the Turtle Bay Resort's expansion project on the area are inspected and taken into consideration by recommending the Administration and the Council of the City and County of Honolulu (City Council) to examine and evaluate:

- (1) The special management area use permit;
- (2) The dated environmental impact statement (EIS); and
- (3) The record of compliance with the conditions of the special management area use permit, Unilateral Agreement, Land Use Commission order, and any other applicable state law.

This measure also requests the City Council, in consultation with the Department of Planning and Permitting of the City and County of Honolulu (DPP), to determine whether a supplemental EIS is necessary.

Local 5, Hawaii's Thousand Friends, and numerous concerned individuals testified in support of this measure. The Hawaii Resort Developers Conference and Kusao and Kurahashi, Inc., opposed this measure. The Pacific Resource Partnership and a concerned individual offered comments.

Your Committees have amended this concurrent resolution by:

- (1) Removing language regarding Oaktree Capital Management, LLC having failed to abide by conditions of the special management area use permit, Land Use Commission order, and the Unilateral agreement; and
- (2) Requesting DPP, in consultation with the Office of Environmental Quality Control, instead of the City Council, to determine whether a supplemental EIS should be prepared.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Economic Development & Business Concerns that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 196, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 196, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Abinsay, Herkes, Waters, Ching, Marumoto, Meyer and Thielen.

SCRep. 1851-06 Water, Land, & Ocean Resources/Housing on S.C.R. No. 195

The purpose of this measure is to request the Housing and Community Development Corporation of Hawaii and the Board of Water Supply of the City and County of Honolulu to work together to replace the Waiahole Valley water system.

The measure also urges the Board of Water Supply of the City and County of Honolulu to accept dedication of the new Waiahole Valley water system.

The Housing and Community Development Corporation of Hawaii and the Waiahole-Waikane Community Association testified in support of the measure. The Board of Water Supply of the City and County of Honolulu offered comments, stating that it is agreeable to working with the Housing and Community Development Corporation of Hawaii on the upgrade and dedication of the Waiahole Valley potable water system.

Your Committees understand that the Housing and Community Development Corporation of Hawaii currently manages the Waiahole Valley water system. However, because the Corporation has little expertise in water system management, it welcomes the Board of Water Supply's technical assistance in planning for the new water system and believes it is in the best interests of the residents of Waiahole Valley for the Board of Water Supply to accept dedication of the new system after it is installed. Your Committees believe these efforts will result in an improvement in the quality of water services available to area residents.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 195 and recommend its adoption.

Signed by all members of the Committee except Representatives Arakaki, Green, Sonson, Waters, Halford, Meyer and Thielen.

SCRep. 1852-06 Water, Land, & Ocean Resources/Transportation on S.C.R. No. 23

The purpose of this Concurrent Resolution is to request the Department of Land and Natural Resources to work with the Department of Transportation in dedicating berthing areas in each county for the voyaging canoes of non-profit educational organizations.

The Department of Land and Natural Resources submitted testimony supporting the intent of this measure.

The Polynesian Voyaging Society submitted written testimony in support of this Resolution, noting that four of the eight major Hawaiian Islands have voyaging canoes contributing to a quality education for the young children of this State.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 23, S.D. 1, and recommend its adoption.

Signed by all members of the Committee except Representatives Ito, Nakasone, Waters, Meyer, Moses and Thielen.

SCRep. 1853-06 Finance on S.C.R. No. 13

The purpose of this concurrent resolution is to request the Governor to convene a work-family task force to review Hawaii's work-family laws and policies, and to request the Legislative Reference Bureau to study other states' laws and practices that promote good work-family policy.

The Policy Advisory Board for Elder Affairs supported this measure. The Executive Office on Aging supported the intent.

The Legislative Reference Bureau commented that the resolution may be more meaningful if the requested study of other states' laws were focused upon laws intended to address working people caring for family members.

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. 13 and recommends its adoption.

Signed by all members of the Committee except Representative Pine.

SCRep. 1854-06 Finance on S.C.R. No. 37

The purpose of this concurrent resolution is to request the Auditor to conduct a sunrise review of the regulation of mixed martial 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. 37, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Pine.

SCRep. 1855-06 Finance on S.C.R. No. 97

The purpose of this concurrent resolution is to request the Auditor to conduct a management audit of student housing services at the University of Hawaii at Manoa.

Many concerned individuals provided testimony in support of this measure. The Interim Chancellor for the University of Hawaii provided comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 97, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Pine.

SCRep. 1856-06 Finance on S.C.R. No. 128

The purpose of this concurrent resolution is to request the Department of Hawaiian Home Lands to enter into a lease/purchase agreement for the construction of a new office facility on Hawaiian home lands in East Kapolei to be funded by the issuance of certificates of participation.

The Department of Hawaiian Home Lands provided testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 128, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Pine.

SCRep. 1857-06 Finance on S.C.R. No. 211

The purpose of this concurrent resolution is to support a four-year degree program in historic preservation at the University of Hawaii.

The Department of Land and Natural Resources, Friends of Waipahu Cultural Garden Park, and two concerned individuals provided testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 211 and recommends its adoption.

Signed by all members of the Committee except Representative Pine.

SCRep. 1858-06 Finance on S.C.R. No. 85

The purpose of this concurrent resolution is to request a review of the University of Hawaii Board of Regents' conflict of interest policy.

Several concerned individuals testified in support of this measure. The Vice President for Legal Affairs for the University of Hawaii testified in opposition.

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. 85 and recommends its adoption.

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

SCRep. 1859-06 Health on S.C.R. No. 76

The purpose of this measure is to urge healthcare facilities in Hawaii to implement the "Utilization Guide for the American Nurses Association Principles for Safe Staffing."

Your Committee received testimony in support of this measure from the Hawai'i Nurses' Association and the Queen's Medical Center submitted testimony in support of this measure with amendments.

Your Committee finds that quality health care and patient safety are priorities of health care facilities and that safe nurse staffing is essential to ensuring these priorities are fulfilled.

Your Committee further finds that the "Utilization Guide for the American Nurses Association Principles for Safe Staffing" appropriately sets guidelines for Hawaii's health care facilities to follow.

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. 76, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representative Halford.

SCRep. 1860-06 Health on S.C.R. No. 70

The purpose of this concurrent resolution is to set in motion the process of creating a comprehensive and inclusive Hawaii Trauma System Plan to ensure the integrity of trauma care in our state.

Your Committee, prior to hearing this concurrent resolution, prepared and made available to the public a proposed draft which requested the convening of a task force to investigate and recommend improvements to the procedures for screening children for vision, hearing, and developmental concerns prior to entering pre-school.

The Department of Health (DOH) supported this concurrent resolution as proposed. The Department of Education supported the intent of this measure as proposed.

Accordingly, your Committee has amended this concurrent resolution by:

- (1) Changing its title to read: "REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A TASK FORCE TO DETERMINE A MEANS FOR A CHILD TO BE SCREENED PRIOR TO THE START OF THE CHILD'S EDUCATION, AT THE CHILD'S FIRST ENTRY INTO PRESCHOOL AND ELEMENTARY SCHOOL, TO PROVIDE FOR DIAGNOSIS, REFERRAL, CORRECTION OR TREATMENT, AND TO INTEGRATE THE EFFORTS OF COMMUNITY AND STATE ORGANIZATIONS RELATED TO SCREENING UNDER THIS HAWAII CHILDHOOD SCREENING INITIATIVE";
- (2) Sets out the rationale for early screening;
- (3) Establishes the task force membership; and
- (4) Requests that the task force provide the Legislature with an annual report no later than 20 days prior to the start of each regular session, beginning no later the Regular Session of 2007, on any recommended legislation necessary to implement the screening program.

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. 70, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 70, H.D. 1.

Signed by all members of the Committee except Representative Halford.

SCRep. 1861-06 Health on S.C.R. No. 72

The purpose of this concurrent resolution is to improve the health of Hawaii's people by encouraging healthy lifestyles through public policy development and community planning.

Your Committee, prior to hearing this concurrent resolution, prepared and made available to the public a proposed draft that requested the Department of Health (DOH) to consider testing the sand along beaches affected by recent sewage spills for dangerous levels of bacteria that could be harmful to our residents and all others who frequent Hawaii's beaches.

DOH supported the intent of this concurrent resolution as proposed.

Accordingly, your Committee has amended this concurrent resolution by, among other things:

- (1) Amending the title of this measure to read: "REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER CONDUCTING BACTERIA-LEVEL TESTING OF THE SAND AT ALL BEACHES WHERE CONTAMINATED WATER WARNING SIGNS HAVE BEEN POSTED DUE TO CONTAMINATION CAUSED BY A SEWAGE SPILL";
- (2) Requesting DOH to work with the University of Hawaii in determining safe and effective methods for testing the sand at beaches affected by recent sewage spills; and
- (3) Requesting DOH to submit a report no later than 20 days prior to the convening of the Regular Session of 2007, on its findings related to sand testing.

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. 72, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 72, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Halford.

SCRep. 1862-06 Health on S.C.R. No. 118

The purpose of this measure is to request the Department of Budget and Finance to research avenues of appropriate financing for capital improvements for federally qualified health centers, including use of revolving loan funds.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association and the Waianae Coast Comprehensive Center. Your Committee received testimony in opposition to the measure from the Department of Health.

Your Committee finds that federally qualified health centers play a vital role in providing affordable, quality health care. Research into revolving funds and other financing mechanisms available for capital improvements need to be conducted to alleviate the financial constraints of federally qualified health centers.

Your Committee has amended this measure by requesting the Department of Budget and Finance to convene a task force of interested stakeholders to research appropriate financing instead of the Department of Health.

Your Committee further amended this measure by making technical, non-substantive amendments for the purposes of 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. 118, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 118, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Halford.

SCRep. 1863-06 Transportation on S.C.R. No. 41

The purpose of this concurrent resolution is to assist the elderly and visually impaired persons of Hawaii by:

- (1) Requesting the Department of Transportation and the Executive Office on Aging to collaborate on providing transportation to seniors and the visually impaired; and
- (2) Expressing the Legislature's support for federal legislation to provide funding for Independent Transportation Network America for a five-year national roll-out and grants.

Your Committee finds that the elderly and visually impaired need safe and reliable access to and from their activities of daily living and that this concurrent resolution requests and expresses legislative support for a means to accomplish this goal.

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. 41 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Caldwell, Yamane and Stevens.

SCRep. 1864-06 Transportation on S.C.R. No. 44

The purpose of this concurrent resolution is to improve the planning and implementation of capital improvement projects (CIPs) undertaken by the Department of Transportation (DOT) by requesting the Auditor to conduct a management audit of DOT's CIPs.

DOT submitted comments on this measure.

Your Committee finds that an audit of DOT's management of CIPs has never been conducted. Conducting a management audit may improve the efficiency of management of DOT's CIPs, and assist in their expeditious completion.

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. 44 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Caldwell and Yamane.

SCRep. 1865-06 Consumer Protection & Commerce on S.C.R. No. 217

The purpose of this concurrent resolution is to reduce the cost of flood insurance for Hawaii residents by requesting the counties to adopt ordinances allowing each county to participate in the National Flood Insurance Program's Community Rating System.

The Hawaii Association of REALTORS supported this measure. The Department of Planning and Permitting of the City and County of Honolulu commented on this measure.

Your Committee finds that the National Flood Insurance Program Community Rating System is a voluntary program that encourages communities to undertake floodplain management activities related to public information, mapping and regulations, flood damage reduction, and flood preparedness. A participating community's flood insurance premium rates are discounted up to ten percent in low to moderate flood risk zones, and up to 45 percent in high risk flood zones, based upon the community's floodplain management activities.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 217 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Karamatsu, Morita, Sonson and Stonebraker.

SCRep. 1866-06 Health on S.C.R. No. 71

The purpose of this measure is to request the Legislative Reference Bureau (Hereinafter LRB) to conduct a study of the issues hospitals face with regard to wait listed patients in Hawaii in need of long term medical care.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Hawaii Pacific Health, the Hawaii Disability Rights Center, and Hawaii Long Term Care Association. The Legislative Reference Bureau submitted comments for your Committee's consideration.

Your Committee finds that hospitals in Hawaii have been facing serious problems regarding waitlists for acute care patients waiting for transfer to long-term care facilities. Requesting the Legislative Reference Bureau to conduct a study into these pertinent issues will help to facilitate a plan for an effective long-term solution.

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. 71, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Cabanilla.

SCRep. 1867-06 Health/International Affairs on S.C.R. No. 145

The purpose of this concurrent resolution is to facilitate the recruitment of critically-needed nurses to work in Hawaii by urging the National Council of State Boards of Nursing to establish a testing center in Manila, Republic of the Philippines, to conduct the National Council Licensure Examination.

The Board of Nursing, Hawaii Government Employees Association, and Hawaii Nurses' Association testified in support of this concurrent resolution.

As affirmed by the records of votes of the members of your Committees on Health and International Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 145 and recommend that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1868-06 Legislative Management on S.C.R. No. 216

The purpose of this concurrent resolution is to promote transparency and public openness with respect to legislative proceedings by creating a temporary Joint Legislative Task Force (Task Force) to conduct a study of legislative hearings and procedures with a view toward recommending legislation to enhance openness in hearings, including public accessibility to written correspondence.

A concerned individual supported this measure.

Your Committee has amended this concurrent resolution by:

- (1) Specifying that the Task Force is to be bipartisan;
- (2) Deleting the provision directing the Task Force to consider the provisions of S.B. No. 1062, Regular Session of 2005, in its study;
- (3) Deleting the provision directing that certified copies of the concurrent resolution be transmitted to the President of the Senate and the Speaker of the House of Representatives; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 216, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as S.C.R. No. 216, H.D. 1.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1869-06 Human Services/Housing on S.C.R. No. 107

The purpose of this measure is to urge county councils to provide tax relief to benefit those who are most negatively affected by rising tax assessments, including those with incomes under fifty-thousand dollars per year.

A concerned individual offered comments in support of this measure.

Your Committee finds that Hawaii residents already face a number of financial hardships and rising tax assessments only serve to further frustrate and make difficult the lives of the elderly and those with fixed or low incomes. Since it is the responsibility of a democratic government to ensure the safety and well-being of its citizens, it is incumbent upon the county councils to act responsibly and fairly towards those who are less fortunate. As a Nation of free people and democratic ideas, your Committee recognizes the need to provide tax relief to our people, for as the proverb reminds us, those who foolishly sought power by riding the back of the tiger later ended up inside.

Nearly twenty-five years ago, a leader of our Nation observed that "Idle industries have cast workers into unemployment, human misery, and personal indignity. Those who do work are denied a fair return for their labor by a tax system which penalizes successful achievement and keeps us from maintaining full productivity." Your Committee wishes to help, and not penalize, the people of Hawaii, and as such, believes that the city councils must be strongly urged to provide relief.

As affirmed by the records of votes of the members of your Committees on Human Services and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 107 and recommend its adoption.

Signed by all members of the Committee except Representatives Arakaki, Green, Hale and Stonebraker.

SCRep. 1870-06 Housing on S.C.R. No. 58

The purpose of this concurrent resolution is to preserve affordable housing in Hawaii by urging the Kukui Gardens Corporation to sell its project to a qualified, affordable housing non-profit organization that makes a reasonable offer to purchase the property.

The Representative of the 28th District, EAH, Homeless and Affordable Housing Institute, and a concerned individual testified in support of this concurrent resolution.

Your Committee has considered several measures to preserve the diminishing supply of affordable rental housing units in Hawaii and is also considering a bill to purchase or otherwise preserve the affordability of the units in Kukui Gardens. Although this measure refers specifically to non-profit organizations, your Committee also encourages public entities of the State and City and County of Honolulu to assist in keeping Kukui Gardens affordable for residents.

As affirmed by the record of votes of the members of your Committee on Housing 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 Arakaki, Green and Hale.

SCRep. 1871-06 Public Safety & Military Affairs on S.C.R. No. 233

The purpose of this concurrent resolution is to ensure that appropriate resources are provided to clean up military munitions dumpsites, protect human health and the environment, and prevent additional contamination.

Specifically this measure requests the military to:

- (1) Map and monitor dumpsites off Hawaii shores;
- (2) Ensure that all overland and sea transportation of munitions within the state complies with existing ordinance transportation rules and regulations and is free from spillage and contamination;
- (3) Conduct a risk assessment to determine the extent of any public health risk associated with these dumpsites; and
- (4) Develop an emergency publication notification procedure that goes into effect within 24 hours of any threat from contamination or other danger arising from a dumpsite.

The Chamber of Commerce of Hawaii supported the intent of this measure.

Your Committee finds that according to a 2001 study conducted by the United States Army, vast quantities of extremely dangerous chemical weapons were dumped in at least three major events off Hawaii's shores. Military munitions pose serious environmental and human health dangers, with over 9,000 tons of chemical munitions lying on the ocean floor off Oahu. Because of inaccurate records and locations of the dumpsites, coupled with the potential for munition casings to erode, this measure is necessary to protect the public safety and environment.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 233 and recommends its adoption.

Signed by all members of the Committee except Representatives Tanaka and Stonebraker.