

SCRep. 1 Judiciary on H.B. No. 175

The purpose of this measure is to require supplemental campaign spending reports to be filed annually on January 31, instead of only after an election year, to conform to existing filing procedures.

The Campaign Spending Commission and Common Cause Hawaii testified in support of this measure.

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 H.B. No. 175 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Cachola, Nakashima and Thielen.

SCRep. 2 Judiciary on H.B. No. 26

The purpose of this measure is to clarify the method of calculating the compensation of trustees. Among other things, this bill:

- (1) Clarifies that advanced written notice of any amendment of the trustee's fee schedule shall be provided to beneficiaries who are vested at the time of the notice;
- (2) Amends and specifies for clarity the method of calculation of fee-sharing by individual co-trustees;
- (3) Specifies that trustees shall be paid not more than once per quarter and are not required to be paid upon receipt of income; and
- (4) Repeals the cost of living adjustment of the asset value ranges upon which trustee compensation is calculated.

Bank of Hawaii testified in support of this measure.

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 H.B. No. 26 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Cachola, Nakashima and Thielen.

SCRep. 3 Energy & Environmental Protection on H.B. No. 927

The purpose of this measure is to ensure that electric utilities serving as billing and collections agents in a purely "pass-through" capacity for any on-bill financing or repayment program are exempt from various state or county taxes and state laws regulating financial institutions, escrow depositories, and collection agencies.

The Department of Business, Economic Development, and Tourism; Department of Taxation; Public Utilities Commission; Hawaiian Electric Company; Hawaii Electric Light Company; Maui Electric Company; Blue Planet Foundation; and Hawaii Solar Energy Association supported this bill. The Tax Foundation of Hawaii submitted comments.

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 is in accord with the intent and purpose of H.B. No. 927 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ing.

SCRep. 4 Economic Development & Business on H.B. No. 775

The purpose of this measure is to increase the economic benefits realized from international student enrollment at Hawaii's institutions of higher learning by appropriating funds to the Department of Business, Economic Development, and Tourism for:

- (1) Marketing Hawaii and Hawaii's institutions of higher learning to attract international students; and
- (2) Travel and other recruitment expenses related to the marketing of Hawaii as an international education destination.

The Chamber of Commerce of Hawaii testified in support of this bill. The Department of Business, Economic Development, and Tourism supported the intent of this measure.

Hawaii's unique history, optimal geographic placement between the United States and Asia, and globally ranked programs of higher education have all served as factors in establishing Hawaii as a major destination of choice for international students seeking to further their education. Over the past several years, however, Hawaii has been losing ground to other states in the attraction of international students, particularly students from Asia. According to the Chamber of Commerce of Hawaii, while the rest of the United States has experienced an approximately 13 percent growth in international student enrollment over the past three years, Hawaii has experienced an 11 percent decline over the same period.

While the Department of Business, Economic Development, and Tourism markets Hawaii as an educational location for overseas study, the breadth of this marketing strategy has been diminished from a lack of appropriate funding. As it is estimated by the Department that an increase of 10 percent in the number of international students studying in Hawaii would result in an approximate concomitant increase in state tax revenues of \$16,000,000, your Committee finds that it is prudent to appropriate funds to market Hawaii to international students as an educational destination.

Your Committee has amended this measure by changing the amount appropriated to the Department of Business, Economic Development, and Tourism for marketing and marketing related purposes from \$150,000 to an unspecified amount.

Should the Committee on Finance deliberate on this measure, your Committee respectfully requests that it consider appropriating \$150,000 for marketing Hawaii and Hawaii's institutions of higher learning to attract international students and costs associated with this marketing.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 775, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 775, H.D. 1, and be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representative Ito.

SCRep. 5 Labor & Public Employment on H.B. No. 536

The purpose of this measure is to encourage improvements in pay equity between men and women by:

- (1) Requiring State government contractors to pay employees equal wages for equal work;
- (2) Requiring State government contractors to report wages paid to employees by gender; and
- (3) Providing enforcement mechanisms and penalties for violations of these equal pay requirements.

The Hawaii Civil Rights Commission commented on this measure.

Your Committee has amended this measure by:

- (1) Adopting the recommendations of the Hawaii Civil Rights Commission and removing the exception which would have allowed pay differentials for similar work, including differentials due to gender-related issues; 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 H.B. No. 536, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 536, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Har.

SCRep. 6 Housing on H.B. No. 142

The purpose of this measure is to make permanent provisions of two previous Acts directing the counties to issue affordable housing credits to the Department of Hawaiian Home Lands, upon request, for affordable housing developed on Hawaiian Home Lands.

The Department of Hawaiian Home Lands testified in support of this measure. The Department of Planning and Permitting of the City and County of Honolulu testified in opposition to this bill.

Your Committee has amended this measure by:

- (1) Extending the sunset date for both provisions concerning affordable housing credits to July 1, 2021, instead of repealing the sunset;
- (2) Changing the effective date to July 1, 2050; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 142, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 142, H.D. 1, and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

Signed by all members of the Committee except Representative Belatti.

SCRep. 7 Housing on H.B. No. 829

The purpose of this measure is to facilitate the development of affordable housing as part of transit-oriented development by directing the Hawaii Housing Finance and Development Corporation to work with county development agencies to encourage the development of these projects and funding grants to allow counties to contract for third-party permit reviews to expedite the development process.

The Department of Planning and Permitting of the City and County of Honolulu, the Building Industry Association of Hawaii, the Hawaii Primary Care Association, and the Chamber of Commerce Hawaii testified in support of the bill. The Hawaii Housing Finance and Development Corporation supported the intent of the bill.

Your Committee has amended this measure by:

- (1) Defining a permissible third party permit review under the grant program;
- (2) Making housing development projects that offer affordable units to households displaced by natural disaster eligible for priority consideration in grant awards;
- (3) Changing the effective date to July 1, 2050, to promote 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 829, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 829, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representative Belatti.

SCRep. 8 Housing on H.B. No. 932

The purpose of this measure is to enable the Hawaii Public Housing Authority to continue its timely and efficient maintenance, repair, renovation, and turnaround of housing units by extending the exemption from civil service laws for workers hired to perform repair and maintenance work until June 30, 2018.

The Hawaii Public Housing Authority testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the exemption's sunset date from July 1, 2018, to July 1, 2017;
- (2) Changing the effective date to July 1, 2050, to promote 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 932, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 932, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Belatti.

SCRep. 9 Labor & Public Employment on H.B. No. 678

The purpose of this measure is to increase charter school participation in collective bargaining by requiring the public employer to consist of the Governor, Board of Education, and two representatives elected by the Charter School Governing Board for collective bargaining matters related to charter schools.

The Hawaii Public Charter Schools Network and Halau Ku Mana New Century Public Charter School testified in support of this measure. The State Public Charter School Commission and Ka'u Learning Academy provided comments on this measure.

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 H.B. No. 678 and recommends that it pass Second Reading and be referred to the Committee on Education.

Signed by all members of the Committee except Representative Har.

SCRep. 10 Finance on H.B. No. 1465

The purpose of this measure is to appropriate funds for the legislative branch of state government. Specifically, this bill:

- (1) Appropriates \$8,776,876 to the Senate;
- (2) Appropriates \$12,022,114 to the House of Representatives;
- (3) Appropriates \$2,947,349 to the Office of the Auditor;
- (4) Appropriates \$2,800,000 for deposit into the Audit Revolving Fund;
- (5) Appropriates \$6,300,000 from the Audit Revolving Fund to the Office of the Auditor to conduct or complete its audit functions;
- (6) Appropriates \$3,440,969 to the Legislative Reference Bureau;
- (7) Appropriates \$1,216,170 to the Office of the Ombudsman; and
- (8) Appropriates \$1,008,895 to the State Ethics Commission.

The Office of the Auditor, Office of the Ombudsman, Hawaii State Ethics Commission, and an individual testified in support of this measure. The Legislative Reference Bureau 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 H.B. No. 1465 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 11 Finance on H.B. No. 930

The purpose of this measure is to provide an emergency appropriation of \$670,400 in general funds to assist the Office of the Governor in meeting budgetary shortfalls related to the gubernatorial transition, including payroll costs, equipment leases, professional organizational dues, media subscriptions, protocol expenses, and travel costs.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 165 to the Legislature, requested immediate consideration and passage of this bill by the legislature to meet budgetary shortfalls related to the gubernatorial transition.

The Office of the Governor and an individual testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 930 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 12 Economic Development & Business on H.B. No. 1000

The purpose of this measure is to provide for efficient, cost effective, fair, and equitable resolution to franchise-related disputes by voiding any franchise provision that restricts jurisdiction or venue for the resolution of claims arising under or relating to a franchise or business dealings in Hawaii to a forum or venue outside of Hawaii.

The Chamber of Commerce of Hawaii and a concerned individual testified in support of this measure.

While Hawaii's franchise investment law regulates the sale of franchises in Hawaii and franchisors are required to be amenable to the jurisdiction of the courts of this State, franchise agreements may contain pre-dispute forum selection clauses that require the adjudication of disputes between a franchisor and franchisee in an out-of-state forum even if the dispute arises from actions conducted in Hawaii. This frequently causes both financial and procedural hardships since the conduct or property at issue, as well as the evidence, witnesses, and many necessary parties to the matter are located in Hawaii. Your Committee finds that requiring dispute resolution between a franchisor and franchisee to be conducted in Hawaii would be much more timely and cost effective to all parties involved and the adjudicatory system.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1000 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 13 Education on H.B. No. 230

The purpose of this measure is to support public education in Hawaii by:

- (1) Requiring public school lands that are leased by the Department of Education (DOE) to benefit public educational purposes; and
- (2) Authorizing DOE to enter into lease-back agreements that allow DOE to lease or sublease the property to a third party.

The DOE, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii supported this bill. The Land Use Research Foundation of Hawaii submitted comments.

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 H.B. No. 230 and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representative Ito.

SCRep. 14 Education on H.B. No. 340

The purpose of this measure is to transfer regulatory authority over private trade, vocational, and technical schools from the Department of Education to the Department of Commerce and Consumer Affairs under chapter 305J, Hawaii Revised Statutes.

The Department of Education and a concerned individual supported this measure. The Hawaii Post-secondary Education Authorization Program of the Department of Commerce and Consumer Affairs submitted comments.

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 H.B. No. 340 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 15 Human Services on H.B. No. 538

The purpose of this measure is to help persons who are victimized by domestic violence by requiring telecommunication service providers to release an individual from a shared or family wireless plan and arrange for alternate service without any charges or fees if the individual submits a written request and documentation of instances of domestic violence.

The Hawaii State Commission on the Status of Women; the Hawaii State Coalition Against Domestic Violence; the American Association of University Women of Hawaii; the Domestic Violence Action Center; the Hawaii Women's Coalition; PHOCUSED; and several individuals submitted testimony in support of the measure. The Community Alliance on Prisons submitted testimony providing comments.

Your Committee has amended this measure by making the effective date July 1, 2050, to promote further 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 is in accord with the intent and purpose of H.B. No. 538, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 538, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Hashem, Oshiro and Fukumoto Chang.

SCRep. 16 Health on H.B. No. 467

The purpose of this measure is to help detect critical, life-threatening congenital heart defects by requiring birthing facilities to conduct on each newborn, a pulse oximetry test, or other medically accepted test that measures the percentage of blood oxygen saturation as approved by guidelines of the American Academy of Pediatrics.

The American Heart Association; March of Dimes Foundation, Hawaii Chapter; and Kapi'olani Medical Center for Women & Children supported this measure. The Department of Health and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Requiring birthing facilities to report critical congenital heart defect screening data to the Department of Health for quality assurance and improvement activities;
- (2) Changing the effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 467, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 467, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 17 Health on H.B. No. 578

The purpose of this measure is to require, beginning with the 2016-2017 school year, a child to undergo a physical examination by a licensed physician or advanced practice registered nurse within twelve months prior to attending seventh grade to attend school.

The Department of Health, University of Hawaii System, Waianae Coast Comprehensive Health Center, Hawaii Public Health Institute, and an individual supported this measure. The Department of Education supported this measure and offered suggested amendments. The Hawaii Primary Care Association supported the intent of this measure.

Should this measure be deliberated further in the legislative process, your Committee notes the Department of Education's request for an estimated appropriation amount of \$801,625 for 55 half-time equivalent, or 27.5 full-time equivalent, office assistant positions, to fulfill the purposes of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate 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 H.B. No. 578, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 578, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee.

SCRep. 18 Housing on H.B. No. 827

The purpose of this measure is to authorize the issuance of general obligation bonds and the appropriation of funds to finance the plans, design, and construction of a mixed-use residential project including a juvenile services center that would be integrated with an affordable rental housing program for working families at 902 Alder Street.

Your Committee received testimony from the Judiciary and the Hawaii Housing Finance and Development Corporation in support of this measure. The Department of Budget and Finance submitted comments.

There was discussion regarding the need for clarification on deed restrictions and the status of the development. Your Committee was not able to address all of these issues, but respectfully requests the Committee on Judiciary to examine these issues if it considers this measure.

Your Committee also considered the taxability of general obligation bonds for projects benefitting a private entity. Your Committee respectfully requests that if the Committee on Finance considers this bill, it will take this issue under consideration.

Your Committee has amended this measure by:

- (1) Making the effective date July 1, 2050, to promote 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 827, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 827, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 19 Housing on H.B. No. 768

The purpose of this measure is to expand the Hawaii Public Housing Authority's (HPHA) power to dispose of property abandoned, seized, or remaining from an eviction in or around a federal, elder or elderly, or state low-income housing project.

The HPHA testified in support of this measure.

Your Committee has amended this measure by:

- (1) Requiring countywide, instead of statewide, public notice of the disposition of property as an alternative to notice by local publication;
- (2) Deleting language establishing a separate process for disposing of property remaining upon an eviction or writ of possession;
- (3) Specifying that HPHA may dispose of property abandoned on any part of its grounds and facilities by clarifying the definition of premises;
- (4) Clarifying that any remaining balance of proceeds from the sale of property abandoned, seized, or remaining may be claimed by the tenant or the owner of the property;
- (5) Repealing existing statutory language made obsolete by this measure;
- (6) Changing the effective date to July 1, 2050, to promote further discussion; and
- (7) 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 H.B. No. 768, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 768, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 20 Labor & Public Employment on H.B. No. 126

The purpose of this measure is to fund Hawaii Employer-Union Health Benefits Trust Fund costs and other cost adjustments for officers and employees of specified legislative agencies who are excluded from collective bargaining.

The Office of the Auditor, Office of the Ombudsman, Hawaii State Ethics Commission, Legislative Reference Bureau, and League of Women Voters testified in support of this measure.

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 H.B. No. 126 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 21 Labor & Public Employment on H.B. No. 391

The purpose of this measure is to amend Hawaii's prevailing wage law to allow for payment of overtime on public works projects to exceed time and a half by establishing that overtime and premium rates for workers on a public work project shall be at rates established in a collective bargaining agreement, if any, for the applicable employee group used for determining overtime compensation on the public work project.

The Department of Labor and Industrial Relations and Hawaii Construction Alliance testified in support of this measure. The General Contractors Association of Hawaii provided comments on this measure.

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 H.B. No. 391 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 22 Human Services on H.B. No. 18

The purpose of this measure is to establish a long-term care income tax credit for qualified taxpayers for the cost of long-term care insurance premium payments.

The International Longshore and Warehouse Union Local 142 and the American Council of Life Insurers supported this measure. The Department of Taxation and the Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that the long-term care tax credit is a nonrefundable tax credit;
- (2) Changing the effective date of the tax credit to July 1, 2050, to promote 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 18, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 18, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Hashem, Oshiro and Fukumoto Chang.

SCRep. 23 Housing on H.B. No. 278

The purpose of this measure is to provide a method of funding for the counties to use towards the development of affordable housing. Among other things, this bill:

- (1) Allows the Hawaii Housing Finance and Development Corporation, upon request by a county, to establish and operate a county affordable housing subaccount within the Dwelling Unit Revolving Fund; and
- (2) Requires the corporation to establish requirements applicable to the establishment and operation of a county affordable housing subaccount.

The Mayor of the City and County of Honolulu and the Hawaii Housing Finance and Development Corporation supported the intent of this bill.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 278, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 278, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 24 Human Services on H.B. No. 397

The purpose of this measure is to better prepare Hawaii's youth for future success by establishing a standardized framework and funding mechanism for afterschool programs in public middle schools. Specifically, this bill:

- (1) Statutorily establishes the Resources for Enrichment, Athletics, Culture, and Health (R.E.A.C.H.) Program within the Office of Youth Services;
- (2) Stipulates the powers and duties of the Office of Youth Services with regard to the R.E.A.C.H. Program including the provision of funds for the Program; and
- (3) Establishes the R.E.A.C.H. Program Revolving Fund to receive fees and other moneys to assist in the administration and operation of the R.E.A.C.H. Program.

The Office of the Lieutenant Governor, the Office of Youth Services, the Hawaii Youth Services Network, REACH Out Hawaii, and an individual submitted testimony in support of this measure.

Your Committee has amended this measure by:

- (1) Correcting references to "middle or intermediate schools" to "middle schools" as these terms are synonymous;
- (2) Changing its effective date to July 1, 2050, to promote 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 397, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 397, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee except Representatives Hashem, Oshiro and Fukumoto Chang.

SCRep. 25 Tourism on H.B. No. 1448

The purpose of this measure is to assist the tourism industry by managing two special funds that are funded by transient accommodations tax revenues. Specifically, this measure:

- (1) Deletes language establishing a Tourism Special Fund expenditure relating to expanded visa programs that is set to expire on June 30, 2015; and
- (2) Clarifies the Board of Land and Natural Resources and Hawaii Tourism Authority's expenditure authority over Transient Accommodations Tax revenue allocated to the Special Land and Development Fund.

The Hawaii Tourism Authority supported this measure. The Department of Land and Natural Resources, Office of the Auditor, and Tax Foundation of Hawaii offered comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1448, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1448, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 26 Tourism on H.B. No. 1452

The purpose of this measure is to clarify the counties' zoning authority regarding single-family transient vacation rentals by authorizing the counties to permit the amortization or phasing out by ordinance of nonconforming single-family transient vacation rental units or nonconforming single-family transient vacation units over a reasonable period of time in an area of any zoning classification.

The County of Hawaii Planning Department, County of Kauai Planning Department, a Council Chair of the Kauai County Council, and two concerned individuals supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1452, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1452, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 27 Tourism on H.B. No. 1257

The purpose of this measure is to clarify the authority of the Board of Land and Natural Resources and Hawaii Tourism Authority to expend Transient Accommodations Tax revenues allocated to the special land and development fund.

The Hawai'i Tourism Authority and the Hawai'i Lodging & Tourism Association supported this measure. The Department of Land and Natural Resources, Office of the Auditor, and Tax Foundation of Hawaii offered comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1257, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1257, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 28 Tourism on H.B. No. 854

The purpose of this measure is to require hotels to distribute portage service charges to employees in full or disclose to customers that the charges are being used for other purposes.

The ILWU Local 142, UNITE HERE Local 5, and two concerned individuals supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2020, to promote further discussion, and making a technical, nonsubstantive change for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 854, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 854, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee.

SCRep. 29 Tourism on H.B. No. 571

The purpose of this measure is to clarify reporting requirements relating to condominium conversions by requiring a condominium hotel developer to disclose information on the amount levied and paid for the past three years, for general excise taxes and transient accommodations taxes, and requiring each registered condominium hotel operator to file an annual report with the Real Estate Commission.

UNITE HERE Local 5 and a concerned individual supported this measure. Outrigger Enterprises Group opposed this measure. The Real Estate Commission offered comments.

Your Committee notes that the Real Estate Commission testified that it has limited expertise and capabilities to collect and retain general excise tax and transient accommodations tax information on hotel or condominium hotel units, and thus requested removing that responsibility from the Real Estate Commission, as proposed in this measure. Your Committee also notes that businesses may face a competitive disadvantage by having to disclose confidential and proprietary information, such as tax information of a prior hotel operator, the number and type of units managed, and the number of employees employed by operators who manage a rental program at a condominium project. Although your Committee acknowledges these concerns, it is passing this measure to facilitate further discussion.

Your Committee has 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 Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 571, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 571, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 30 Human Services on H.B. No. 246

The purpose of this measure is to relieve the tax burdens of low-income households in the State by increasing:

- (1) The income tax credit for low-income household renters for taxpayers with adjusted gross income of less than \$30,000 from \$50 to \$150 per qualified exemption; and
- (2) The refundable food/excise tax credit, which is based on the taxpayer's adjusted gross income, from \$0 to \$170 per qualified exemption.

The Office of Hawaiian Affairs, Hawaii State Commission on the Status of Women, UNITE HERE Local 5, ILWU Local 142, Democratic Party of Hawaii, Partners in Care, Americans for Democratic Action, Catholic Charities Hawaii, Hawaii Women's Coalition, Hawaii Appleseed Center for Law and Economic Justice, PHOCUSED, Hawaii Community Assets, Chow Project, Hawaii Primary Care Association, and an individual testified in support. The Department of Taxation, Tax Foundation of Hawaii, and an individual provided comments.

Your Committee has amended this measure to apply to taxable years after December 31, 2015.

Should the Committee on Finance deliberate this measure further, your Committee on Human Services respectfully requests that it consider increasing the income eligibility threshold for the income tax credit for low-income household renters from \$30,000 to \$60,000.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 246, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 246, H.D. 1, and be referred to the Committee on Housing.

Signed by all members of the Committee except Representatives Belatti and Creagan.

SCRep. 31 Human Services/Housing on H.B. No. 1265

The purpose of this measure is to address Hawaii's affordable housing crisis by providing alternatives for affordable and rental housing. This measure, among other things:

- (1) Requires the Department of Land and Natural Resources, in consultation with the Department of Human Services, to establish mobile home parks throughout the State for persons meeting certain income levels;
- (2) Appropriates funds to the Department of Land and Natural Resources for the implementation and administration of mobile home park development; and
- (3) Allows the private sector to develop mobile home parks under the same guidelines established for the Department of Land and Natural Resources.

Several individuals testified in support of the measure. The Hawaii Public Housing Authority supported the intent of the measure. The Department of Human Services, Department of Land and Natural Resources, and an individual commented on the measure.

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

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 are in accord with the intent and purpose of H.B. No. 1265, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1265, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representative Belatti.

SCRep. 32 Housing on H.B. No. 767

The purpose of this measure is to clarify the offense of trespassing in the second degree as it applies to conduct at Hawaii Public Housing Authority housing projects. This bill amends the elements of the offense to apply to unlawful or unauthorized presence or entry by a nonresident and amends notice and signage requirements to comport with requirements applicable to other locations.

The Hawaii Public Housing Authority submitted comments on this bill.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to promote 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 767, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 767, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 33 Housing on H.B. No. 33

The purpose of this measure is to allow a residential landlord or the landlord's agent to charge prospective tenants an application screening fee to cover the actual costs of obtaining background information on the applicant.

The Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Catholic Charities Hawaii, PHOCUSED, and one concerned individual testified in support of this measure. The Consumer Data Industry Association testified in opposition to the bill. The Hawaii Association of REALTORS provided comments.

Your Committee has amended this measure by:

- (1) Limiting the charging of an application screening fee to when an application is actually processed;
- (2) Deleting language that would have required a landlord or landlord's agent to accept and rely upon a recent credit report provided by the applicant;
- (3) Allowing the landlord or landlord's agent to charge an additional administrative fee of no more than 50 percent of the application screening fee that is charged;
- (4) Changing the effective date to July 1, 2050, to promote 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 33, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 33, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Belatti.

SCRep. 34 Housing on H.B. No. 277

The purpose of this measure is to provide the counties with a financing option for supporting infrastructure for affordable housing development. Specifically, this bill:

- (1) Permits the State to issue and sell revenue bonds for county improvements, by request of a county; and
- (2) Allows counties the option of using community facilities districts as a method for repayment of infrastructure development loans administered by the Hawaii Housing Finance and Development Corporation.

The Hawaii Housing Finance and Development Corporation, Building Industry Association of Hawaii, and Chamber of Commerce Hawaii supported this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to promote 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 277, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 277, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 35 Economic Development & Business on H.B. No. 1069

The purpose of this measure is to move Hawaii towards a more diversified economy and assist small businesses conducting innovative research with their efforts toward commercialization by, among other things:

- (1) Adding the receipt of Phase II or III Small Business Innovation Research awards or contracts from any participating federal agency to the qualifying criteria for businesses to receive grants from the High Technology Development Corporation; and
- (2) Appropriating \$5,000,000 for the Department of Business, Economic Development, and Tourism to provide grants through the High Technology Development Corporation.

The Chamber of Commerce of Hawaii, Oceanit, and Ibis Networks testified in support of this measure. The High Technology Development Corporation testified in support of the intent of this measure.

Since 1989, the High Technology Development Corporation has been assisting Phase I Small Business Innovation Research awarded companies reach their commercial potential through the provision of grants. This has proven to be successful for both the business awarded the grant and the State given that every dollar invested through this grant program has been leveraged to attract approximately \$20 in federal funds as well as commercialization funding. Expanding the scope of the grant program will allow for more companies to achieve commercialization and increase the beneficial economic impacts of this program to the State.

Your Committee has amended this measure by:

- (1) Reinserting subsection (c) of section 206M-15, Hawaii Revised Statutes, relative to the adoption of administrative rules necessary for administering the matching grant program;
- (2) Changing the amount appropriated to the Department of Business, Economic Development, and Tourism to provide grants through the High Technology Development Corporation from \$5,000,000 to an unspecified amount; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider \$5,000,000 for the Department of Business, Economic Development, and Tourism to provide grants through the High Technology Development Corporation.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1069, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1069, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 36 Economic Development & Business on H.B. No. 771

The purpose of this measure is to assist small business owners in Hawaii by providing an alternative means of financing the establishment or expansion of a small business. Specifically, this bill:

- (1) Reenacts the Hawaii Capital Loan Revolving Fund (Fund);
- (2) Appropriates \$2,000,000 into the Fund; and
- (3) Appropriates \$100,000 for the establishment of one full-time equivalent permanent program manager position within the Department of Business, Economic Development, and Tourism to administer the Fund.

The Chamber of Commerce of Hawaii testified in support of this bill. The Department of Business, Economic Development, and Tourism testified in support of the intent of this measure.

Small businesses often encounter difficulties in obtaining business loans through a commercial bank. This lack of capital is one of the top barriers individuals face in attempting to start a small business or attempting to expand their existing business. Your Committee finds that the reestablishment of the Fund may provide, as a last resort, an alternative means of financing the establishment or expansion of a small business in Hawaii.

Your Committee has amended this measure by changing the amounts of the appropriations to unspecified amounts.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$2,000,000 into the Fund and \$100,000 for the permanent program manager position to administer the Fund.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 771, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 771, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 37 Economic Development & Business on H.B. No. 293

The purpose of this measure is to improve the efficiency of the liquor license application and renewal process by authorizing county liquor commissions to accept a certificate of vendor compliance issued by the State Procurement Office as satisfactory evidence of an applicant's tax clearance with the Internal Revenue Service and Department of Taxation.

The Liquor Commission of the City and County of Honolulu testified in support of this measure. The State Procurement Office provided comments.

Currently, an applicant for a new liquor license, or an applicant for a transfer or renewal of an existing liquor license, must produce a signed certificate from the Department of Taxation and the Internal Revenue Service showing that the applicant does not owe the State or federal government any delinquent taxes, penalties, or interest. Compliance with this requirement can be difficult and cumbersome, especially when large volumes of license renewals are received, causing delays in license issuance or renewals that may result in an applicant experiencing a break in liquor service or sales. Allowing the use of certificates of vendor compliance, which certify that a vendor is compliant with all applicable laws and are issued by Hawaii Compliance Express would help to streamline the liquor license application and renewal process.

Your Committee was informed by the State Procurement Office that certificates of vendor compliance are issued by Hawaii Compliance Express and not the State Procurement Office. Accordingly, your Committee has amended this bill by changing the reference to the State Procurement Office as the agency that issues the certificate of vendor compliance to Hawaii Compliance Express.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 293, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 293, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 38 Economic Development & Business on H.B. No. 1070

The purpose of this measure is to generate economic growth and job creation, particularly in the innovation sector, by making the following appropriations:

- (1) \$2,000,000 to the Hawaii Strategic Development Corporation to continue the HI Growth Initiative established in 2013; and
- (2) \$500,000 to the High Technology Development Corporation to expand services to innovation companies in the High Technology Development Corporation facility and other incubation facilities and programs.

The Hawaii Strategic Development Corporation, High Technology Development Corporation, The Chamber of Commerce of Hawaii, Nalukai Foundation, Hawaii Tech Exchange, Energy Excelsior, and several concerned individuals testified in support of this bill.

Your Committee finds that taking steps to increase growth in the innovation and technology sectors would ensure a vibrant, sustainable economic future for Hawaii's citizens and provide opportunities for Hawaii's young people to pursue productive careers while remaining in Hawaii. Both the HI Growth Initiative, an economic development program to invest in an innovation ecosystem supporting entrepreneurial high growth businesses and creating high wage jobs, and the High Technology Development Corporation are committed to achieving this goal. Your Committee finds that the funding proposed in this measure would enable the HI Growth Initiative and High Technology Development Corporation to continue developing two key sectors of the State's economy: Hawaii's innovation and high technology industries.

Your Committee has amended this measure by changing the amounts of the appropriations to unspecified amounts to facilitate continued discussion.

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

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$2,000,000 for the Hawaii Strategic Development Corporation to continue the HI Growth Initiative and \$500,000 for the High Technology Development Corporation to expand services to innovation companies in the high technology development corporation facility and other incubation facilities and programs.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1070, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1070, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 39 Economic Development & Business on H.B. No. 774

The purpose of this measure is to assist small business in Hawaii by appropriating funds to the Department of Business, Economic Development, and Tourism to allow the Small Business Regulatory Review Board (Board) to hire additional staff to carry out the Board's mission.

The State Procurement Office, The Chamber of Commerce of Hawaii, Hawaii Business League, and a concerned individual testified in support of this measure. The Department of Business, Economic Development, and Tourism testified in support of the intent of this measure. A concerned individual testified in opposition.

The Board provides input into the administrative rulemaking process and provides vital recommendations to policymakers and State and county agencies to aid small businesses in Hawaii. However, the Board currently lacks sufficient staffing to adequately carry out this mission. Your Committee finds that providing funding to facilitate the hiring of staff by the Board would benefit small businesses in Hawaii.

Your Committee has amended this measure by changing the amount appropriated for the Board to acquire additional staff from \$50,000 to an unspecified amount to facilitate further discussion.

Your Committee notes that, according to the Small Business Regulatory Review Board, approximately \$140,000 to \$150,000 would be the ideal sum to adequately fund full operations of the Board. Accordingly, should the Committee on Finance deliberate on this measure, your Committee respectfully requests that it consider appropriating \$140,000 to \$150,000 for the Small Business Regulatory Review Board to hire additional staff.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 774, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 774, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 40 Economic Development & Business on H.B. No. 266

The purpose of this measure is to assist small businesses in Hawaii by dedicating funding for the Small Business Regulatory Review Board (Board) through the establishment of a line item for the Board within the budget of the Department of Business, Economic Development, and Tourism.

The Board, The Chamber of Commerce of Hawaii, and Hawaii Business League testified in support of this measure. The Department of Business, Economic Development, and Tourism supported the intent of this measure.

The Board is composed of members representing small businesses throughout the State. The Board provides comment and input into the administrative rulemaking process, and provides recommendations to the Legislature, Governor, and the counties on rule changes to help small businesses. The Board provides an integral interface between the small business community and policymakers and government agencies.

However, while the Board is currently funded through moneys appropriated to the Department of Business, Economic Development, and Tourism, there is no specific allocation for the Board and therefore the Board, at times, lacks the financial resources necessary to carry out its mission. Your Committee notes that, according to the Board, operational costs, including travel, postage, educational, and other administrative costs equate to approximately \$20,000 per year. Establishing a line item for the Board within the budget of the Department of Business, Economic Development, and Tourism would provide a mechanism for the Board to be assured of funds for its continued operation.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 266 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 41 Economic Development & Business on H.B. No. 1028

The purpose of this measure is to establish a special innovative procurement process to provide the State with greater flexibility in the procurement of certain goods and services to meet unique or unusual needs or situations while maintaining the accountability and transparency afforded by the State Procurement Code.

The State Procurement Office testified in support of this measure. The Department of Transportation testified in support of the intent of this measure. The American Council of Engineering Companies of Hawaii provided comments.

Currently, when unique or unusual circumstances arise in the public procurement process, the State lacks the flexibility in the procurement code to respond in an effective, efficient, and timely manner. According to the State Procurement Office, exemptions from the procurement code are provided in many of these instances, which has resulted in millions of dollars of goods and services being procured with minimal accountability. The creation of a new process for the procurement of goods and services in these situations would provide the State with the flexibility it needs to balance the reality of an ever changing marketplace with the guiding principles of government contracting and the State's responsibility to the public.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1028 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 42 Energy & Environmental Protection on H.B. No. 759

The purpose of this measure is to improve public school students' learning experience by:

- (1) Requiring the Department of Education (DOE) and Department of Accounting and General Services (DAGS), in consultation with the State Energy Office of the Department of Business, Economic Development, and Tourism and the Hawaii Natural Energy Institute of the University of Hawaii, to:
 - (A) Jointly conduct a comprehensive study; and
 - (B) Submit a joint report to the Legislature,
 regarding a master strategy for implementing cooling systems at all public school facilities;
- (2) Appropriating funds for the development of the master strategy, including the comprehensive study; and
- (3) Authorizing the issuance of general obligation bonds to fund projects that demonstrate efficient methods to cool classrooms in public schools.

The Hawaii State Teachers Association supported this bill. The DOE and Department of Business, Economic Development, and Tourism submitted comments.

Your Committee has amended this bill by:

- (1) Allowing the comprehensive study to be conducted in coordination with other infrastructure studies undertaken by the DOE for similar purposes;
- (2) Replacing a reference to "air conditioning" with "ideal room temperature"; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 759, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 759, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee except Representative Ing.

SCRep. 43 Energy & Environmental Protection on H.B. No. 484

The purpose of this measure is to make the benefits of renewable energy more accessible to a greater number of Hawaii residents by, among other things:

- (1) Requiring the Public Utilities Commission to establish a community-based renewable energy tariff or tariffs, to take effect no later than January 1, 2016;
- (2) Providing that community-based renewable energy projects:
 - (A) Equal to or less than one megawatt in size are subject to the interconnection processes approved by the Public Utilities Commission; and
 - (B) Greater than one megawatt in size are subject to the Public Utilities Commission's review and approval;
- (3) Allowing an electric utility to develop and implement its own community-based renewable energy project or projects, as long as the project or projects are subject to the Public Utilities Commission's review and approval; and
- (4) Requiring that the community-based renewable energy tariff and related interconnection processes be, to the extent possible, standardized.

The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Blue Planet Foundation, Hawaii Solar Energy Association, and numerous concerned individuals supported this measure. A concerned individual opposed the measure. The Department of Business, Economic Development, and Tourism; Public Utilities Commission; Hawaiian Electric Company; Hawaii Electric Light Company; Maui Electric Company; Hawaii Renewable Energy Alliance; and a concerned individual submitted comments.

Your Committee has amended the bill by:

- (1) Requiring the Public Utilities Commission, in establishing the community-based renewable energy tariff or tariffs, to ensure that there is no cross-subsidy by or shifting of costs to non-participants to fund any part of the community-based renewable energy program;
- (2) Adding a definition of "wheeling" to clarify the allowable methods of energy distribution by community-based renewable energy projects; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 484, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 484, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ing.

SCRep. 44 Labor & Public Employment on H.B. No. 713

The purpose of this measure is to:

- (1) Require the Contractors License Board and Board of Electricians and Plumbers ("Boards") to train and deputize volunteer investigators and grant them immunity from liability;
- (2) Require the Contractors License Board to investigate, classify, and qualify applicants for licenses;
- (3) Increase the penalties for contracting violations;
- (4) Require the Boards to report to the Legislature on the effectiveness of the training and deputizing of volunteer investigators; and
- (5) Appropriate funds from the Compliance Resolution Fund for the training and deputizing of investigators.

The Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office; Board of Electricians and Plumbers; Subcontractors Association of Hawaii; General Contractors Association of Hawaii; and the Hawaii Construction Alliance commented on this measure. The Contractors License Board testified in opposition to this measure.

Your Committee finds that it is important to investigate unlicensed workers to ensure compliance with Hawaii's public works projects laws. This ensures that workers are appropriately licensed, classified, and paid. Your Committee finds that the Department of Labor and Industrial Relations ("Department") is better suited than the Boards to handle the responsibility of volunteer investigators on public works projects. Therefore, your Committee has amended this measure by:

- (1) Authorizing the Department, and not the Boards, to train and deputize volunteer investigators for public works projects;
- (2) Requiring the Department to submit status reports to the Legislature;
- (3) Appropriating funds from the general fund instead of the Compliance Resolution Fund and changing the expending agency to the Department; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 713, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 713, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Har.

SCRep. 45 Labor & Public Employment on H.B. No. 561

The purpose of this measure is to protect the privacy interests of employees and potential employees by prohibiting employers from requiring or requesting access, including through disclosure of usernames or passwords, to personal social media accounts.

The Americans for Democratic Action Hawaii and an individual testified in support of this measure. Chamber of Commerce Hawaii testified in opposition to this measure. The Hawaii Civil Rights Commission commented on this measure.

Your Committee has amended this measure by:

- (1) Including a narrow exception for employers to access personal social media accounts to investigate complaints, allegations, or the occurrence of sexual, racial, or other harassment in the workplace; 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 H.B. No. 561, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 561, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Har.

SCRep. 46 Higher Education on H.B. No. 848

The purpose of this measure is to improve the regulation of post-secondary education in Hawaii by clarifying that under the Post-secondary Education Authorization Program, an institution may request an administrative hearing pursuant to Chapter 91, Hawaii Revised Statutes, within 15 days of receipt of notification of denial or of intent to suspend or terminate any Chapter 305J, Hawaii Revised Statutes, authorization.

The Post-secondary Education Authorization Program 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 848 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ing.

SCRep. 47 Human Services on H.B. No. 447

The purpose of this measure is to make temporary restraining orders for the abuse of a family or household member who is a minor or incapacitated person more accessible by:

- (1) Removing redundant requirements that the family courts report to the Department of Human Services each time such a temporary restraining order is sought; and
- (2) Relieving the Department of Human Services of the duty to investigate each such allegation and to submit a written report to the family courts in advance of the hearing on the temporary restraining order.

The Department of Human Services; Hawaii State Commission on the Status of Women; Hawaii State Coalition Against Domestic Violence; Domestic Violence Action Center; Gay, Lesbian, Bisexual and Transgender Caucus of the Democratic Party of Hawaii; PHOCUSED; Hawaii Women's Coalition; Parents and Children Together; and two concerned individuals testified in support of this measure. The Judiciary testified in opposition to this bill.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to promote further 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 is in accord with the intent and purpose of H.B. No. 447, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 447, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Hashem, Oshiro and Fukumoto Chang.

SCRep. 48 Housing on H.B. No. 705

The purpose of this measure is to repeal and reclassify various non-general funds based on recommendations made by the Auditor in Auditor's Report No. 14-13. Specifically, this bill:

- (1) Reclassifies various housing loan special funds as revolving funds; and
- (2) Repeals the fee simple residential revolving fund.

The Office of the Auditor and the Hawaii Housing Finance and Development Corporation testified in support of the measure. The Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 705, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 705, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 49 Housing on H.B. No. 25

The purpose of this measure is to prohibit discrimination in the rental of real estate based on the person's lawful source of income, including discriminatory advertising preventing low-income individuals from being considered as renters.

The Hawaii Public Housing Authority and the Hawaii Civil Rights Commission submitted testimony in support of this measure. The Hawaii Association of Realtors submitted testimony in opposition to this measure. The Office of Consumer Protection commented on the bill.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to promote further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that the Office of Consumer Protection recommended placing the new statutory sections in Chapter 515, Hawaii Revised Statutes (Discrimination in Real Property Transactions), instead of Chapter 521, Hawaii Revised Statutes (Residential Landlord-Tenant Code). Your Committee respectfully requests that the Committee on Consumer Protection & Commerce and the Committee on Judiciary consider adopting the Office of Consumer Protection's recommendation.

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 H.B. No. 25, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 25, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 50 Education on H.B. No. 10

The purpose of this measure is to support student health by:

- (1) Permitting Department of Education (DOE) employees and agents to volunteer to administer auto-injectable epinephrine in an emergency situation to students with anaphylaxis;
- (2) Allowing advanced practice registered nurses to provide certain written certifications regarding the administration of medication to students; and
- (3) Authorizing DOE to make arrangements to receive auto-injectable epinephrine supplies from auto-injectable epinephrine manufacturers or suppliers.

The Department of Health, Walgreens, Special Education Advisory Council, Community Children's Council of Hawaii, and a concerned individual supported this bill. The Department of Education supported the intent of this measure. The American Diabetes Association and numerous concerned individuals supported this bill with amendments.

Your Committee has amended this bill by:

- (1) Allowing DOE employees and agents to administer insulin or assist in the administration of insulin to a student with diabetes;
- (2) Permitting the self-testing and self-management of diabetes by a student pursuant to the student's diabetes medical management plan and during any school-related activity;
- (3) Allowing students with diabetes to possess, at all times, necessary supplies and equipment to perform the diabetes monitoring and treatment activities required pursuant to the student's diabetes medical management plan;
- (4) Removing the authority of DOE to make arrangements to receive auto-injectable epinephrine supplies from auto-injectable epinephrine manufacturers or suppliers; 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 10, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 10, H.D. 1, and be referred to the Committee on Health.

Signed by all members of the Committee except Representative Ito.

SCRep. 51 Health on H.B. No. 525

The purpose of this measure is to prohibit smoking, the use of electronic smoking devices, and the use of tobacco or betel nut products within the state park system.

The Department of Health, Coalition for a Tobacco-Free Hawaii, Beach Environmental Awareness Campaign Hawai'i, Surfrider Foundation, and numerous individuals supported this measure. Volcano Fine Electronic Cigarettes, Hawaii Smokers Alliance, and several individuals opposed this measure. The Department of Land and Natural Resources and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to electronic smoking devices and betel nut products; and
- (2) Changing its effective date to July 1, 2050, to facilitate 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 H.B. No. 525, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 525, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 52 Health on H.B. No. 586

The purpose of this measure is to promote positive health practices that protect patients, employees, and visitors of Hawaii Health Systems Corporation (HHSC) health facilities from exposure to secondhand smoke and other potentially harmful substances by:

- (1) Prohibiting the use of any tobacco product or e-cigarette, also known as an "electronic smoking device," on the premises of all health facilities operated by HHSC; and
- (2) Requiring HHSC to provide tobacco cessation programs for public employees of its health facilities.

The Department of Health, HHSC, Healthcare Association of Hawaii, Coalition for a Tobacco-Free Hawaii, and The Queen's Health Systems supported this measure. Kaiser Permanente Hawaii supported the intent of this measure. Hawaii Smokers Alliance and several individuals opposed this measure.

Your Committee has amended this measure by:

- (1) Replacing references to "e-cigarettes" with "electronic smoking devices";
- (2) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 586, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 586, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 53 Health on H.B. No. 354

The purpose of this measure is to require all non-exempt licensed registered nurses and licensed practical nurses to complete continuing competency requirements prior to submitting an application for license renewal, restoration, or reinstatement, beginning July 1, 2017.

The University of Hawaii at Manoa School of Nursing & Dental Hygiene, Hawaii State Center for Nursing, Hawaii Pacific Health, Pali Momi Medical Center, Kapiolani Medical Center for Women & Children, Straub Clinic & Hospital, Wilcox Memorial Hospital, American Organization of Nurse Executives Hawaii, and several individuals supported this measure. The Board of Nursing and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 354, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 354, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 54 Health on H.B. No. 696

The purpose of this measure is to establish the Hawaii Healthcare Workforce Advisory Board to advise the Department of Labor and Industrial Relations in fulfilling the objectives for socio-cultural advancement relating to health, under Section 226-20, Hawaii Revised Statutes, of the Hawaii State Planning Act.

The Department of Commerce and Consumer Affairs, Hawaii Primary Care Association, and an individual supported this measure. The Department of Labor and Industrial Relations commented on this measure.

Your Committee has amended this measure by:

- (1) Adding a member of the Center of Nursing to the Hawaii Healthcare Workforce Advisory Board;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments to eliminate a redundancy and 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 H.B. No. 696, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 696, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee.

SCRep. 55 Public Safety on H.B. No. 737

The purpose of this measure is to authorize the Hawaii Property Insurance Association to:

- (1) Expend funds in the Hawaii Hurricane Relief Fund to pay for extraordinary losses caused by the flow of lava or other volcanic activity; and
- (2) Reduce assessments to its members from the Hawaii Hurricane Relief Fund.

The Hawaiian Shores Community Association and several concerned individuals supported this measure. The Hawaii Hurricane Relief Fund and the Hawaii Independent Insurance Agents Association opposed this measure. The Department of Budget and Finance and a concerned individual offered comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2020, to promote 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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 737, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 737, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 56 Health on H.B. No. 379

The purpose of this measure is to assist with the financing of a new hospital facility for the West Hawaii community by authorizing the issuance of general obligation bonds for that purpose and allocating a portion of the Transient Accommodations Tax to offset costs related to the bond issuance, including interest and debt service.

The West Hawaii Regional Board Strategic Planning Committee and two individuals testified in support of this measure. The Hawaii Health Systems Corporation testified in support of the intent of this measure. The Department of Budget and Finance and Tax Foundation of Hawaii provided comments.

Your Committee amended this measure by:

- (1) Changing its 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 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 H.B. No. 379, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 379, H.D. 1, and be referred to the Committee on Tourism.

Signed by all members of the Committee except Representative Tupola.

SCRep. 57 Judiciary on H.B. No. 179

The purpose of this measure is to specify that the forwarding address for absentee ballots to be permanently mailed shall be the mailing address contained in the voter's registration record.

The Office of Elections; Office of the County Clerk, County of Kauai; Office of the County Clerk, County of Maui; and The League of Women Voters of Hawaii testified in support of this bill. The Office of the City Clerk, City and County of Honolulu testified in support of this measure and provided comments. An individual testified in opposition to this measure.

Your Committee has amended this measure by specifying that the forwarding address for absentee ballots to be permanently mailed shall be the in-state mailing address contained in the voter's registration record.

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 H.B. No. 179, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 179, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Belatti, Cachola, Nakashima and Thielen.

SCRep. 58 Judiciary on H.B. No. 346

The purpose of this measure is to increase the fees of the sheriff, deputy sheriff, police officer, or independent civil process server for the service of any civil summons, warrant, attachment, or other civil process, or any attachment and inventory of property, execution, subpoena, subpoena duces tecum, or garnishee summons. In addition, this measure increases the mileage fee and minimum agreed upon hourly rate for the service of process.

The Department of Public Safety and several concerned individuals testified in support of this measure. One concerned individual testified in opposition.

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 H.B. No. 346 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and McDermott.

SCRep. 59 Judiciary on H.B. No. 364

The purpose of this measure is to enable law enforcement to dismantle illegal gambling enterprises and enhance public safety by adding gambling offenses in a building, premise, or place to the list of qualifying offenses that may give rise to nuisance abatement.

The Honolulu Police Department testified in support of this measure.

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 H.B. No. 364 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 60 Judiciary on H.B. No. 291

The purpose of this measure is to:

- (1) Establish exclusive jurisdiction of the Small Claims Division of the District Court over cases for the recovery of money in which the amount claimed is \$1,000 or less, exclusive of interest and costs; and
- (2) Expand the jurisdiction of the Small Claims Division to any personal property worth \$5,000 or less.

The Judiciary testified in support of this measure. One concerned individual testified in opposition.

Your Committee has amended this measure by making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 291, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 291, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and McDermott.

SCRep. 61 Judiciary on H.B. No. 213

The purpose of this measure is to facilitate services on juries and provide for equitable treatment of jurors by paying jurors and prospective jurors the higher of either the statutorily-set mileage fee or the cost of an adult bus fare for travel to and from court.

The Department of Transportation Services, City and County of Honolulu and The League of Women Voters of Hawaii 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 H.B. No. 213 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and McDermott.

SCRep. 62 Judiciary on H.B. No. 180

The purpose of this measure is to clarify the reporting requirements for lobbyists and organizations that engage in the lobbying activities or make expenditures, for the purpose of influencing special session legislative action. Specifically, this measure requires only those who lobbied or made expenditures on legislative matters related to the special session to file a special session lobbying report; however, such persons need not also include these expenditures and contributions in statements of expenditures subsequently filed.

The Hawaii State Ethics Commission, Common Cause Hawaii, and The League of Women Voters of Hawaii testified in support of this measure.

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 H.B. No. 180 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Cachola, Nakashima and Thielen.

SCRep. 63 Public Safety on H.B. No. 961

The purpose of this measure is to amend the procedures and criteria for involuntary medical treatment of inmates and detainees in correctional facilities. Specifically, this measure:

- (1) Clarifies the criteria for finding that an inmate or detainee may be subject to involuntary treatment because of danger to self or others;
- (2) Amends notice and documentary requirements for hearings on a petition to compel involuntary treatment;
- (3) Provides for the appointment of a temporary guardian or guardian ad litem for an inmate or detainee who is not competent or otherwise able to participate in proceedings; and
- (4) Provides for the extension of an order for involuntary treatment upon the return to custody of an inmate or detainee prior to the expiration of the order or upon motion of the Department of Public Safety.

The Department of the Attorney General and the Department of Public Safety supported this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 961 and recommends that it pass Second Reading and be referred to the Committee on Health.

Signed by all members of the Committee.

SCRep. 64 Housing on H.B. No. 445

The purpose of this measure is to encourage affordable housing as a part of transit-oriented development by authorizing the Hawaii Housing Finance and Development Corporation to guarantee loans made to developers engaged in developing projects which include affordable housing and support transit ridership.

The Office of Planning, Department of Planning and Permitting of the City and County of Honolulu, Honolulu Authority for Rapid Transportation, and Hawaii Primary Care Association supported the measure. The Hawaii Housing Finance and Development Corporation and Department of Budget and Finance commented on the measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Based on the testimony received, your Committee on Housing respectfully requests that the Committee on Finance look into and consider the cost of the transit-oriented development program.

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 H.B. No. 445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 445, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 65 Economic Development & Business on H.B. No. 1158

The purpose of this measure is to expand opportunities relative to intellectual property by additionally including, as allowable specific public benefits to sustainable business corporations, the right to exclude any copyright or trademark in which the sustainable business corporation has an interest for the following:

- (1) Creating and retaining good jobs within Hawaii and throughout the United States;
- (2) Upholding fair labor standards nationally and internationally; and
- (3) Enhancing environmental protection nationally and internationally.

Ingenuity Underwriters, Experiad, and a concerned individual testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1158 and recommends that it pass Second Reading and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee except Representatives Ito, Tokioka, Woodson and Matsumoto.

SCRep. 66 Economic Development & Business on H.B. No. 1343

The purpose of this measure is to improve economic recovery in Hawaii after a natural disaster by appropriating \$328,000 to match federal funds to establish a business recovery center.

The Department of Defense, Hawaii Emergency Management Agency, and The Chamber of Commerce of Hawaii testified in support of this bill.

A business recovery center is an online website where businesses and government agencies collaborate before, during, and after a natural disaster. Some of the activities of a business recovery center include distributing federal disaster program information; establishing information channels to allow the private sector to access information including the status of utilities and roads; allowing the private sector to post information about operating hours during and after disasters; and acting as a portal to post requests for proposals so local businesses can bid on contracts during and after disasters.

Your Committee finds that the establishment of a business recovery center in Hawaii would help businesses, their employees, and the overall economy of Hawaii recover after a natural disaster.

Your Committee notes that the appropriation of \$328,000 contained in this measure for the establishment of a business recovery center within the Department of Defense is necessary to receive a federal match of \$1,159,000 for this initiative.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1343 and recommends that it pass Second Reading and be referred to the Committee on Public Safety.

Signed by all members of the Committee except Representatives Ito, Tokioka, Woodson and Matsumoto.

SCRep. 67 Economic Development & Business on H.B. No. 895

The purpose of this measure is to improve the efficiency and effectiveness of the procurement of professional services by state agencies. Specifically, this bill:

- (1) Requires the selection committee for the procurement of professional services to evaluate, rather than rank, potential contractors based on specific selection criteria and send the names of those persons to the head of the purchasing agency for consideration; and
- (2) Allows the head of a purchasing agency to proceed with the procurement process for professional services when there are less than three qualified potential contractors in accordance with rules adopted by the Procurement Policy Board.

The State Procurement Office testified in support of this bill. The Department of Transportation supported the intent of this measure. The American Institute of Architects Hawaii State Council and American Council of Engineering Companies of Hawaii testified in opposition to this bill.

The Procurement Policy Board has the authority and responsibility to adopt rules governing the procurement of professional services by state agencies. In 2014, the Hawaii Supreme Court ruled that, under the current statutes, a selection committee must identify and rank a minimum of three qualified professional service providers in order for a state agency to proceed with procurement. While many professional services in Hawaii have adequate numbers of qualified professionals to address this requirement, a number of highly specialized professional services do not. According to the State Procurement Office, this has often resulted in the need to repeat solicitation of bids until bids from three qualified applicants were received. This process is inefficient and is a detriment in both time and money to the State and qualified applicants.

Your Committee understands the concerns raised by several industry groups that allowing for the head of a state agency to select individuals to provide services without identification and ranking by the selection committee does not serve the procurement code's purpose of ensuring that professional services are procured in a fair and equitable manner. Accordingly, your Committee has amended this measure by including language that reflects agreement among industry groups and state procurement regulators. The amended measure:

- (1) Removes language requiring the selection committee to evaluate, rather than rank, potential contractors based on specific selection criteria;

- (2) Clarifies that, in cases where there are less than three qualified potential contractors, the selection committee shall rank them based on specified criteria and forward the ranking to the Chief Procurement Officer; and
- (3) Allows the Chief Procurement Officer, rather than the head of the purchasing agency, to proceed with the procurement of the service pursuant to rules adopted by the Procurement Policy Board.

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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 895, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 895, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ohno, Tokioka, Woodson and Matsumoto.

SCRep. 68 Economic Development & Business on H.B. No. 1328

The purpose of this measure is to diversify Hawaii's economy. Specifically, this bill requires the Department of Business, Economic Development, and Tourism to study and analyze the feasibility of establishing a motorsports industry and developing a motorsports center in Hawaii.

Paradise Ohana Centers LLC and numerous concerned individuals testified in support of this measure. The Department of Business, Economic Development, and Tourism provided comments.

Motorsports, including racing, is a growing major worldwide industry. While numerous racing fans and motorsports enthusiasts reside in Hawaii, there currently is a lack of a full-fledged, operating motorsports center in the State, particularly on the island of Oahu. While Kauai, Maui, and the Island of Hawaii all have racing facilities, the closure of Hawaii Raceway Park and Kalaeloa Raceway Park has left Oahu without a dedicated venue at which motorsports and racing enthusiasts can perform and enjoy their hobby. Without this alternative, some motorsports enthusiasts have taken to illegal street racing - an activity that creates a public safety issue.

The development of a motorsports industry and planned motorsports center will not only provide a venue for Hawaii's sports racing fans and motorsports enthusiasts, but it is expected to have a positive economic benefit for the State. In numerous other states, a positive economic impact of hundreds of millions of dollars was realized after the development of a motorsports facility. With the boom in racing and other motorsports currently occurring in Asia, Hawaii stands to gain from the development of this industry. A feasibility study on establishing and developing a motorsports industry and motorsports center in Hawaii will help the State and motorsports proponents to best determine how to proceed in this matter.

Your Committee notes that the Department of Business, Economic Development, and Tourism has testified that the cost for conducting a feasibility study would be approximately \$100,000. This financial cost needs to be given further consideration as this measure proceeds through the legislative process. Your Committee further notes that H.B. No. 1329, introduced during the Regular Session of 2015, proposes to authorize the issuance of Special Purpose Revenue Bonds for assistance in the development and establishment of a motorsports industry and facility in Hawaii and is another legislative vehicle that may be considered to achieve a similar goal as this measure.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1328 and recommends that it pass Second Reading and be referred to the Committee on Transportation.

Signed by all members of the Committee except Representatives Ito, Tokioka, Woodson and Matsumoto.

SCRep. 69 Human Services on H.B. No. 897

The purpose of this measure is to update the Uniform Interstate Family Support Act to reflect the requirements of the Hague Convention of the International Recovery of Child Support and Other Forms of Family Maintenance. This measure provides procedures for recognition, modification, and enforcement of interstate and international child and spousal support orders and determinations of parentage as required by federal law.

The Department of the Attorney General, Commission to Promote Uniform Legislation, and two concerned individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Clarifying that a support order or income withholding order issued in another state, or a foreign support order, is registered and enforceable in this State upon filing in family court;
- (2) Changing the effective date to July 1, 2050, to promote 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 897, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 897, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Hashem, Oshiro and Fukumoto Chang.

SCRep. 70 Human Services on H.B. No. 384

The purpose of this measure is to help reduce youth violence and delinquency by appropriating funds to the Department of Human Services for the funding of operational costs of an organization that provides for therapeutic prevention and mental health programs for high risk youth.

The Office of Youth Services, Adult Friends for Youth, and an individual testified in support.

Your Committee has amended this measure by making the effective date July 1, 2050, to promote further 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 is in accord with the intent and purpose of H.B. No. 384, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 384, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Creagan.

SCRep. 71 Human Services on H.B. No. 938

The purpose of this measure is to provide an emergency appropriation of \$2,514,822 to assist the General Assistance Program of the Department of Human Services in meeting budgetary shortfalls in order to maintain monthly maximum general assistance benefit payments for clients for the fourth quarter of fiscal year 2014-2015.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 166 to the Legislature, requested immediate consideration and passage of this measure by the Legislature.

The Department of Human Services and PHOCUSED supported this measure.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated for general assistance payments from \$2,514,822 to an unspecified amount; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Human Services requests that it consider appropriating \$2,514,822 for the purposes of maintaining the General Assistance Program's maximum monthly benefits for general assistance clients.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 938, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 938, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Creagan.

SCRep. 72 Tourism on H.B. No. 825

The purpose of this measure is to regulate transient vacation rentals by establishing licensing requirements and enforcement provisions for transient vacation rentals under the Department of Commerce and Consumer Affairs.

The Hawaii Lodging & Tourism Association and a concerned individual supported this measure. The Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs; Rental By Owner Awareness Association; Hawaii Association of Vacation Rental Managers; and many concerned individuals opposed this measure. The Regulated Industries Complaints Office, Department of Commerce and Consumer Affairs; Department of Taxation; Hawaii Tourism Authority; Department of Planning and Permitting, City and County of Honolulu; Outrigger Enterprises Group; and several concerned individuals offered comments on this measure.

Your Committee has amended this measure by:

- (1) Amending the definition of "transient vacation rental" to comport with the existing statutory criteria for assessing the Transient Accommodations Tax;
- (2) Making a housekeeping amendment to a Transient Accommodations Tax statute;
- (3) Changing its effective date to July 1, 2020, to promote 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 Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 825, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 825, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 73 Agriculture on H.B. No. 870

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for the design and construction of a food innovation center to be operated by Kapiolani Community College to produce prepared meals using locally grown food for organizations that need large quantities of meals on a daily basis.

The Department of Agriculture, University of Hawaii System, member of the Kauai County Council, member of the Maui County Council, Three Roads Farm, Hawaii Food Industry Association, Hawaii Farm Bureau Federation, Pioneering Healthier Communities Honolulu, and numerous individuals testified in support of this measure. The High Technology Development Corporation testified in support of the intent of this measure. An individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the amount of the general obligation bonds to an unspecified amount;
- (2) Changing its effective date to January 20, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider \$1,000,000 as the amount that the Director of Finance is authorized to issue in general obligation bonds.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 870, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 870, H.D. 1, and be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 74 Agriculture on H.B. No. 504

The purpose of this measure is to enhance the ability of the Department of Agriculture (DOA) and the University of Hawaii College of Tropical Agriculture and Human Resources (CTAHR) to respond to questions about pesticide use and make recommendations for the protection of public safety and the environment by:

- (1) Increasing the pesticide licensing fee from \$75 to \$310 annually and making the term of the license expire after one, instead of three, years;
- (2) Changing the authorized uses of the Pesticide Use Revolving Fund (Revolving Fund) to include:
 - (A) Registration and technical review;
 - (B) Certification;
 - (C) Compliance monitoring activities;
 - (D) Development of an electronic data collection system for all required pesticide reporting;
 - (E) Personnel costs;
 - (F) Development of pesticide-related educational materials in conjunction with CTAHR;
 - (G) Demonstration trials in conjunction with CTAHR's Cooperative Extension Service agents to develop integrated management and drift management technologies;
 - (H) A pesticide disposal program; and
 - (I) A pesticide subsidy program;
- (3) Removing the requirement that Revolving Fund moneys in excess of \$250,000 at the close of each fiscal year lapse to the general fund;
- (4) Requiring DOA, with regard to its annual report on the Revolving Fund, to recommend how to improve pesticide education and regulatory processes within the State and to recommend budget reallocations for the subsequent fiscal year;
- (5) Requiring DOA and CTAHR to execute a memorandum of understanding on the expenditure of moneys from the Revolving Fund;
- (6) Establishing and funding an environmental toxicologist position within DOA and having this toxicologist enter into a memorandum of understanding with the Department Health toxicologist to define a collaborative relationship between the two positions;
- (7) Establishing and funding a pesticide extension specialist within CTAHR to be funded by the Revolving Fund;
- (8) Appropriating fund from the Revolving Fund for registration and technical review, certification activities, compliance monitoring expenses, the development of an electronic data collection system, the development of pesticide-related educational materials, demonstration trials to develop integrated management and drift management technologies, and the pesticide disposal program; and
- (9) Repealing the sunset date of Act 168, Session Laws of Hawaii 2010, which removed the requirement that moneys from the Revolving Fund for personnel costs are to be limited to employees under the registration and education section of DOA's Pesticides Branch.

The University of Hawaii System, Alexander & Baldwin, Inc., Hawaii Crop Improvement Association, Hawaii Farm Bureau Federation, Hawaii Cattlemens' Council, Maui County Farm Bureau, Western Plant Health Association, Dow Agrosociences, Dupont Pioneer, Kauai Coffee Company, LLC, and Monsanto Hawaii supported this measure. The Department of Agriculture supported the intent of this measure with amendments. The Consumer Specialty Products Association submitted comments.

Your Committee has amended this measure by:

- (1) Changing the appropriated sums to unspecified sums; and
- (2) Changing the effective date to January 20, 2050.

Should the Committee on Higher Education or the Committee on Finance, or both, further deliberate on this bill, your Committee respectfully requests that they consider the Department of Agriculture's recommendations that would:

- (1) Change the pesticide licensing fee from \$75 to \$150 annually and reinstate the three-year license term;
- (2) Further amend the uses of the Revolving Fund;
- (3) Remove the requirement that DOA and CTAHR execute a memorandum of understanding on the expenditure of moneys from the Revolving Fund;
- (4) Remove the requirement that the DOA and Department of Health environmental toxicologists enter into a memorandum of understanding to define a collaborative relationship between the two positions;
- (5) Remove the CTAHR pesticide extension specialist position;
- (6) Remove all other appropriations from the Revolving Fund in part IV of this bill; and
- (7) Make technical, nonsubstantive amendments for purposes of style, clarity, and consistency.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating the following amounts for each year of fiscal biennium 2015-2017 in parts III and IV of this bill:

- (1) \$200,000 for operating expenses and the DOA environmental toxicologist position;
- (2) \$200,000 for operating expenses and the CTAHR pesticide extension specialist;
- (3) \$25,000 for registration and technical review;
- (4) \$25,000 for certification activities;
- (5) \$300,000 for compliance monitoring expenses;
- (6) \$750,000 for the development of an electronic data collection system;
- (7) \$400,000 for the development of pesticide-related educational materials;
- (8) \$300,000 to conduct demonstration trials to develop integrated management and drift management technologies; and
- (9) \$500,000 for the pesticide disposal program.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 504, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 504, H.D. 1, and be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 75 Agriculture on H.B. No. 850

The purpose of this measure is to address the budgetary shortfalls experienced by the University of Hawaii College of Tropical Agriculture and Human Resources' Cooperative Extension Service (Service) by appropriating moneys for critical unfunded positions.

The Department of Agriculture, University of Hawaii System, Hawaii Farm Bureau, Maui County Farm Bureau, Hawaii Farmers Union United, Three Roads Farm, Hawaii Macadamia Nut Association, Kauai Coffee Company, LLC, Hawaii Floriculture and Nursery Association, Land Use Research Foundation of Hawaii, and numerous concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriated amount to an unspecified sum;
- (2) Changing its effective date to January 20, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for consistency and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$700,000 for critical unfunded positions in the Service. Although the Service provides valuable tools that the public can use to strengthen communities and sustain Hawaii's agricultural economy, over the last 20 years, the Service has experienced a 43 percent decrease in extension agents who serve the various counties.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 850, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 850, H.D. 1, and be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 76 Agriculture on H.B. No. 627

The purpose of this measure is to create a Farm to School Program in the Department of Agriculture and to appropriate funds for a farm to school coordinator position in each of the Departments of Agriculture and Education to oversee the Program.

The Department of Education, University of Hawaii System, a member of the Kauai County Council, a member of the Maui County Council, Hawaii Farmers Union United, Hawaii Farm Bureau Federation, Three Roads Farm, The Local Food Coalition, Kokua Hawaii Foundation, Hawaii Island School Garden Network, Hawaii Farm to School and School Gardens Hui, Regenerations International Botanical Garden, and numerous concerned individuals supported this bill. The Department of Agriculture supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts to unspecified sums;
- (2) Changing the effective date to January 20, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of style.

Should the Committee on Education or the Committee on Finance, or both, further deliberate on this measure, your Committee on Agriculture respectfully requests that they consider requiring the development of standards or a system to gauge the success of the Farm to School Program.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$150,000 for each year of fiscal biennium 2015-2017 for each of the full-time farm to school coordinator positions at the Department of Agriculture and Department of Education.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 627, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 627, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee.

SCRep. 77 Agriculture on H.B. No. 823

The purpose of this measure is to establish a two-year Agricultural Theft Pilot Project in the Department of Agriculture to focus on investigating and prosecuting agricultural theft or agricultural vandalism in the County of Hawaii.

The Department of Agriculture; Office of the Prosecuting Attorney, County of Hawaii; Hawaii Farm Bureau Federation; and Hawaii Cattlemen's Council testified in support of this measure. The Hawaii Crop Improvement Association testified in support of the intent of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount for establishing the two-year Agricultural Theft Pilot Project to an unspecified amount;
- (2) Changing its effective date to January 20, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$200,000 to establish the two-year Agricultural Theft Pilot Project.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 823, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 78 Agriculture on H.B. No. 853

The purpose of this measure is to implement the recommendation of the Hawaii Agricultural Workforce Advisory Board to create an Agriculture Workforce Development Pipeline Initiative to conduct training on all islands for teachers and school administrators in agricultural self-sufficiency.

The Department of Agriculture, Department of Labor and Industrial Relations, University of Hawaii System, Hawaii Cattlemen's Council, Hawaii Farm Bureau Federation, Hawaii Farmers Union United, Hawaii Primary Care Association, Hawaii Crop Improvement Association, Hawaii Island School Garden Network, Land Use Research Foundation of Hawaii, and an individual testified in support of this measure. The Department of Education testified in support of the intent of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount for the development, operation, and implementation of the K-12 Agriculture Workforce Development Pipeline Initiative to an unspecified amount; and
- (2) Changing the effective date of this measure to January 20, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$500,000 for the development, operation, and implementation of the K-12 Agriculture Workforce Development Pipeline Initiative, including the hiring of a full-time equivalent coordinator and workforce development specialist.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 853, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 853, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee.

SCRep. 79 Agriculture on H.B. No. 995

The purpose of this measure is to rebuild existing programs that educate, support, and encourage youth to pursue agriculture careers by appropriating unspecified sums to the Department of Education for the Future Farmers of America Program and the College of Tropical Agriculture and Human Resources of the University of Hawaii at Manoa for the 4-H Program.

The Department of Agriculture, Hawaii Cattlemen's Council, Hawaii Farm Bureau Federation, Hawaii Primary Care Association, Hawaii Crop Improvement Association, The Local Food Coalition, Land Use Research Foundation of Hawaii, and two concerned individuals supported this bill. The University of Hawaii supported this measure with an amendment. Animal Rights Hawaii opposed this bill.

Should the Committee on Education or the Committee on Finance, or both, further deliberate on this bill, your Committee on Agriculture respectfully requests that they consider and appropriately act upon the recommendation of the University of Hawaii that the funding for the 4-H Program be in the form of a grant to the 4-H Foundation.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 995 and recommends that it pass Second Reading and be referred to the Committee on Education.

Signed by all members of the Committee.

SCRep. 80 Agriculture on H.B. No. 1051

The purpose of this measure is to protect the identity of Hawaii's high-quality and high-valued agricultural products by authorizing the Department of Agriculture to adopt rules relating to the declaration of Hawaii origin for agricultural commodities.

The Department of Agriculture, Hawaii Farm Bureau Federation, Hawaii Coffee Association, Kona Coffee Council, Intelligent Blends, Hawaiian Paradise Coffee, Hawaii Macadamia Nut Association, Greenwell Farms, Paradise Beverages, Inc., Hawaii Coffee Growers Association, Royal Kona Coffee Visitor Center Mill and Museum, Hawaii Restaurant Association, Hawaii County Council Member for the Ninth District, and numerous concerned individuals testified in support of this measure. One concerned individual testified in opposition to this bill.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1051 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 81 Agriculture on H.B. No. 1039

The purpose of this measure is to support the growth and sustainability of the local agriculture industry by appropriating funds for the Local and Immigrant Farmer Education Program of the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources Cooperative Extension Service.

The Department of Agriculture, University of Hawaii System, Hawaii Cattlemen's Council, Hawaii Farmers Union United, Hawaii Farm Bureau Federation, Land Use Research Foundation of Hawaii, and several concerned citizens testified in support of this measure. The Hawaii Crop Improvement Association supported the intent of this bill.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1039 and recommends that it pass Second Reading and be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 82 Agriculture on H.B. No. 1273

The purpose of this measure is to authorize the construction of qualifying hydroelectric facilities on agricultural lands subject to conditions related to water management and preservation of agricultural use.

The Department of Agriculture, Department of Business, Economic Development, and Tourism, and Hawaii Farm Bureau Federation supported the intent of this bill. The Department of Land and Natural Resources commented on this measure.

Should the Committees on Energy & Environmental Protection and Consumer Protection & Commerce further deliberate on this bill, your Committee on Agriculture respectfully requests that those Committees consider:

- (1) Comments and proposed amendments submitted to this Committee by the Department of Agriculture and Department of Land and Natural Resources; and

- (2) Whether it is appropriate to establish a tax credit for qualifying hydroelectric facilities.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1273 and recommends that it pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Signed by all members of the Committee.

SCRep. 83 Agriculture on H.B. No. 1372

The purpose of this measure is to exclude from the definition of "public utility" any person who provides water solely to bona fide agricultural activities.

The Department of Agriculture, Office of Planning, and Public Utilities Commission commented on this bill.

The Department of Agriculture and Office of Planning supported either removing the term "bona fide" or clarifying what "bona fide agricultural activities" mean.

Should the Committee on Consumer Protection & Commerce or the Committee on Finance, or both, further deliberate on this bill, your Committee on Agriculture respectfully requests that they consider and appropriately act upon the comments and proposed amendments submitted by the Department of Agriculture and the Office of Planning relating to the definition of "bona fide agricultural activities".

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1372 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 84 Agriculture on H.B. No. 608

The purpose of this measure is to authorize the issuance of up to \$45,000,000 in special purpose revenue bonds to assist Waimea Nui Community Development Corporation and its not-for-profit affiliates to finance, refinance, and reimburse costs related to the planning, acquisition, and construction of its agriculture, renewable energy, and educational facilities.

The Department of Agriculture, the member of the Hawaii County Council District 9, Waimea Nui Community Development Corporation, Hawaii Farm Bureau Federation, and several concerned individuals supported this bill. The Department of Budget and Finance commented on this measure.

Your Committee finds that this bill does not identify the applicable Part of Chapter 39A, Hawaii Revised Statutes, relating to special purpose revenue bonds, under which the bonds to assist Waimea Nui Community Development Corporation may be authorized and issued. Should the Committee on Finance further deliberate on this bill, your Committee on Agriculture respectfully requests that they consider and determine the appropriate Part of Chapter 39A, Hawaii Revised Statutes, under which the requested special purpose revenue bonds may be authorized and issued.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 608 and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 85 Agriculture on H.B. No. 773

The purpose of this measure is to provide additional sources of low- or no-cost food to residents, while also using developed land for community sustainability purposes by establishing and funding a Community Food Forest Program in the Department of Land and Natural Resources. The Program will allow community members to plant and harvest edible plants on public land.

The Hawaii Farmers Union United supported this bill. The Department of Land and Natural Resources commented on 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 is in accord with the intent and purpose of H.B. No. 773 and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Ohno, Tokioka, Woodson and Matsumoto.

SCRep. 86 Agriculture on H.B. No. 534

The purpose of this measure is to:

- (1) Require the Department of Transportation to discount its rates and fees for shipments of Hawaii-grown agricultural products in its harbors, wharves, and other properties; and
- (2) Repeal a provision allowing cruise boats holding permits for Kewalo Basin to use, for a fee, Honolulu Harbor in the event Kewalo Basin is not available for use due to weather conditions and road closures or repairs.

The Department of Transportation, Department of Agriculture, and Hawaii Farm Bureau Federation supported the intent of this bill.

The Department of the Attorney General has noted that this measure may raise novel issues; however, its review is in progress. It is your Committee's understanding that the Attorney General will be prepared to testify on these matters before your Committee on Transportation, should it decide to consider 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 is in accord with the intent and purpose of H.B. No. 534 and recommends that it pass Second Reading and be referred to the Committee on Transportation.

Signed by all members of the Committee.

SCRep. 87 Labor & Public Employment on H.B. No. 1349

The purpose of this measure is to align the probationary requirements that are applicable to non-tenured licensed charter school teachers entering or returning to the Department of Education, with the probationary requirements that are applicable to all licensed Department of Education teachers. As such, the probation period shall be determined pursuant to policies and practices established by the Department, the Board of Education, and applicable collective bargaining agreements.

The Department of Education, Hawaii Public Charter Schools Network, and Hawaii State Teachers Association testified in support of this measure. The State Public Charter School Commission provided comments on this measure.

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 H.B. No. 1349 and recommends that it pass Second Reading and be referred to the Committee on Education.

Signed by all members of the Committee except Representatives Aquino and Ichiyama.
(Representative Tupola voted no.)

SCRep. 88 Labor & Public Employment on H.B. No. 546

The purpose of this measure is to require the University of Hawaii to provide nonsupervisory employees in blue collar positions and certain officers and employees who are excluded from collective bargaining with the same educational benefits provided to faculty of the University of Hawaii and the community college system.

The United Public Workers, AFSCME, Local 646, AFL-CIO testified in support of this measure. The University of Hawaii testified in opposition to this measure. The Hawaii Government Employees Association provided comments on this measure.

Your Committee is cognizant of concerns raised by legislatively mandating benefits that may be more appropriately addressed through collective bargaining; we encourage further discussion of this issue by your Committee on Higher Education.

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 H.B. No. 546 and recommends that it pass Second Reading and be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Aquino and Ichiyama.

SCRep. 89 Labor & Public Employment on H.B. No. 553

The purpose of this measure is to allow graduate students that are employed by the University of Hawaii to collectively bargain.

Hawaii Government Employees Association; Hawaii State Teachers Association; University of Hawaii Graduate Student Organization; UH Student Caucus; and numerous individuals testified in support of this measure. The Office of Collective Bargaining, University of Hawaii System, and an individual testified in opposition to this measure.

Due to concerns raised in your Committee regarding assimilation and expense of incorporating graduate assistants employed by the University of Hawaii into an existing bargaining unit, your Committee recommends the creation of a new bargaining unit to ensure that all salaries and benefits may be tailored to the needs of this particular unit. Accordingly, your Committee has amended this measure by:

- (1) Creating bargaining unit (15) for graduate student assistants employed by the University of Hawaii;
- (2) Changing the effective date to July 1, 2115, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 553, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 553, H.D. 1, and be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Aquino and Ichiyama.

SCRep. 90 Labor & Public Employment on H.B. No. 556

The purpose of this measure is to amend the employment status of Research Corporation of the University of Hawaii employees by:

- (1) Requiring Research Corporation of the University of Hawaii officers and employees to be placed in an appropriate collective bargaining unit; and
- (2) Limiting the contracts of officers and employees whose status may be exempted from collective bargaining to a non-renewable contract of no more than three years.

Two individuals testified in support of this measure. The University of Hawaii, Research Corporation of the University of Hawaii, The Nature Conservancy, and numerous individuals testified in opposition of this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Removing the additional collective bargaining and contract requirements for Research Corporation of the University of Hawaii officers and employees;
- (2) Requiring the Legislative Reference Bureau to conduct a study on the collective bargaining and civil service status of Research Corporation of the University of Hawaii officers and employees; and
- (3) Changing its effective date to July 1, 2115, to encourage further discussion.

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 H.B. No. 556, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 556, H.D. 1, and be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Aquino and Ichiyama.

SCRep. 91 Labor & Public Employment on H.B. No. 894

The purpose of this measure is to assist the operations of the Enhanced 911 Board ("Board") by providing the Board with the ability to hire its own staff, exempt from chapters 76 and 89, Hawaii Revised Statutes, to perform administrative functions.

The Department of Accounting and General Services, exempt Hawaii Police Department, Honolulu Police Department, Maui Police Department, and an individual testified in support of this measure.

Your Committee has amended this measure by removing the hiring exemptions to chapter 76 and 89, Hawaii Revised Statutes. 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 H.B. No. 894, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 894, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Aquino.

SCRep. 92 Labor & Public Employment on H.B. No. 1213

The purpose of this measure is to expedite the employment and confirmation of individuals or organizations as independent contractors by establishing a clearer definition of "independent contractor" and a process for certification by the Department of Labor and Industrial Relations as an independent contractor.

The Chamber of Commerce Hawaii; Maui Chamber of Commerce; Hawaii Island Chamber of Commerce; VIP Foodservice; Vantaggio HR Ltd.; The Wright Company, LLC; Feed My Sheep, Inc.; National Federation of Independent Business; Society for Human Resource Management Hawaii; Island Landscape; Querubin & Associates, LLC; Entertainment Maui LLC; Kika, Inc.; Monsanto; CMS Group; MKC Enterprises; Kalalea Fire; Bev Gannon Restaurants; Eric Lee & Lee Enterprises; RicardoWEPA; No'eau Productions; Beach Activities of Maui; DeSilva Meeting Consultants; Avante-Guard LLC; Island Events LLC; and numerous individuals testified in support of this measure. The Department of Labor and Industrial Relations; ILWU Local 142; Hawaii Association of Realtors; Whalers Realty Management Company Inc.; and an individual testified in opposition to this measure. The National Kidney Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Establishing the "independent contractor" definition in a new section in Chapter 383, Hawaii Revised Statutes, instead of amending section 383-6, Hawaii Revised Statutes;
- (2) Including a \$10 filing fee for certification;
- (3) Changing the effective date to July 1, 2115, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1213, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1213, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Aquino.

SCRep. 93 Labor & Public Employment on H.B. No. 679

The purpose of this measure is to facilitate the workers' compensation in temporary total disability and temporary partial disability claims by:

- (1) Creating a late payment penalty applicable to an employer or insurance carrier who fails to pay temporary partial disability benefits within fourteen days after the end of the employee's work week;
- (2) Basing an employee's eligibility for temporary total or temporary partial disability benefits on certification from the attending physician every thirty days or by examination of the employee's medical records by another physician if the attending physician is unavailable; and
- (3) Allowing for contemporaneous and retroactive certification of an employee's disability status if the employee's condition has not reached medical stabilization or the employee is enrolled in vocational rehabilitation.

The ILWU Local 52 and two individuals testified in support of this measure. The Department of Human Resources, City and County of Honolulu; The Chamber of Commerce Hawaii; Hawaii Insurers Council; and Property Casualty Insurers Association of America testified in opposition to this measure. The Department of Labor and Industrial Relations, Department of Human Resources Development, National Association of Mutual Insurance Companies, and an individual commented on this measure.

Your Committee notes the Department of Labor and Industrial Relations' concerns regarding the requirement that an employee's eligibility for temporary total disability benefits or temporary partial disability benefits be determined by disability certifications from the employee's attending physician. This may result in the denial of an employee's statutorily-entitled temporary total disability or temporary partial disability benefits because of the attending physician's failure to timely certify dates of disability or other innocuous technicalities. This is inconsistent with the underlying policy of the workers' compensation statute to pay benefits on time. This intent was recently underscored by the Intermediate Court of Appeals in a December 31, 2014 opinion, Alayon v. Urban Mgmt. Corp., 134 Haw. 305, 339 P.3d 1106 (Haw. Ct. App. 2014).

Accordingly, your Committee has amended this measure by:

- (1) Removing the late payment penalty on the employer or insurance carrier who fails to pay temporary partial disability benefits within fourteen days after the end of the employee's work week; 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 H.B. No. 679, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 679, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Aquino.

SCRep. 94 Labor & Public Employment on H.B. No. 307

The purpose of this measure is to ensure that the Contractors License Board ("Board") has the protection of the public as its highest priority in the exercise of its licensing, regulatory, and disciplinary functions by amending the membership and composition requirements of the Board.

The Ironworkers Stabilization Fund testified in support of this measure. The Contractors License Board; General Contractors Association of Hawaii; Hawaii Laborers-Employers Cooperation and Education Trust; Building Industry Association-Hawaii; and Hawaii Construction Alliance testified in opposition of this measure.

Your Committee has amended this measure by:

- (1) Removing the proposed character, residency, and domiciliary qualifications for board members;
- (2) Clarifying that of the ten contractors in the Contractors License Board ("Board"), three shall be general engineering contractors and two shall be building contractors;
- (3) Specifying that the noncontractor members shall not:
 - (A) Hold a valid or expired license to operate as a contractor;
 - (B) Have a close family member who is a licensee; or
 - (C) Hold any financial interest in the business or any licensee of the Board;
- (4) Changing the effective date to July 1, 2115, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 307, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 307, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Aquino.

SCRep. 95 Labor & Public Employment on H.B. No. 435

The purpose of this measure is to support firefighters who are exposed to hazardous substances and situations by, among other things:

- (1) Establishing a rebuttable presumption under Hawaii's workers' compensation law that a firefighter who suffers from cancer, a blood-borne infectious disease, or exposure to a biochemical substance, contracted the condition in the course of employment (Rebuttable Presumption);
- (2) Requiring the Hawaii State Fire Council to:
 - (A) Develop minimum standards and procedures to ensure the health and safety of firefighters and first responders who are or may be exposed to hazardous materials or situations in the course of their duties;
 - (B) Take steps to ensure personnel are trained regularly with respect to these minimum standards and procedures;
 - (C) Urge county fire departments to conduct an inventory of fire stations to ensure that fire stations meet environmental health and safety standards to mitigate the long-term health effects on personnel; and
 - (D) Require each fire station to employ best practices limiting an employee's exposure to hazardous materials.

The Hawaii Fire Fighters Association and an individual testified in support of this measure. The Hawaii Insurance Council testified in opposition to this measure. The Department of Labor and Industrial Relations; Department of Human Resources Development; Hawaii State Fire Council; Honolulu Fire Department; Department of Human Resources of the City and County of Honolulu; County of Hawaii Fire Department; Department of Fire and Public Safety, County of Maui; and the State of Hawaii Organization of Police Officers commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the Rebuttal Presumption and instead providing firefighters the opportunity to collectively bargain for expanded employee benefits to mitigate long-term health effects that may result from work-related exposure to hazardous materials;
- (2) Requiring the county fire departments, instead of the Hawaii State Fire Council, to:
 - (A) Ensure that fire and first responder personnel are trained regularly with regard to minimum standards and procedures developed by the Hawaii State Fire Council;
 - (B) Conduct an inventory of fire stations to identify and designate deficiencies to ensure that fire stations meet environmental health and safety standards to mitigate the long-term health effects on fire department and first responder personnel; and
 - (C) Require each fire station to employ best practices limiting an employee's exposure to hazardous materials;
- (3) Requiring the Hawaii State Fire Council to submit its report to the Legislature no later than 20 days before the convening of the Regular Session of 2016; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 435, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 435, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Aquino.

SCRep. 96 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 205

The purpose of this measure is to promote food security and self-sufficiency, while perpetuating traditional native Hawaiian farming practices, by adding two new agricultural objectives to the Hawaii State Planning Act:

- (1) Perpetuate, promote, and increase traditional Hawaiian farming and traditional Hawaiian crops; and
- (2) Increase and develop small-scale farms.

The Office of Hawaiian Affairs, a Councilmember of the Kauai County Council, the Outdoor Circle, Ali'i Pauahi Hawaiian Civic Club, the Taro Security and Purity Task Force, and many concerned individuals testified in support of this measure. The Department of Agriculture provided comments.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 205 and recommends that it pass Second Reading and be referred to the Committee on Agriculture.

Signed by all members of the Committee.

SCRep. 97 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 874

The purpose of this measure is to require the Department of Education, in collaboration with stakeholders in the Hawaiian language community, to plan for, develop, and implement appropriate annual assessments in the Hawaiian language for Ka Papahana Kaiapuni students.

The Office of Hawaiian Affairs, O Hina I Ka Malama, and many individuals submitted testimony in support of this measure. The Department of Education submitted comments.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure currently calls for annual assessments in language arts, mathematics, and science. Should your Committee on Education consider this measure, your Committee on Ocean, Marine Resources, & Hawaiian Affairs respectfully requests that your Committee on Education consider whether the scope of the assessments should be broadened and whether the current scope is sufficient to accommodate federal requirements now and in the future.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 874, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 874, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee.

SCRep. 98 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 206

The purpose of this measure is to require that all publicly-funded landscape projects incorporate specified minimum percentages of plant species that existed in Hawaii prior to Western contact, subject to certain exceptions and allowing for a gradual phasing-in of the requirements.

The Judiciary, Office of Hawaiian Affairs, Ali'i Pauahi Hawaiian Civic Club, Coordinating Group on Alien Pest Species, Conservation Council for Hawai'i, Kua'aina Ulu 'Auamo, Hawaii Green Growth, The Nature Conservancy, Hawai'i Alliance for Community-Based Economic Development, and many individuals submitted testimony in support of this measure. The Department of Accounting and General Services submitted testimony in opposition to this measure. The Department of Land and Natural Resources, Department of Transportation, and State Procurement Office submitted comments.

Your Committee notes the concerns raised in testimony by the Comptroller that this measure may increase the complexity and administrative obligations of the procurement process. Your Committee urges further consideration of procurement issues in the continued discussion of this measure as it progresses through the legislative process.

Your Committee has amended this measure by:

- (1) Deleting the Board of Land and Natural Resources' obligation to consent to determinations made by a county zoning agency; and
- (2) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 206, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 206, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 99 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 665

The purpose of this measure is to include employees of the Office of Hawaiian Affairs in the collective bargaining process available to public employees.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO submitted testimony in support of this measure. The Office of Hawaiian Affairs submitted comments.

Your Committee notes that the Office of Hawaiian Affairs testified that its Board of Trustees has not yet taken a vote on the Board's position on this measure. Your Committee finds that it is prudent to allow this measure to continue through the legislative process to allow the Board an opportunity to express its position.

Your Committee has amended this measure by changing its effective date to December 24, 2088, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 665, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 665, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee.

SCRep. 100 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 89

The purpose of this measure is to make a grant of \$50,000 to Mookini Luakini, Inc., for the hosting of Children's Day in Kohala, County of Hawaii.

Two concerned individuals testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, International Affairs & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 89 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Choy.

SCRep. 101 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 149

The purpose of this measure is to cede concurrent legislative jurisdiction to the United States over certain lands owned by the United States Department of the Navy or its components for defense purposes.

Your Committee received comments on this measure from the Navy Region Hawaii.

Your Committee finds that this measure will allow the State to achieve uniformity in the jurisdiction over the United States Department of the Navy's lands in Hawaii and will allow for reciprocal law enforcement authority.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 149 and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Brower, Matsumoto and Ward.

SCRep. 102 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 648

The purpose of this measure is to further economic relations between China and Hawaii by establishing the China-Hawaii Economic Council and the China-Hawaii Economic Council Commission.

The Department of Business, Economic Development, and Tourism supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, International Affairs & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 648 and recommends that it pass Second Reading and be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee except Representative Choy.

SCRep. 103 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 654

The purpose of this measure is to enable Hawaii to collaborate with China toward mutual economic development by establishing a China-Hawaii Economic Council.

The Department of Business, Economic Development, and Tourism supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, International Affairs & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 654 and recommends that it pass Second Reading and be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee except Representative Choy.

SCRep. 104 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 800

The purpose of this measure is to transfer administrative placement and certain management functions of the State Foundation on Culture and the Arts to the Department of Business, Economic Development, and Tourism's Creative Industries Division from the Department of Accounting and General Services.

A number of concerned individuals testified in opposition to this measure. The Department of Business, Economic Development, and Tourism and the State Foundation on Culture and the Arts commented on this bill.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, International Affairs & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 800 and recommends that it pass Second Reading and be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee except Representative Choy.

SCRep. 105 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1119

The purpose of this measure is to provide funding to cover the funeral and burial costs of Filipino veterans of World War II, including the cost of returning the deceased veteran's remains to the Philippines for burial, in accordance with the veteran's final wishes.

The Consulate General of the Republic of the Philippines in Hawaii; National Association for Uniformed Services, Hawaii Chapter; WWII Fil-Am Veterans and Ladies Auxiliary, Hawaii Chapter; and a concerned individual testified in support of this bill.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, International Affairs & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1119 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Choy.

SCRep. 106 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1430

The purpose of this measure is to establish the Makua Valley Reserve Commission within the Department of Land and Natural Resources to oversee control and management of the area designated as Makua Valley on the island of Oahu.

The measure also:

- (1) Establishes permissible uses of Makua Valley;
- (2) Establishes duties and powers of the Makua Valley Reserve Commission and the Department of Land and Natural Resources with regard to Makua Valley;
- (3) Places Makua Valley in trust as part of the public land trust; provided that management and control of Makua Valley shall be transferred to the sovereign native Hawaiian entity upon its recognition by the United States and the State; and
- (4) Creates the Makua Valley rehabilitation trust fund.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and Earthjustice. Your Committee received testimony in opposition to this measure from the United States Army Garrison-Hawaii, the Center for Hawaiian Sovereignty Studies, and one individual. The Department of Land and Natural Resources offered comments on this measure.

Your Committee finds that Makua Valley is a site of great historic, cultural, and environmental significance. However, for many years, the valley has been used by the military for training and testing. Your Committee believes that by establishing the Makua Valley Reserve Commission, this measure will help facilitate the rehabilitation, protection, and management of Makua Valley.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1430 and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 107 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 52

The purpose of this measure is to prohibit persons who are not compliant with the Military Selective Service Act from enjoying state-sponsored post-secondary education, post-secondary financial assistance, and state employment opportunities.

Specifically, the measure prohibits, subject to various exceptions, any male who has failed to register with the Selective Service System from:

- (1) Enrolling at, or receiving education from, any campus of the University of Hawaii System;
- (2) Receiving educational financial assistance from the State; and
- (3) Being eligible for state employment or service.

No testimony was submitted on this measure.

Your Committee finds that compliance with the Military Selective Service Act, including registration with the Selective Service System, is necessary for the security of the United States. This measure will align state practice with respect to state education and employment eligibility with current federal laws that disqualify those who fail to register with the Selective Service System from employment within the executive branch of the federal government and from receiving federal student financial assistance.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 52 and recommends that it pass Second Reading and be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Brower, Cachola, Matsumoto and Ward.

SCRep. 108 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1424

The purpose of this measure is to address memorialization of veterans of the armed forces and of Hawaiian leaders within the State Capitol area.

Specifically, this measure:

- (1) Designates the Hotel Street mall behind the State Capitol building as Memorial Mall and facilitates the placement of war memorials and other monuments along the mall; and
- (2) Establishes a ho'onoho pono working group within the State Foundation on Culture and the Arts to interchange the Eternal Flame memorial with the Queen Lili'uokalani statue on the State Capitol grounds and to design a bronze frieze to forever memorialize Hawaiian rulers.

Your Committee received testimony in opposition to this measure from the United States Army Garrison-Hawaii, the Association of Hawaiian Civic Clubs, and one individual.

Your Committee received comments on this measure from the Office of Veterans Services and the State Foundation on Culture and the Arts.

Your Committee finds that the current locations of the Eternal Flame and the Spirit of Lili'uokalani statue are not the most appropriate locations for the monuments. Your Committee further finds that a more appropriate location for the Eternal Flame would be near the existing Korean/Vietnam War memorial and that creation of a Memorial Mall in the area behind the State Capitol would provide a quiet and peaceful place for reflection that is more suitable to such memorials. Your Committee finds that a more appropriate location for the Spirit of Lili'uokalani statue would be closer to her home, Washington Place and the Queen's Medical Center. Your Committee further finds that memorials representing other Hawaiian rulers should be created and placed alongside the Spirit of Lili'uokalani statue in a location more meaningful to their history.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1424 and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 109 Health on H.B. No. 1111

The purpose of this measure is to authorize the Hawaii Health Systems Corporation to set rates for copies of records that are protected from certain disclosure requirements and establish minimum and maximum rates for copies of medical records.

The Hawaii Health Systems Corporation; Hawaii Health Systems Corporation, Maui Region; Hawaii Health Systems Corporation, Kauai Regional Board; and an individual testified in support of this measure. The Office of Information Practices provided comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, 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 H.B. No. 1111, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1111, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 110 Health on H.B. No. 1373

The purpose of this measure is to establish a working group to develop a plan to transfer all parcels of land contained within the Leahi Hospital campus to the Hawaii Health Systems Corporation.

The Hawaii Health Systems Corporation, Hawaii Health Systems Corporation – Oahu Region, and an individual supported this measure. The University of Hawaii opposed this measure. The Department of Health commented on this measure.

As this measure proceeds through the legislative process, your Committee encourages further discussion and consideration of the issues and concerns raised in the University of Hawaii's written testimony, including issues related to long-range planning for Kapiolani Community College.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate 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 H.B. No. 1373, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1373, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 111 Consumer Protection & Commerce on H.B. No. 268

The purpose of this measure is to grant the Board of Dental Examiners the power to issue cease and desist orders for the unlicensed practice of dentistry and any other act or practice in violation of dental licensing laws.

The Hawaii Dental Association testified in support of this measure. The Department of Commerce and Consumer Affairs and the Board of Dental Examiners provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the language that would have granted the Board of Dental Examiners the power to issue cease and desist orders for the unlicensed practice of dentistry and any other act or practice in violation of dental licensing laws; and
- (2) Inserting language that:
 - (A) Allows the Board of Dental Examiners to summarily suspend the license of a licensee upon a specific determination that the failure to take such action may result in an immediate and unreasonable threat to personal safety or of fraud that jeopardizes or endangers the health or safety of patients;
 - (B) Details the process and requirements that shall apply to any action to summarily suspend a license;
 - (C) Specifies the rights of a licensee who is served with an order of summary suspension; and
 - (D) Provides penalties for any licensee who attempts to practice dentistry or practices dentistry while the license has been summarily suspended.

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 H.B. No. 268, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 268, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Kawakami, Lee, Takayama and Fukumoto Chang.

SCRep. 112 Consumer Protection & Commerce on H.B. No. 273

The purpose of this measure is to require that the interest and other moneys earned on the principal of the hurricane trust fund be deposited into the hurricane trust fund rather than into the general fund.

Your Committee received testimony in support of this measure from the Hawaii Hurricane Relief Fund and the Hawaii Association of Realtors.

Your Committee finds that the general fund has stabilized as a result of increased revenues. Your Committee further finds that it is appropriate to allow interest and other revenues earned on the principal moneys of the hurricane relief fund to accrue to the credit of that fund so that it may serve as a safety net in order to mitigate losses caused by hurricane damage.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to facilitate further discussion on the measure.

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 H.B. No. 273, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 273, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Takayama and Fukumoto Chang.

SCRep. 113 Labor & Public Employment on H.B. No. 1370

The purpose of this measure is to allow the Employees' Retirement System (ERS) Administrator to make direct payments to the former spouse of an ERS member pursuant to an award of such retirements benefits under a valid, final judgment, decree or order in a divorce proceeding.

Several individuals testified in support of this measure. The Employees' Retirement System; the Family Law Section of the Hawaii State Bar Association; Kleintop, Luria & Medeiros, LLP; and Farrell & Associates commented on this measure.

Your Committee has amended this measure by:

- (1) Replacing all references to "non-member former spouse" with "former spouse";
- (2) Removing the bill sections that proposed to add a new section to Chapter 571, Hawaii Revised Statutes, and amend section 580-47, Hawaii Revised Statutes, regarding divisions of property and actions for divorce;
- (3) Inserting an appropriation to be expended by the Employees' Retirement System for implementation of this measure;
- (4) Specifying that assignment of benefits provisions shall not be triggered by a judgment, order, or decree for divorce that requires the ERS Administrator to provide benefits to a former spouse upon the death of the member or a deceased former spouse of a member;
- (5) Changing the effective date to July 1, 2115, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the House Committee on Finance deliberate on this measure, your Committee respectfully requests an appropriation amount of \$2,000,000 to cover Employees' Retirement System implementation costs.

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 H.B. No. 1370, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1370, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino and Ichiyama.

SCRep. 114 Labor & Public Employment on H.B. No. 1497

The purpose of this measure is to create greater transparency and accountability by insuring that workers are not misclassified or otherwise denied critical workplace protections provided by law. Specifically, this measure:

- (1) Authorizes the Department of Labor and Industrial Relations (Department) to require employers to make, keep, and preserve records regarding persons employed by the employer, including the business name, physical location address, North American Industry Classification System (NAICS) business activity code, and number of employees; and
- (2) Requires Professional Employer Organizations (PEOs) to provide their client company information, including the physical addresses, NAICS codes, and the number of employees of each client company to the Department.

The Department of Labor and Industrial Relations testified in support of this measure.

Your Committee has amended this measure by:

- (1) Adopting the proposed amendments submitted by the Department, which require every employer to keep a record of the physical addresses of the employer and the NAICS code applicable to the employer;
- (2) Changing the effective date to July 1, 2015, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1497, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1497, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Aquino.

SCRep. 115 Health on H.B. No. 31

The purpose of this measure is to render void any planned community or condominium association document that allows discriminatory practices prohibited under section 515-3 (1)-(7), Hawaii Revised Statutes, against a person residing in a unit who has a valid certificate for the use of medical marijuana; provided that the foregoing does not apply when a planned community or association document prohibits smoking tobacco, and the medical marijuana is used by means of smoking.

The Community Alliance on Prisons, Americans for Democratic Action, the Drug Policy Forum of Hawaii, Community Associations Legislative Action Committee, ACLU of Hawaii, The CHOW Project, and several individuals supported this measure. The Maui Police Department and an individual opposed this measure. The Department of Health and Hawaii Civil Rights Commission commented on this measure.

Your Committee notes the concerns raised in the Hawaii Civil Rights Commission's testimony that this measure may negate or diminish the obligations of housing providers to provide reasonable accommodations for persons with disabilities. Your Committee respectfully requests that the Committee on Consumer Protection and Commerce and the Committee on Judiciary consider these concerns in their deliberations should this measure progress further in the legislative process.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate 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 H.B. No. 31, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 31, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 116 Health on H.B. No. 174

The purpose of this measure is to promote accessibility to quality health care procedures in the State by requiring health insurance coverage of medically necessary orthodontic treatment of orofacial anomalies.

The Office of the Auditor, State Council on Developmental Disabilities, Kapiolani Medical Center for Women & Children, Hawaii Chapter, American Academy of Pediatrics, and numerous individuals supported this measure. The Department of Health, Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 174, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 174, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 117 Health on H.B. No. 576

The purpose of this measure is to continue work initiated by the State Innovation Waiver Task Force towards developing a health care reform plan that meets the requirements for obtaining a state innovation waiver that complies with the Patient Protection and Affordable Care Act of 2009. Among other things, this bill:

- (1) Amends the scope of the work of the Task Force in developing the health care reform plan; and
- (2) Appropriates funds for expenses related to developing the plan to obtain a waiver from the Patient Protection and Affordable Care Act.

The Department of Commerce and Consumer Affairs, Healthcare Association of Hawaii, Hawaii Medical Service Association, The Chamber of Commerce of Hawaii, League of Women Voters of Hawaii, Hawaii Primary Care Association, The Queen's Health Systems, and an individual supported this measure. An individual opposed this measure. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Reinstating language that requires the State Innovation Waiver Task Force to:
 - (A) Examine the feasibility of alternative approaches to specific health reform requirements contained in the Patient Protection and Affordable Care Act under the scope of the work of the Task Force in developing the health care reform plan; and
 - (B) Examine the feasibility of options for providing affordable insurance coverage for uninsured and underinsured individuals in Hawaii that include innovations to the State's existing Medicaid program;
- (2) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 576, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 576, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 118 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 604

The purpose of this measure is to recognize, acknowledge, and understand the historical significance of the arrival of the first *sakadas*, or Filipino plantation workers, in Hawaii by designating December 20 of each year as "Sakada Day".

The Consulate General of the Republic of the Philippines in Hawaii; ILWU Local 142; Hawaii Coalition for Immigrant Rights; National Federation of Filipino American Associations Region XII; Filipino American Citizens League; Filipino Coalition for Solidarity; Nursing Advocates & Mentors, Inc.; Congress of Visayan Organizations; and three concerned individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, International Affairs & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 604 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 Choy.

SCRep. 119 Judiciary on H.B. No. 413

The purpose of this measure is to increase the number of judges in the Circuit Court of the Fifth Circuit from two to three.

The Judiciary testified in support of the intent of this measure, stating that there is a need in the Fifth Circuit for an additional district court judge; an additional circuit court judge is not needed at this time.

Your Committee has amended this measure by increasing the count of district court judges from two to three for the Fifth Circuit.

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 H.B. No. 413, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 413, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 120 Health/Human Services on H.B. No. 580

The purpose of this measure is to ensure that patients in the State have improved access to critical, life-sustaining medical supplies by:

- (1) Establishing the Durable Medical Equipment Supplier Licensing and Patient Protection Program (Program) in the Office of Health Care Assurance that administers licensure and operational requirements for durable medical equipment suppliers participating in the nationwide competitive bidding program; and
- (2) Appropriating funds for expenses incurred by the Office of Health Care Assurance to establish and administer the Program.

The Hawaii Health Systems Corporation, Healthcare Association of Hawaii, and Hawaii COPD Coalition supported this measure. The Department of the Attorney General and Department of Health commented on this measure.

Your Committees note the concerns raised by the Department of Health in the public hearing on this measure that successful implementation of the Program requires further consideration of funding, staffing, administrative rulemaking, and regulatory fairness. Your Committees respectfully request the Committee on Consumer Protection and Commerce and the Committee on Finance to consider the concerns reflected in the Department of Health's written testimony, should those Committees deliberate this measure further.

Your Committees have amended this measure by:

- (1) Changing its 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 580, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 580, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Fukumoto Chang and Tupola.

SCRep. 121 Education on H.B. No. 821

The purpose of this measure is to recognize the importance of early childhood education by:

- (1) Authorizing the Executive Office on Early Learning to expend federal funds for the purpose of early childhood education;
- (2) Defining "early childhood education" as a developmentally appropriate early childhood development and education program for children from birth until the time they enter kindergarten; and
- (3) Making technical amendments.

The Department of Education, Good Beginnings Alliance, Hui for Excellence in Education, Hawaii State Teachers Association, and several concerned individuals testified in support 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 is in accord with the intent and purpose of H.B. No. 821 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 122 Education/Higher Education on H.B. No. 95

The purpose of this measure is to allow broader student participation in dual credit programs, programs in which students earn both high school and college credit simultaneously. This measure broadens the eligibility of students, permits multiple measures of eligibility assessment, and appropriates funds to effectuate its purpose.

The Department of Education, University of Hawaii System, Kauai Community College, a member of the Kauai County Council, Hawaii State Teachers Association, Hui for Excellence in Education, and several concerned individuals testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 95 and recommend that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 123 Energy & Environmental Protection on H.B. No. 657

The purpose of this measure is to help Hawaii residents plan and prepare for natural and manmade disasters by establishing a residential backup generator tax credit.

The Department of Taxation and Tax Foundation of Hawaii submitted comments.

Your Committee has amended this bill by:

- (1) Applying it to taxable years beginning after December 31, 2015; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 657, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 657, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ing.

SCRep. 124 Energy & Environmental Protection on H.B. No. 1505

The purpose of this measure is to promote the use of renewable energy in Hawaii by prohibiting the Public Utilities Commission from approving:

- (1) Any power purchase agreement; and
- (2) Any amendment, modification, or renewal of any power purchase agreement,

if the power purchase agreement prohibits the sale of energy to third parties or requires the consent of a utility to sell energy to third parties.

The Blue Planet Foundation supported this measure. Hawaiian Electric Company, Hawaii Electric Light Company, and Maui Electric Company opposed the bill. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs and Life of the Land submitted comments.

Your Committee has amended this measure by:

- (1) Specifying that the Public Utilities Commission is prohibited from approving any power purchase agreement or any amendment, modification, or renewal of any such agreement, if the agreement prohibits the sale of renewable energy to a third party or requires the consent of an electric utility company to sell renewable energy to a third party, to the extent that such renewable energy will be converted from electrical energy to another form of energy such as chemical or thermal energy, or to the extent that such renewable energy will be stored for later provision to an electric utility company;
- (2) Requiring an independent power producer to pay fair compensation to an electric utility company when curtailed renewable energy is sold by the independent power producer to a third party on the electrical grid; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1505, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1505, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 125 Human Services on H.B. No. 395

The purpose of this measure is to provide a haven for Hawaii's youth that ensures their safety and health by, among other things:

- (1) Requiring the Office of Youth Services to coordinate a five-year safe places for youth pilot program;
- (2) Establishing the position of coordinator for the pilot program and specifying the coordinator's duties and responsibilities;
- (3) Developing and establishing a framework which allows youth under the age of eighteen to consent to accept services from the pilot program; and
- (4) Appropriating funds for the coordinator position and residential options for the pilot program.

The Office of Youth Services, Hawaii Youth Services Network, Hale Kipa, Blueprint for Change, PHOCUSED, Planned Parenthood, and a few concerned individuals testified in support of this bill. Two concerned individuals testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated for the pilot program coordinator position and temporary housing options for youth in crisis to an unspecified amount;
- (2) Making the effective date July 1, 2050, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Human Services respectfully requests that it consider appropriating \$53,000 for fiscal years 2015-2016 and 2016-2017 to the Office of Youth Services pilot program.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 395, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 395, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Creagan.

SCRep. 126 Human Services on H.B. No. 446

The purpose of this measure is to protect the victims of domestic violence, sexual assault, and stalking by establishing the Address Confidentiality Program to maintain the secrecy of the addresses of those victims upon relocation.

The Hawaii State Commission on the Status of Women, Domestic Violence Action Center, Sex Abuse Treatment Center, American Association of University Women – Hawaii, Hawaii State Democratic Women's Caucus, PHOCUSED, Hawaii Women's Coalition, and numerous concerned individuals testified in support of this measure. The Department of Human Services supported the intent of this bill. The Department of Budget and Finance and Crime Victim Compensation Commission provided comments.

Your Committee notes that this measure contemplates that a director will run the Address Confidentiality Program. However, no criteria or process is provided for the selection of the director. Your Committee respectfully requests that the Committee on Judiciary review this issue should they decide to consider this measure.

Your Committee has amended this measure by:

- (1) Including convictions for sexual offenses to those subject to the surcharge established by this measure;
- (2) Changing the effective date to July 1, 2050, 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 446, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 446, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Hashem, Oshiro and Fukumoto Chang.

SCRep. 127 Agriculture/Economic Development & Business on H.B. No. 506

The purpose of this measure is to require the Chairperson of the Board of Agriculture to convene a working group to evaluate the procurement process for agricultural products to increase the consumption of locally-grown agricultural products within state institutions.

The Department of Education, Hawaii Farm Bureau Federation, Hawaii Green Growth, and two concerned individuals supported this bill. The State Procurement Office and Ulupono Initiative supported the intent of this measure. The Chairperson of the Board of Agriculture commented on this bill.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 506 and recommend that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ohno, Tokioka, Woodson, Matsumoto and Ward.

SCRep. 128 Agriculture/Economic Development & Business on H.B. No. 649

The purpose of this measure is to stimulate the economy and reduce the amount of blemished crops that are suitable for human consumption from going into the solid waste stream. Specifically, this bill requires the Department of Business, Economic Development, and Tourism to establish and administer a three-year Blemished Crop Pilot Program that includes a state-sponsored kitchen for new businesses to produce value-added products using blemished crops and funds the Program.

The Hawaii Farm Bureau Federation, Hawaii Farmers Union United, and a concerned individual supported this bill. The Department of Agriculture supported its intent. The Department of Business, Economic Development, and Tourism submitted comments.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 649 and recommend that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ohno, Tokioka, Woodson, Matsumoto and Ward.

SCRep. 129 Higher Education on H.B. No. 985

The purpose of this measure is to improve fiscal management at the University of Hawaii by:

- (1) Requiring that beginning on July 1, 2015, not less than 60 percent of the operating costs of the University of Hawaii must be financed through general funds; and
- (2) Requiring that any general fund budget appropriation for the University of Hawaii for operating purposes for any fiscal year must include the consideration of the operating costs of the University.

The University of Hawaii and Department of Budget and Finance submitted comments.

Your Committee finds that historically, salaries and wages at the University of Hawaii were paid through general funds. During the recent economic downturn, however, there was a shift from using general funds to special funds (i.e., tuition and fees) to pay for collective-bargaining costs. Ultimately, students have carried a portion of the burden of these increases. The Legislature should consider paying all salaries and wages at the University of Hawaii through general funds as part of a continuing discussion on financing public higher education in this State.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 985 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 130 Housing on H.B. No. 906

The purpose of this measure is to ensure affordable rental housing projects certified by the Hawaii Housing Finance and Development Corporation (Corporation) for exemptions from general excise taxes remain affordable for a certain minimum amount of time by requiring those projects seeking certification to enter into a regulatory agreement with the Corporation.

The Department of Business, Economic Development and Tourism; Hawaii Housing Finance and Development Corporation; and Hawaii Primary Care Association testified in support of this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to promote 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 906, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 906, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 131 Housing on H.B. No. 1016

The purpose of this measure is to authorize the development and implementation of a housing voucher program within the Hawaii Housing Finance and Development Corporation for full-time classroom teachers employed by the Department of Education, including classroom teachers at public charter schools in the State.

IMUAlliance testified in support of this measure. The Hawaii Housing Finance and Development Corporation supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Placing the program under the authority of the Department of Education instead of within the Hawaii Housing Finance and Development Corporation;
- (2) Changing its effective date to July 1, 2050, to promote 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1016, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1016, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee except Representative Belatti.

SCRep. 132 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 438

The purpose of this measure is to appropriate funds to the Kahoolawe Island Reserve Commission for projects to restore and preserve the natural, cultural, and historic resources of the Kahoolawe Island Reserve.

The Aha Moku Advisory Committee, County of Maui Department of Planning, County of Maui Office of the Mayor, Kahoolawe Island Reserve Commission, the Trust for Public Land, Conservation Council for Hawaii, Historic Hawaii Foundation, Land Use Research Foundation of Hawaii, Protect Kahoolawe Ohana, and many individuals supported this measure. The Center for Hawaiian Sovereignty Studies and an individual submitted testimony in opposition of this measure. The Office of the Auditor provided comments on this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 438 and recommend that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 133 Water & Land on H.B. No. 443

The purpose of this measure is to appropriate funds to the Office of Planning, in conjunction with the Land Use Commission, to update agricultural soil classifications and maps.

The Office of Planning and Land Use Commission submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 443 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 134 Water & Land on H.B. No. 441

The purpose of this measure is to increase the capacity of the State's infrastructure facilities by:

- (1) Establishing the Infrastructure Capacity Construction Loan Revolving Fund to provide loans to counties, state agencies, or private developers for infrastructure improvements;
- (2) Allowing for innovative financing techniques to fund loans based on the use of new infrastructure capacity; and
- (3) Appropriating funds to implement, administer, and coordinate the activities of the Fund.

The Department of Commerce and Consumer Affairs Cable Television Division, Building Industry Association-Hawaii, The Chamber of Commerce Hawaii, and an individual testified in support of this measure. The Department of Budget and Finance, Office of Planning, and City and County of Honolulu Department of Planning and Permitting provided comments.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 441 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 135 Water & Land on H.B. No. 515

The purpose of this measure is to ensure that the disposition of remnants complies with the State's constitutional mandate under the public land trust by:

- (1) Clarifying the definition of the term "remnant" for purposes relating to the disposition of public lands; and
- (2) Establishing additional restrictions on the disposition of remnants.

The Office of Hawaiian Affairs testified in support of this measure. The Department of Land and Natural Resources testified in opposition of this measure.

Your Committee has amended this measure by:

- (1) Limiting the additional restrictions on the disposition of remnants only to a finding of the Board of Land and Natural Resources that the parcel contains natural or cultural resources necessary for the exercise of native Hawaiian practices protected by the State Constitution; 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 that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 515, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 515, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 136 Water & Land on H.B. No. 955

The purpose of this measure is to clarify that the marine surveyor inspection, documentation of vessel ownership, and proof of age requirements of section 200-10(b), Hawaii Revised Statutes, are not prerequisites for placement on a waiting list to obtain a use permit to moor a vessel in a state small boat harbor.

The Department of Land and Natural Resources provided testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 955 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 137 Water & Land on H.B. No. 1029

The purpose of this measure is to amend the composition of the Endangered Species Recovery Committee by replacing the Director of the University of Hawaii Environmental Center or the Director's designee with the Dean of the University of Hawaii at Manoa College of Natural Sciences, or the Dean's designee.

The Department of Land and Natural Resources submitted testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1029 and recommends that it pass Second Reading and be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 138 Water & Land on H.B. No. 1136

The purpose of this measure is to require the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources and specified parties to execute a memorandum of understanding, if practicable, for the joint enforcement of conservation laws, rules, and ordinances, and to submit a report of findings to the Legislature before the Regular Session of 2016.

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

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1136 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 139 Consumer Protection & Commerce on H.B. No. 152

The purpose of this measure is to adopt the Uniform Partition of Heirs Property Act to establish procedures and remedies for use in actions for partition of real property involving heirs property.

The Judiciary and the Commission to Promote Uniform Legislation provided comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying inconsistencies between notice requirements contained in this measure and notice requirements applicable to civil actions pursuant to existing statutes and court rules; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 152, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 152, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Kawakami, Lee, Takayama and Fukumoto Chang.

SCRep. 140 Consumer Protection & Commerce on H.B. No. 279

The purpose of this measure is to prohibit a real estate broker or salesperson, who is acting on behalf of a seller of real estate, from acting in a manner that prevents a prospective buyer from being able to retain a real estate broker or salesperson.

The Hawaii Real Estate Commission testified in support of this measure. The Department of Commerce and Consumer Affairs and the Hawaii Association of REALTORS provided comments on this measure.

Your Committee has amended this measure by specifying that the Real Estate Commission may take disciplinary actions if the real estate broker or salesperson acts in a manner that prohibits a prospective purchaser from being able to retain the services of a real estate broker or salesperson.

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 H.B. No. 279, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 279, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Kawakami, Lee, Takayama and Fukumoto Chang.

SCRep. 141 Education on H.B. No. 692

The purpose of this measure is to:

- (1) Authorize the Department of Education (DOE) to implement crowdfunding, or the practice of funding a project by soliciting and receiving multiple monetary donations not exceeding \$2,000 each via the Internet, as a method of financing all or part of specific school capital improvement projects within DOE; and
- (2) Establish the School Capital Improvement Project Crowdfunding Special Fund to completely or partially fund specific school capital improvement projects.

DOE and the Hawaii State Teachers Association testified in support of this measure. The Department of Budget and Finance provided comments.

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 H.B. No. 692 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 142 Public Safety on H.B. No. 998

The purpose of this measure is to address the unique needs of Hawaii's children with incarcerated parents by requiring the Department of Public Safety to collect intake data relating to the children of incarcerated parents.

The Community Alliance on Prisons, Hawaii Friends of Justice & Civic Education, Family Programs Hawaii, Blueprint for Change, and several concerned individuals supported this measure. The Office of Hawaiian Affairs offered comments.

Your Committee has amended this measure by:

- (1) Requiring the Department of Public Safety to collect from incarcerated parents intake data that the Department of Public Safety deems useful to facilitate the provision of services to incarcerated parents or their children; and
- (2) Changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 998, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 998, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 143 Tourism on H.B. No. 723

The purpose of this measure is to update regulatory requirements for activity desks by:

- (1) Requiring activity desks to designate fiduciaries in case of certain business closures and to submit monthly client trust account reports to the Department of Commerce and Consumer Affairs; and
- (2) Exempting from regulation activity desks that operate without accepting consumer moneys for third-party services.

The Activities & Attractions Association of Hawaii supported this measure. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs opposed this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs offered comments.

Your Committee notes that the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs testified that the activity desk regulatory exemption is ambiguous and does not clearly identify conduct that is exempt from regulation under Chapter 468M, Hawaii Revised Statutes. Your Committee also notes that the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs testified that it had concerns regarding fiduciary and reporting requirements as well as the types of services that would warrant an exemption. Although your Committee acknowledges these concerns, your Committee recommends that this measure proceed through the legislative process to facilitate further discussion.

Your Committee has amended this measure by changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 723, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 723, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 144 Tourism on H.B. No. 999

The purpose of this measure is to exempt from the transient accommodations tax, accommodations provided solely for use as temporary lodging by an individual or the individual's immediate family members or companions when the individual is receiving healthcare services in a county in which the individual does not reside.

The Department of Taxation, Tax Foundation of Hawaii, and Outrigger Hotels Hawaii offered comments.

Your Committee respectfully notes that the Tax Foundation of Hawaii testified that the transient accommodations tax exemption for temporary lodging, as amended, will not be applicable in common scenarios involving families flying from the mainland to be with a family member or an individual who receives health care services on a different island in the individual's county of residence.

Your Committee has amended this measure by:

- (1) Adding a definition of health care services that excludes elective cosmetic procedures;
- (2) Clarifying that a spouse or civil union partner shall be eligible for the transient accommodations tax exemption for temporary lodging; 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 Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 999, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 999, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 145 Agriculture on H.B. No. 509

The purpose of this measure is to improve protection for wetland taro lands (lo'i kalo) and ancient wetland agricultural structures on undeveloped state-owned or –acquired conservation lands for Hawaii's long-term future food security and well-being by defining and classifying taro lands as a fourth class of public lands.

The Taro Security and Purity Task Force, a member of the Kauai County Council, a member of the Maui County Council, a member of the Hawaii County Council, Hawaii Farmers Union United, Hawai'i Land Restoration Institute, Three Roads Farm, Waihuena Farm, Regenerations International Botanical Garden, and numerous concerned individuals supported this measure. The Department of Agriculture supported the intent of this measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Amending the definition of "taro lands" to mean any undeveloped public lands in the land use conservation district in wetland taro cultivation before statehood or that were traditional taro lands in the land use conservation district retaining historic structural evidence of lo'i kalo; and

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

Your Committee suggests to the Committee on Water & Land and the Committee on Finance, should they deliberate on this bill, that an apparent inconsistency in the bill should be addressed. Section 5 appropriates funds to the Board of Land and Natural Resources for the purpose of identifying lands classified as fourth class taro lands. However, section 4 does not require the Board to create an inventory identifying fourth class taro lands.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 509, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 509, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 146 Agriculture on H.B. No. 849

The purpose of this measure is to protect farmers' rights to farm and to promote lawful and proven agricultural activities that are consistent with state and federal laws, rules, and regulations by prohibiting county ordinances from abridging the rights of farmers and ranchers to employ agricultural practices that are not prohibited by federal or state laws, rules, or regulations.

The Hawaii Farm Bureau Federation; Maui County Farm Bureau; Alexander & Baldwin, Inc.; ILWU Local 142; Syngenta Hawaii; Land Use Research Foundation of Hawaii; and several concerned individuals supported this measure. The Department of Agriculture and Hawaii Crop Improvement Association supported the intent of this bill. The member of the House of Representatives from District 50; the member of the Hawaii County Council from District 9; two members of the Kauai County Council; Three Roads Farm; Hawaii Farmers Union United; Haiku Aina Permaculture Initiative; Animal Rights Hawaii; apollo kauai, zero waste kauai; Puna Pono Alliance; CountryTalkStory.com; Animal Legal Defense Fund; Counter Culture Food + Ferments; Kihei Ice; Kilauea Neighborhood Association; Hawaii's Thousand Friends; Ho'okipa Network-Kauai; Hawaii Sustainable Farms LLC; Waihuena Farm; The Environmental Caucus of the Democratic Party of Hawaii; and numerous concerned individuals opposed this bill.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 849 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.
(Representatives Kawakami and Matsumoto voted no.)

SCRep. 147 Transportation on H.B. No. 1010

The purpose of this measure is to reduce the negative impacts inherent to widespread use of motor vehicles including traffic congestion, greenhouse gas emissions, air pollution, and a reliance on fossil fuels in the transportation sector. Specifically, this measure promotes the use of commuter benefits programs by allowing counties to adopt ordinances requiring employers to offer employees specified commuter benefits options to encourage the use of alternative modes of transportation to commute to and from work.

Enterprise RideShare testified in support of this measure.

Commuter benefits programs are employer-provided benefits programs that allow employees to reduce their transportation costs for transit, vanpooling, and biking under section 132(f) of the Internal Revenue Code of 1986, as amended, by permitting employees to use pre-tax dollars, subject to monthly limits, to pay for their commuting expenses. Your Committee finds that the use of such programs to promote alternative forms of transportation will lead to an enhanced quality of life and help reduce Hawaii's dependence of fossil fuels.

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 H.B. No. 1010 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 148 Economic Development & Business on H.B. No. 1282

The purpose of this measure is to stimulate economic growth and continue to develop the State's emerging aerospace sector by appropriating funds, with matching fund requirements, to support a joint National Aeronautics and Space Administration and Pacific International Space Center for Exploration Systems engineering assessment and study of the proposal to establish a laser optical communications ground station in Hawaii.

The Council Member representing Council District 3 on the Hawaii County Council, Big Kahuna Meteorites, Hawaiian Telcom, and the Pacific International Space Center for Exploration Systems testified in support of this measure. The Department of Business, Economic Development, and Tourism; and Department of Commerce and Consumer Affairs supported the intent of this bill. A concerned individual provided comments.

Aerospace technology research and development is a rapidly growing industry that has much potential. Technological developments in the aerospace industry may also have widespread applications on earth.

Recently, the National Aeronautics and Space Administration embarked on the development of innovative and advanced technologies to support laser communications between spacecraft and earth. This has been necessitated by the ever-increasing data rate requirements from more sophisticated instruments on spacecraft; these rate requirements are at frequencies that currently cannot be met.

In a detailed statistical analysis of weather patterns conducted by the National Aeronautics and Space Administration, it was determined that Hawaii would be the best location for the National Aeronautics and Space Administration's first operational laser communications station in a planned global network of laser communication ground stations. This initiative would not only impact spacecraft communications, but also provide opportunities for improvements in Hawaii's broadband and fiber optic infrastructure. This would have a positive effect on the State's economic future.

Your Committee has amended this measure by changing its effective date to February 19, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1282, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1282, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Tokioka, Woodson and Matsumoto.

SCRep. 149 Economic Development & Business on H.B. No. 1276

The purpose of this measure is to provide senior citizens with increased employment opportunities by providing a business owner a personal income tax credit of up to 50 percent of the wages paid to a senior citizen employed by the business owner for the first six months of employment.

A concerned individual testified in support of this measure. The Department of Taxation provided comments.

Your Committee finds that senior citizens are important members of our community and their experience and wealth of knowledge can be a valuable asset to any employer. However, senior citizens are often overlooked as potential employees. This measure provides an incentive to business owners to provide employment opportunities to Hawaii's seniors through the provision of a personal income tax credit of up to 50 percent of the wages paid to a senior citizen employed by the business owner for the first six months of employment.

Your Committee has amended this measure by:

- (1) Changing all references from "senior citizen" to "senior citizen employee";
- (2) Clarifying that a "senior citizen employee" is a person who is 65 years or older, employed by a business, but not the owner of the business;
- (3) Requiring a senior citizen employee to certify that the senior citizen employee has not been employed by another business owner claiming the income tax credit during the 24 months prior to when the senior citizen employee was hired; 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1276, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1276, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Ito.

SCRep. 150 Water & Land on H.B. No. 444

The purpose of this measure is to conserve and restore Hawaii's beaches by:

- (1) Expanding the Department of Land and Natural Resources' responsibilities to include both beach restoration and conservation activities;
- (2) Allocating \$3,000,000 of Transient Accommodations Tax revenues to the Special Land and Development Fund to be expended according to a mutual agreement of the Board of Land and Natural Resources and Hawaii Tourism Authority in accordance with the Hawaii Tourism Authority's long-range Strategic Plan; and
- (3) Mandating that a \$7,000,000 balance, to be funded by allocations from Transient Accommodations Tax revenues, is maintained in the Beach Restoration and Conservation Special Fund.

The Department of Land and Natural Resources, Hawaii Tourism Authority, Hawaii Shore and Beach Preservation Association, Hawaii Lodging & Tourism Association, and the Nature Conservancy testified in support of this measure. The Department of Budget and Finance, Tax Foundation of Hawaii, and an individual provided comments.

Your Committee has amended this measure by:

- (1) Specifying that \$3,000,000 in Transient Accommodations Tax revenues be allocated and deposited into the Special Land and Development Fund and expended in accordance with the Hawaii Tourism Authority's strategic plan;
- (2) Lowering the mandated balance in the Beach Restoration and Conservation Special Fund from \$7,000,000 to \$5,000,000; and
- (3) Changing its effective date to take effect upon approval to help facilitate the implementation of the measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 444, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 444, H.D. 1, and be referred to the Committee on Tourism.

Signed by all members of the Committee.

SCRep. 151 Water & Land on H.B. No. 518

The purpose of this measure is to amend the law regarding the lease of public lands by authorizing:

- (1) Lessees of public lands to relinquish a lease during the last half term of the lease;
- (2) The disposition of relinquished leases and capital improvements at public auction;
- (3) A relinquishing lessee to leave improvements on leased land which shall not be counted towards the appraised fair market value of the lease upon relinquishment and auction of the lease; and
- (4) Reimbursement of a relinquishing lessee for improvements by the new lessee.

The Chika Nakano Repair Shop; Hilo Bay Printing Co., Ltd; Sand Island Business Association; McCully Works; and several individuals testified in support of this measure. The Department of Land and Natural Resources testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Converting the provisions of this Act into a four-year public land lease pilot project in counties with a population between 170,000 and 200,000;
- (2) Requiring the Department of Land and Natural Resources to submit an interim and a final report to the legislature; and
- (3) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 518, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 518, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 152 Water & Land on H.B. No. 155

The purpose of this measure is to address the shortage of space in the Wailuku State Office Building and Old Courthouse Building by:

- (1) Requiring the Department of Accounting and General Services to develop a comprehensive Wailuku State Office Master Plan and report its findings to the Legislature before the Regular Session of 2016; and
- (2) Appropriating funds for the development of the comprehensive Wailuku State Office Master Plan.

The Department of Accounting and General Services and the Judiciary provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 155 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 153 Water & Land on H.B. No. 719

The purpose of this measure is to adopt flood mitigation measures to reduce the constant drain on city, state, and federal resources whenever a flood occurs in Lahaina, Maui, by:

- (1) Authorizing the issuance of general obligation bonds and appropriating funds for Phases 3B, 4, and 5 of the Lahaina Flood Control Project in the West Maui Soil and Water Conservation District; and
- (2) Requiring matching funding from the County of Maui for the Project.

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

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 719 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 154 Water & Land on H.B. No. 830

The purpose of this measure is to expedite the approval of building permits for homes older than 50 years that are not on the Hawaii register of historic places by:

- (1) Exempting from the definition of "historic property" any private residence that has not been entered or owner-nominated onto the Hawaii register of historic places; and
- (2) Clarifying that nothing in the State Historic Preservation Law shall be construed to require a review by the Department of Land and Natural Resources for a private residence that has not been entered or owner-nominated onto the Hawaii register of historic places.

The Chamber of Commerce Hawaii, Building Industry Association-Hawaii, Hawaii Association of REALTORS, and Hawaii Bankers Association testified in support of this measure. The Department of Land and Natural Resources and Historic Hawaii Foundation testified in opposition of this measure. The Office of Hawaiian Affairs provided comments.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 830 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 155 Water & Land on H.B. No. 957

The purpose of this measure is to expand the financial assistance available for forestry management under the Forest Stewardship Program by:

- (1) Clarifying that assistance is available to landowners and long-term leaseholders of all privately managed forest land;
- (2) Increasing the reimbursement rate for costs incurred in developing a forest stewardship management plan; and
- (3) Clarifying requirements for entering into a program implementation agreement with the Board of Land and Natural Resources.

The Department of Land and Natural Resources and The Nature Conservancy of Hawaii submitted testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 957 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 156 Water & Land on H.B. No. 1469

The purpose of this measure is to clarify conveyance tax revenue distribution by setting maximum amounts to be distributed to various non-general funds.

An individual testified in support of the measure. The Department of Land and Natural Resources, The Nature Conservancy, and Oahu Invasive Species Committee testified in opposition. The Tax Foundation of Hawaii provided comments.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1469 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 157 Water & Land on H.B. No. 1409

The purpose of this measure is to clarify state law regarding programmatic agreements under the state historic preservation law by amending the definition of "programmatic agreement" to ensure all programmatic agreements are consistent with state or federal laws.

The Building Industry Association-Hawaii and The Howard Hughes Corporation testified in support of this measure. The Office of Hawaiian Affairs testified in opposition of this measure. The Department of Land and Natural Resources offered comments.

Your Committee has amended this measure by:

- (1) Requiring programmatic agreements to be consistent with both state and federal law; and
- (2) Changing its effective date to July 1, 2115, to encourage further discussion.

Should the Committee on Judiciary deliberate this measure further, your Committee respectfully requests that it explore concerns raised in Committee regarding potential non-housekeeping effects that the amendment requiring a programmatic agreement to be compliant with both state and federal law may have on state programmatic agreement compliance with state law, federal law, or both.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1409, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1409, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 158 Water & Land on H.B. No. 1041

The purpose of this measure is to:

- (1) Establish a State Game Commission (Commission), empowered to establish policies and develop plans regarding the management, protection, and promotion of public hunting and to serve in an advisory capacity to the Governor and the Board of Land and Natural Resources; and
- (2) Appropriate funds to establish the Commission.

The Office of the Mayor of the County of Hawaii, County of Hawaii Game Management Advisory Commission, Hawaii Hunting Association, Hawaii Rifle Association, Babooze Bowstrings, Hawaii Sportsman Alliance, Hawaii Near Shore Fishermen, Big Island Outfitters, Society for Hawaii Heritage Animals, Lessons in Firearms Education, National Wild Turkey Federation, Pig Hunters Association of Oahu, Ahiu Hawaii, National Rifle Association, and numerous individuals testified in support of this measure. The Friends of Hakalau Forest National Wildlife Refuge, Animal Rights Hawaii,

Oahu Invasive Species Committee, Conservation Council for Hawaii, and several individuals testified in opposition to this measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Specifying that the Commission serve in an advisory capacity only to the Board of Land and Natural Resources and not to the Governor;
- (2) Specifying that Commission members be licensed hunters in the State rather than persons demonstrating strong interest in the preservation, protection, and promotion of public hunting in Hawaii;
- (3) Amending the powers of the Commission to recommend procedures, develop plans, collaborate with other agencies, and provide recommendations on the allocation of funds and other non-game resources, to better reflect the advisory nature of the Commission with regard to the Board of Land and Natural Resources;
- (4) Specifying that meetings conducted by the Commission shall be subject to chapter 92, Hawaii Revised Statutes; and
- (5) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1041, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1041, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 159 Water & Land on H.B. No. 799

The purpose of this measure is to amend the Uniform Aeronautics Act to allow for the State, its employees, or its independent contractors, to remove birds or animals by aerial means in furtherance of State duties.

The Department of Land and Natural Resources; The Nature Conservancy; the Maui Invasive Species Committee; Oahu Invasive Species Committee; The Friends of Hakalau Forest National Wildlife Refuge; and several individuals testified in support of this measure. The County of Hawaii, Office of the Mayor; Hawaii Hunting Association; Keaukaha Community Association; Babooze Bowstrings; Ahiu Hawaii; Hawaii Sportsmen's Alliance; Pig Hunters Association of Oahu; the Society for Hawaii Heritage Animals; Big Island Fisheries Alliance; Hawaii Near Shore Fishermen; and numerous individuals testified in opposition to this measure.

Your Committee has amended this measure by clarifying that the actions of the State, its employees, or its independent contractors in removing wildlife shall be limited to remote and inaccessible areas where access to wildlife may pose hazard to human life.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 799, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 799, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 160 Higher Education on H.B. No. 554

The purpose of this measure is to provide funds for the University of Hawaii to pay student employee salaries at new or expanded worksites on each campus.

Numerous individuals testified in support of this measure. The University of Hawaii testified in support of the intent of this measure. An individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2525, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$2,000,000 to fund students employed at new or expanded worksites at each University of Hawaii campus.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 554, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 554, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 161 Labor & Public Employment on H.B. No. 517

The purpose of this measure is to address the confusion caused by and inconsistent application of procurement preferences for contractors with apprenticeship agreements in a public works construction contract of not less than \$250,000 by repealing the relevant statute, section 103-55.6, Hawaii Revised Statutes.

The Department of Transportation; State Procurement Office; BIA-Hawaii; Hawaii Island Contractors Association; Loeffler Construction, Inc.; Kalama Evans Construction, LLC; Bolton, Inc.; West Hawaii Excavating Inc.; and two individuals testified in support of this measure. Hawai'i Construction Alliance testified in opposition to this measure. The General Contractors Association of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the repeal of section 103-55.6, Hawaii Revised Statutes;
- (2) Amending section 103-55.6 to clarify that the five per cent discount of a bid in a project with an estimated value of not less than \$250,000 shall:
 - (A) Be available to a bidder that is a party to a registered apprenticeship agreement for each apprenticeship trade that the bidder will utilize in the completion of the contract to construct the public works; and
 - (B) Apply to public works projects in counties with a population of 500,000 or more;
- (3) Changing the effective date to July 1, 2015, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 517, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 517, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Aquino.

SCRep. 162 Labor & Public Employment on H.B. No. 791

The purpose of this measure is to harmonize service retirement requirements for members of the Employees' Retirement System (ERS) who become judges after June 30, 2012.

Prior to the enactment of Act 163, Session Laws of Hawaii 2011 (Act 163), the age and service requirements for retirement for judges were the same as other contributory members who became members of the ERS at the same time. Act 163 enacted more stringent age and service requirements for individuals who became members of the ERS after June 30, 2012.

This measure restores the age and service retirement requirements under sections 88-73(b) and 88-74(c) and (d), Hawaii Revised Statutes, for current members who become judges after June 30, 2012, to the same age and service retirement requirements as other contributory plan members who became ERS members prior to July 1, 2012. Act 163 enacted more stringent retirement requirements for individuals who become members of the ERS after June 30, 2012, and for current members who become judges after June 30, 2012. This will restore parity for judges with respect to the requirements for all other contributory plan members who became ERS members at the same time.

The Judiciary and the ERS testified in support of this measure.

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 H.B. No. 791 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 163 Labor & Public Employment on H.B. No. 1048

The purpose of this measure is to encourage more candidates to participate in public office by establishing re-employment rights for public employees who resign to seek elective office.

Your Committee finds that the ability of public employees to seek and obtain public office is restricted by requirements that upon election to office the employee must resign or be terminated in their employment. These requirements are onerous and actively discourage citizens from participating in elected office simply because they are a public employee. This measure seeks to redress the issue where public employees running for office do not get elected so there is no economic penalty for simply seeking office.

The University of Hawaii Professional Assembly; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and IMUA Alliance testified in support of this measure.

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 H.B. No. 1048 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 164 Labor & Public Employment on H.B. No. 1474

The purpose of this measure is to recognize and incentivize employers who permit employees to be absent with pay on Election Day to work at a polling place by:

- (1) Establishing the designation of "Kiwili Pono" or "Champion of Democracy" program for employers to indicate their participation in the program; and
- (2) Authorizing paid leave of absence for one work day for State and county employees who serve as election officials on Election Day.

The Office of Elections; Office of the County Clerk for the County of Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and League of Women Voters of Hawaii testified in support of this measure.

Your Committee has amended this measure by:

- (1) Removing the authorization of paid leave of absence for one work day for State and county employees who serve as election officials on Election Day;
- (2) Changing the effective date to July 1, 2115, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1474, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1474, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 165 Labor & Public Employment on H.B. No. 1501

The purpose of this measure is to increase transparency, increase public participation, and provide the Public Utilities Commission (Commission) with resources to more effectively hold public utilities accountable to the public interest by:

- (1) Providing certain post-employment restrictions on Commission employees and commissioners;
- (2) Requiring public input on a proposed merger or consolidation of public utilities; and
- (3) Requiring the Auditor to conduct a study that compares the salaries of employees at the Commission with employees of comparable positions in the private sector.

Life of the Land and numerous individuals testified in support of this measure. The Public Utilities Commission testified in opposition to this measure. The State Ethics Commission commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the preamble and the post-employment restrictions on former commissioners and employees of the Public Utilities Commission; and
- (2) Changing the effective date to July 1, 2115, to encourage further discussion.

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 H.B. No. 1501, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1501, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 166 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 645

The purpose of this measure is to appropriate moneys out of the environmental response revolving fund to address concerns relating to and the repair of leaking underground fuel storage tanks at the Red Hill fuel storage facility.

The Honolulu Board of Water Supply submitted testimony in support of this measure.

Your Committee finds that this measure would help mitigate the harmful effects of a major fuel leak and protect an important underground aquifer and other precious natural resources from contamination.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 645 and recommends that it pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Signed by all members of the Committee except Representatives Brower, Matsumoto and Ward.

SCRep. 167 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 877

The purpose of this measure is to set the vehicle weight tax for vehicles registered to certain permanently totally disabled veterans at \$50 for a vehicle that has a net weight of ten thousand pounds or less, or \$100 for a vehicle that has a net weight of more than ten thousand pounds.

Testimony in opposition to the measure was submitted by a private individual. The Tax Foundation of Hawaii submitted comments on the measure.

Your Committee finds that through the enactment of Act 141, Session Laws of Hawaii 2008, the Legislature provided an exemption from the vehicle weight tax to members of the National Guard, military reserves, and other active duty military personnel. Your Committee also finds that many disabled veterans are unable to pursue paid employment and have a fixed income that generally falls short of their cost of living. Your Committee believes that providing permanently and totally disabled veterans with the same vehicle weight tax exemption provided to active duty military personnel will improve the quality of life for the veterans and their dependents.

Your Committee has amended this measure by:

- (1) Deleting the language establishing a set vehicle weight tax for permanently and totally disabled veterans, and replacing it with language that provides an exemption from the vehicle weight tax for one noncommercial vehicle registered to a permanently and totally disabled veteran; and
- (2) Making technical, nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 877, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 877, H.D. 1, and be referred to the Committee on Transportation.

Signed by all members of the Committee except Representatives Brower, Matsumoto and Ward.

SCRep. 168 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1005

The purpose of this measure is to make an appropriation to support the Veterans Treatment Court.

Your Committee received testimony in support of this measure from the Judiciary, Department of Defense, Advisory Board to the Office of Veterans' Services, and one concerned individual.

Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the Veterans Treatment Court is a successful program that has helped many veterans in Hawaii who have faced difficulties reintegrating with society following military service. Specifically, the program pairs veterans with a mentor who can help the veteran recover from difficult issues such as substance abuse or post-traumatic stress disorder. The Veterans Treatment Court program was originally funded by a three-year federal grant, which will expire on September 30, 2015. Your Committee finds that adequate permanent funding is crucial to the continuation of the program and will enable it to assist more veterans and reduce recidivism and crime.

Your Committee further finds that the Department of the Prosecuting Attorney of the City and County of Honolulu serves a critical role in the operation of the Veterans Treatment Court. Accordingly, your Committee believes that an appropriation of \$65,000 would help the Department continue to contribute to the success of the Veterans Treatment Court.

Your Committee has amended this measure to include an appropriation of an unspecified amount for fiscal year 2015-2016 as a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu to hire necessary staff to support the Veterans Treatment Court.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1005, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1005, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Brower, Matsumoto and Ward.

SCRep. 169 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1076

The purpose of this measure is to authorize the University of Hawaii to waive tuition costs for spouses and children of veterans who are totally disabled or were killed in action.

Testimony in support of this measure was submitted by the Department of Defense and the Office of Veterans Services. Comments on this measure were submitted by the University of Hawaii System.

Your Committee finds that the death or total disability of a family member in the armed forces can place immense financial challenges on a family. This measure will help reduce those financial challenges by removing the barrier of costly higher education tuition payments for spouses and children of severely injured or deceased veterans.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1076 and recommends that it pass Second Reading and be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 170 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1120

The purpose of this measure is to provide a preference for veterans within the small business set aside of the State's annual purchasing expenditure.

Specifically, this measure requires that, of the twenty per cent goal to be awarded to small businesses:

- (1) At least twenty-five per cent shall be awarded to veteran-owned small businesses; and

- (2) At least a separate forty per cent shall be awarded to service-disabled veteran-owned small businesses.

Accordingly, if enacted, this measure would require that of the State's annual purchasing expenditures:

- (1) At least five per cent shall be awarded to veteran-owned small businesses; and
 (2) At least a separate eight per cent shall be awarded to service-disabled veteran-owned small businesses.

Your Committee received testimony in support of this measure from the Department of Defense, the Office of Veterans Services, and two concerned citizens. Testimony in opposition to this measure was received from the State Procurement Office. Comments on this measure were received from the General Contractors Association of Hawaii.

Your Committee finds that many Hawaii veterans return from their military service to start small businesses. A set aside for qualified veterans would be of great assistance and encourage veterans to either establish or continue operating their small businesses.

Your Committee requests that the Committee on Economic Development and Business, should it decide to hear this measure, carefully review the phrase "a veteran discharged under honorable conditions" and, if necessary, clarify the language to ensure it does not include "a veteran who was dishonorably discharged."

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1120 and recommends that it pass Second Reading and be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 171 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1153

The purpose of this measure is to exempt qualified disabled veterans from the annual state vehicle registration fee.

Your Committee received testimony in support of this measure from the Office of Veterans Services, the Advisory Board on Veterans' Services, and two concerned individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that it is important to assist disabled United States veterans who have served valiantly and sacrificed to defend our country. Most permanently and totally disabled veterans are unable to work, and your Committee believes that a limited exemption from vehicle registration fees would provide financial relief to deserving disabled veterans as a small token of thanks for their dedication and service.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1153 and recommends that it pass Second Reading and be referred to the Committee on Transportation.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 172 Agriculture on H.B. No. 502

The purpose of this measure is to provide additional funding for needed improvements to irrigation systems throughout the State by authorizing the issuance of general obligation bonds and appropriating proceeds therefrom to the Department of Agriculture for that purpose.

The Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, Hawaii Farmers Union United, HARC, and Kauai County Farm Bureau supported this measure. The Department of Agriculture and the Hawaii Crop Improvement Association supported the intent of this measure. The Department of Budget and Finance submitted comments.

Your Committee notes that the Department of Budget and Finance in its testimony commented that federal tax law requires, among other things, that tax-exempt general obligation bond proceeds be used to finance projects that serve governmental public purposes. If private entities derive a benefit from the improvements made to the irrigation systems, tax-exempt general obligation bonds cannot be used to finance the improvements. The issuance of taxable general obligation bonds at a higher cost may be necessary to allow the Department of Agriculture to provide financing assistance to private entities.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 502 and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Brower and Ito.

SCRep. 173 Human Services/Housing on H.B. No. 734

The purpose of this measure is to create the Housing First Voucher Program within the Department of Human Services to assist certain chronically homeless individuals in obtaining rental housing.

The Chamber of Commerce Hawaii, Building Industry Association of Hawaii, Hawaii Primary Care Association, and Hawaii Interagency Council on Homelessness testified in support of this measure. The Department of Human Services, PHOCUSED, and Hawaii's Thousand Friends provided comments.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2050, to promote 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 Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 734, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 734, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 174 Human Services/Housing on H.B. No. 765

The purpose of this measure is to appropriate funds to the Department of Human Services to support the State's housing first programs in helping Hawaii's chronically homeless with housing and other support services.

The Hawaii Primary Care Association, Partners in Care, Hawaii Catholic Conference, Hope Services Hawaii, PHOCUSED, Community Health Outreach Work, Catholic Charities Hawaii, Hawaii Appleseed Center for Law and Economic Justice, and two concerned individuals testified in support of this measure. The Department of Human Services provided comments.

Your Committees note that the Legislature implemented one position in 2013 to assist the Department of Human Services in administering these community programs; however, after two years the position remains unfilled.

Your Committees have amended this measure by:

- (1) Deleting specific appropriation amounts to be deposited into and expended from the Housing First Special Fund; and
- (2) Changing its effective date to July 1, 2050, to promote further discussion.

Should the Committee on Finance deliberate this measure further, your Committees respectfully request that it consider appropriating \$3,000,000 for fiscal year 2015-2016 to be deposited into and expended from the Housing First Special Fund for the Department of Human Services to continue to administer the State's housing first programs for chronically homeless individuals in the State.

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 are in accord with the intent and purpose of H.B. No. 765, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 765, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 175 Human Services on H.B. No. 937

The purpose of this measure is to replace outdated references to two separate Medicaid managed care delivery systems, QUEST and QUEST Expanded Access, now combined as one system, with the more accurate terms "medicaid managed care" and "medicaid managed care program."

The Department of Human Services testified in support of this measure. Pharmaceutical Research and Manufacturers of America and one concerned individual submitted testimony in opposition to this measure.

Your Committee has amended this measure by:

- (1) Removing unnecessary amendments to an obsolete statutory section relating to the provision of a supplemental capitation program by the Department of Human Services; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee has deleted from this measure language that would have amended section 346-41.5, Hawaii Revised Statutes, relating to Hawaii Qualified Health Centers. However, noting that this section is in fact obsolete, your Committee respectfully requests the Committee on Finance to consider repealing section 346-41.5, Hawaii Revised Statutes, should it choose to deliberate 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 is in accord with the intent and purpose of H.B. No. 937, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 937, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Creagan.

SCRep. 176 Human Services on H.B. No. 128

The purpose of this measure is to authorize the Child Support Enforcement Agency to pursue child support and maintenance for a child of a minor from the parents of the minor.

One concerned individual testified in support of this measure. The Department of the Attorney General testified in opposition to this bill. The Department of Human Services provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to promote 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 128, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 128, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Hashem, Oshiro and Fukumoto Chang.

SCRep. 177 Human Services on H.B. No. 498

The purpose of this measure is to make appropriations to the Department of Human Services to fund various positions in the Adult Protective and Community Services Branch.

The Maui County Office on Aging testified in support of this measure. The Department of Human Services provided comments.

Your Committee has amended this measure by:

- (1) Deleting specific appropriation amounts; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests appropriating:

- (1) For the Adult Protective and Community Services Branch:
 - (A) \$28,183 for fiscal year 2015-2016 and \$51,930 for fiscal year 2016-2017 to fund two full-time equivalent permanent child/adult protective services specialist positions (2.0 FTE) to investigate reports of vulnerable adult abuse and neglect in the Oahu Section;
 - (B) \$14,002 for fiscal year 2015-2016 and \$23,070 for fiscal year 2016-2017 to fund one full-time equivalent permanent general professional III position (1.0 FTE) to provide financial review, analysis, and support for the Oahu Section;
 - (C) \$30,283 for fiscal year 2015-2016 and \$56,202 for fiscal year 2016-2017 to fund two full-time equivalent permanent assistant program administrator V positions (2.0 FTE) to provide support for the program development office;
 - (D) \$42,274 for fiscal year 2015-2016 and \$77,895 for fiscal year 2016-2017 to fund three full-time equivalent permanent child/adult protective services specialist positions (3.0 FTE) to provide statewide intake functions to the Oahu Adult Intake Unit; and
 - (E) \$49,379 for the fiscal year 2015-2016 and \$98,094 for the fiscal year 2016-2017 to fund two full-time equivalent permanent registered nurse IV positions (2.0 FTE) to provide nursing support for Adult Protective Services investigations in the West Hawaii and Kauai Sections; and
- (2) For the Foster Grandparent Program and Senior Companion Program, \$18,338 for fiscal year 2015-2016 and \$34,605 for fiscal year 2016-2017 to fund one full-time equivalent permanent program specialist III position (1.0 FTE) to provide program support in Maui County.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 498, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 498, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Creagan.

SCRep. 178 Higher Education on H.B. No. 975

The purpose of this measure is to help strengthen Hawaii's economy by:

- (1) Requiring the State Ethics Commission to consider the research compliance program of the University of Hawaii; and
- (2) Authorizing the State Ethics Commission to permit technology transfer arrangements as long as such arrangements are likely to create specific benefits to the State or public,

when the State Ethics Commission renders advisory opinions concerning technology transfer activities conducted by the University of Hawaii.

The University of Hawaii and Chamber of Commerce of Hawaii supported this measure. The State Ethics Commission opposed the bill.

Your Committee has amended this bill by changing the effective date to July 1, 2525.

Your Committee notes that the stakeholders testified that they are working on proposed language that would address their concerns. Your Committee asked the stakeholders to work on a bright-line test, which would leave less room for varying interpretation and produce consistent results in its application.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 975, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 975, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 179 Health on H.B. No. 727

The purpose of this measure is to amend the definition of "qualified plan" for purposes of inclusion in the Hawaii Health Connector by requiring that a qualified plan be deemed to be a gold plan or a platinum plan.

The Department of Commerce and Consumer Affairs, Hawaii Health Connector, Hawaii Medical Service Association, and Hawaii Primary Care Association commented on this measure.

Your Committee has amended this measure by:

- (1) Expanding the definition of qualified plan to include plans deemed to be a silver plan to increase the options for the Small Business Health Options Program; and
- (2) Changing the effective date to July 1, 2050, to encourage continued discussion.

Your Committee notes that inclusion of the silver plan under the definition of a qualified plan in the Hawaii marketplace is intended to provide insurance customers in the State with a range of price and benefit options and bring the health insurance options available through the Hawaii Health Connector into accord with the range of options required under the federal law.

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 H.B. No. 727, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 727, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 180 Health on H.B. No. 948

The purpose of this measure is to make an emergency appropriation to provide funds for the functions of the Hawaii Health Systems Corporation and its regions.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 167 to the Legislature, requested immediate consideration and passage of this bill by the Legislature to provide funds for the Hawaii Health Systems Corporation.

The Hawaii Health Systems Corporation; United Public Workers, AFSCME, Local 646, AFL-CIO; ILWU Local 142; and several individuals testified in support of this measure. An individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified number;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$21,000,000 to support the functions of the Hawaii Health Systems Corporation. Your Committee notes that the Hawaii Health Systems Corporation will continue to refine the \$21,000,000 appropriation.

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 H.B. No. 948, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 948, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 181 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 209

The purpose of this measure is to appropriate funds for the Office of Hawaiian Affairs (OHA) for the fiscal biennium beginning July 1, 2015, and ending June 30, 2017 (FB 2015-2017).

The Office of Hawaiian Affairs and several concerned individuals supported this measure. One individual opposed this measure.

Your Committee has amended this bill by deleting the appropriation amounts for beneficiary advocacy (OHA 175) to facilitate further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider the following appropriations:

- (1) \$415,000 in general funds and \$415,000 in trust funds for each year of FB 2015-2017 for social services to at-risk OHA beneficiaries to immediately address unexpected crises;
- (2) \$615,000 in general funds and \$615,000 in trust funds for each year of FB 2015-2017 for educational improvement programs for Native Hawaiian students;
- (3) \$524,400 in general funds and \$524,400 in trust funds for each year of FB 2015-2017 for legal services and legal representation to OHA beneficiaries;

- (4) \$460,000 in general funds and \$460,000 in trust funds for each year of FB 2015-2017 for health improvement services and programs to OHA beneficiaries;
- (5) \$455,000 in general funds and \$455,000 in trust funds for each year of FB 2015-2017 for housing improvement programs to OHA beneficiaries to increase the capacity of Native Hawaiians to attain housing stability; and
- (6) \$455,000 in general funds and \$455,000 in trust funds for each year of FB 2015-2017 for income improvement programs to OHA beneficiaries to increase the capacity of Native Hawaiians to obtain higher-wage employment.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 209, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 209, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 182 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 393

The purpose of this measure is to streamline the permitting process for restoration, repair, and maintenance of na loko i'a (Hawaiian fishponds) under the Statewide General Programmatic Permit and Programmatic Agreement while maintaining compliance with the federal Clean Water Act and other environmental protection measures.

This measure waives the requirement for a Department of Health water pollution permit for loko i'a permit applicants that have already received notice of authorization to proceed from the Department of Land and Natural Resources under the Statewide Programmatic General Permit.

The Department of Land and Natural Resources, Hui o Kuapa, Malama Loko Ea Foundation, Conservation International – Hawaii, Ka Honua Momona International, and three individuals submitted testimony in support of this measure. The Department of Health, Office of Hawaiian Affairs, and Kua'aina Ulu 'Auamo submitted comments.

Your Committee finds that the Department of Land and Natural Resources has led a coordinated effort to streamline the permitting process for na loko i'a pursuant to the Legislature's direction under Senate Resolution No. 86, S.D. 1 (2012). The result of this effort is the Statewide Programmatic General Permit and Programmatic Agreement. To date, various federal, state, and county agencies, with contributions from cultural practitioners, community members, and experts, have erected the necessary institutional infrastructure to allow for a single-application permit process that subjects an application for loko i'a activities to review by all governmental regulators required under the federal Clean Water Act and other applicable law. Your Committee finds that the statutory waiver of separate review and approval by the Department of Health is the final step necessary to fully realize the streamlined process established by the Statewide Programmatic General Permit and Programmatic Agreement.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Health's waiver shall apply to the water quality certification requirement; and
- (2) Making nonsubstantive amendments to include certain Hawaiian terms in the text of the measure.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 393, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 393, H.D. 1, and be referred to the Committee on Health.

Signed by all members of the Committee.

SCRep. 183 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 207

The purpose of this measure is to require the office of Hawaiian affairs to develop and administer a training course on native Hawaiian and Hawaiian rights. This measure requires members of appropriate state councils, boards, and commissions to take the course and allows other state or county officers, representatives, or employees to request to enroll in the training.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawai'i Green Growth, Kua'aina Ulu 'Auamo, Ka Huli Ao Center for Excellence in Native Hawaiian Law, Society for Hawaiian Archaeology, Association of Hawaiian Civic Clubs, Ali'i Pauahi Hawaiian Civic Club, and many concerned individuals submitted testimony in support of this measure. The Center for Hawaiian Sovereignty Studies provided comments.

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

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 207, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 207, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 184 Energy & Environmental Protection on H.B. No. 1504

The purpose of this measure is to improve the energy climate in Hawaii by requiring and funding a study by the Legislative Reference Bureau to identify different public utility models utilized across the United States, identify former for-profit public utilities that have converted to different business models, and assess such conversion processes.

A concerned individual supported this measure. The Department of Business, Economic Development, and Tourism and Legislative Reference Bureau submitted comments.

Your Committee has amended this measure by:

- (1) Narrowing the scope of the study:
 - (A) To examine only specific energy utilities and those deemed appropriate by the Legislative Reference Bureau; and
 - (B) By providing greater detail about what the study should cover, including comparing specific elements of the utilities' organizational models and reviewing the process employed and issues that arise in converting to a different model;
- (2) Allowing the Legislative Reference Bureau to contract with another entity for services that may be required to conduct the study, without regard to chapter 103D, Hawaii Revised Statutes;
- (3) Extending the deadline by which the Legislative Reference Bureau must submit a report of its findings to the Legislature to 20 days before the convening of the 2016 Regular Session; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1504, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1504, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 185 Energy & Environmental Protection on H.B. No. 1512

The purpose of this measure is to reduce Hawaii's dependence on imported fossil fuels and decrease energy costs in the long term by:

- (1) Updating and extending renewable portfolio standard goals, including a 70-percent renewable energy goal by December 31, 2040, and a 100-percent renewable energy goal by December 31, 2050; and
- (2) Establishing performance-based regulation of electric utility companies.

The Hawaii Renewable Energy Alliance, Blue Planet Foundation, and Hawaii Solar Energy Association supported this measure. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs supported the intent of the measure. The Department of Business, Economic Development, and Tourism; Public Utilities Commission; Hawaiian Electric Company; Hawaii Electric Light Company; Maui Electric Company; and Life of the Land submitted comments.

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

- (1) Changing the 70-percent renewable-portfolio-standard goal date to December 31, 2035, and the 100-percent renewable-portfolio-standard goal date to December 31, 2045;
- (2) Deleting the elimination of imported fuels for electricity generation as a long-term end goal to be met by electric utility companies;
- (3) Providing that the independent generators to which electric utility companies must divest their power-generation capacity cannot be affiliated with the divesting utility, and defining "affiliated entity";
- (4) Deleting provisions relating to the establishment, every five years, of specific goals that must be met by electric utility companies and incentives that the Public Utilities Commission deems appropriate during the next five-year period;
- (5) Clarifying that programs and rate structures providing ratepayers with control over their electricity costs is a long-term end goal to be met by electric utility companies; and
- (6) Requiring the Public Utilities Commission to adopt performance-based incentives and conditions to ensure regulated electric utility companies meet specified long-term goals.

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 is in accord with the intent and purpose of H.B. No. 1512, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1512, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 186 Energy & Environmental Protection on H.B. No. 1514

The purpose of this measure is to protect the health and safety of Hawaii's residents by, among other things:

- (1) Requiring the mandatory disclosure and notification of outdoor pesticide use by specified schools, child care facilities, early childhood education and care facilities, family child care homes, group child care centers, and group child care homes;
- (2) Requiring the mandatory disclosure and notification of outdoor pesticide use by specified commercial agricultural entities;
- (3) Establishing pesticide buffer zones for sensitive areas;

- (4) Providing for citizen suits; and
- (5) Allowing counties to regulate pesticide disclosure, notification, and use in a manner that is equivalent to or more stringent than the provisions of this measure.

Two members of the Kauai County Council, two members of the Maui County Council, the Hawaii Center for Food Safety, Pesticide Action Network North America, Hawaii Fruit Growers, Legislation Committee of the Democratic Party of Hawaii, Environmental Caucus of the Democratic Party of Hawaii, Planned Parenthood of Hawaii, Life of the Land, Banyan Tree Farm, Maui Beekeepers, Hawaii Health Guide, Hawaii Agricultural Land Management Systems LLC, Haiku Aina Permaculture Initiative, Malu Aina, Babes Against Biotech, and numerous concerned individuals supported this measure. The Chamber of Commerce of Hawaii; Alexander & Baldwin, Inc.; DuPont Pioneer; Dow Agrosiences; Monsanto Co.; Hawaii Cattlemen's Council; Hawaii Crop Improvement Association; Hawaii Farm Bureau; Maui County Farm Bureau; Western Plant Health Association; Kamiya Gold, Inc.; and a concerned individual opposed this measure. The Department of Agriculture, Hawaii Pest Control Association, and a concerned individual submitted comments.

Your Committee has amended this measure by:

- (1) Specifically allowing the structural or termite application of pesticides, whether the applications are applied in or outside of a building or enclosed structure;
- (2) Removing specific references to the counties' authority to regulate the outdoor application of pesticides;
- (3) Deleting the provision that would have allowed counties to regulate pesticide disclosure, notification, and use in a manner that is equivalent to or more stringent than the provisions of this measure; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee finds that the unintended impacts of high volumes of outdoor pesticide use can pose a serious health and safety risk to students and residents in close proximity to these areas. The conclusions of studies by national pediatrics and medical organizations show higher rates of autism and other developmental issues in communities with high volumes of outdoor pesticide use. The personal testimony of local residents living in close proximity to such areas warrants moving this measure forward for further discussion.

Your Committee notes that none of the organizations or individuals who submitted testimony in opposition to the measure attended the public hearing to answer questions. Therefore, your Committee is including the recommendations of medical experts and other individuals who made specific suggestions as a starting point for subsequent committees to weigh against other considerations:

- (1) Applying disclosure requirements and restriction requirements to quantities in excess of five pounds or 15 gallons of restricted-use pesticides purchased or used in the preceding calendar year;
- (2) Buffer zones of 0.75 miles around sensitive areas;
- (3) Buffer zones of 500 feet within any surface water, watershed, or shoreline;
- (4) Notification for occupants and residents of sensitive areas within 500 feet of the boundary of the property of the commercial agricultural entity upon which pesticide is anticipated to be sprayed; and
- (5) A wind-speed threshold of five miles per hour, above which schools, child care facilities, early childhood education and care facilities, family child care homes, group child care centers, group child care homes, and commercial agricultural entities are prohibited from conducting any outdoor application of pesticides.

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 is in accord with the intent and purpose of H.B. No. 1514, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1514, H.D. 1, and be referred to the Committee on Agriculture.

Signed by all members of the Committee.

SCRep. 187 Energy & Environmental Protection on H.B. No. 619

The purpose of this measure is to safeguard the public interest when a proposed merger, acquisition, or consolidation of an electric utility is considered, by:

- (1) Requiring the Public Utilities Commission to evaluate a proposed merger, acquisition, or consolidation;
- (2) Establishing standards and criteria for the Public Utilities Commission to conduct its evaluation; and
- (3) Providing for public participation in the evaluation process.

The Hawaii Renewable Energy Alliance, Hawaii Solar Energy Association, Alliance for Solar Choice, Friends of Lanai, Puna Pono Alliance, a member of the Maui County Council, and numerous concerned individuals supported this measure. Life of the Land supported the measure with amendments. Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, and NextEra Energy opposed the measure. The Public Utilities Commission, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, and a few concerned individuals submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that upon filing of an application for approval of a proposed merger, acquisition, or consolidation of electric utilities, the Public Utilities Commission shall open a docket for the Commission and the Division of Consumer Advocacy to evaluate specific factors to determine the fitness and ability of the applicant and whether the proposal is reasonable and in the public interest;
- (2) Requiring, the Public Utilities Commission, in so far as practicable, to hold a public hearing on such applications in each affected service testimony;
- (3) Removing the requirement that the Public Utilities Commission grant the intervention of any party requested by the President of the Senate and the Speaker of the House of Representatives; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that this measure seeks to clarify existing statutory authority to ensure the public benefit in any proposed merger, acquisition, or consolidation of an electric utility,

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 is in accord with the intent and purpose of H.B. No. 619, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 619, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 188 Energy & Environmental Protection on H.B. No. 1509

The purpose of this measure is to improve the energy climate in Hawaii and save money for the general public by:

- (1) Requiring the University of Hawaii to establish a long-term goal of reducing energy consumption and energy bills to zero (net-zero goal);
- (2) Establishing the University of Hawaii Net-zero Special Fund (Special Fund), which must be used for capital improvement projects that advance the University of Hawaii's net-zero goal and may be used in conjunction with the Green Energy Market Securitization program of the State Energy Office or certain comparably lower-priced financing mechanisms;
- (3) Requiring that for each capital improvement project funded through the Special Fund, the University of Hawaii must annually deposit into the Special Fund the current value of the energy saved by the project during the preceding fiscal year, as measured against the current value of the energy consumed during the fiscal year prior to the execution of the project, excluding debt service; provided, among other things, that 50 percent of all moneys deposited into the Special Fund must be used annually to provide scholarships to students with the greatest demonstrated financial need;
- (4) Requiring the University of Hawaii to submit an annual report to the Legislature by November 30 of each year regarding the Special Fund;
- (5) Appropriating \$45,500,000 out of the general fund for specified retrofit projects at the University of Hawaii at Manoa and University of Hawaii at Hilo; and
- (6) Appropriating \$150,000 to fund two positions within the University of Hawaii system to provide financial, technical, and other support to advance the University's net-zero goal.

Prior to the public hearing, a Proposed H.D. 1, which was substantially similar to the original bill, was circulated for public review and comment.

The University of Hawaii; Department of Business, Economic Development, and Tourism; Blue Planet Foundation; University of Hawaii Professional Assembly; Sustainable UH; and numerous concerned individuals supported this measure. The Department of Budget and Finance submitted comments.

Your Committee has amended the Proposed H.D. 1 by, among other things:

- (1) Requiring that the Special Fund must be used in conjunction with the Green Energy Market Securitization program of the State Energy Office or certain comparably lower-priced financing mechanisms;
- (2) Removing student scholarships as a use of the Special Fund;
- (3) Modifying the manner in which the value of the energy saved or offset by a capital improvement project is measured;
- (4) Modifying some of the required information in the University of Hawaii's annual report to the Legislature regarding the Special Fund;
- (5) Deleting the amounts of all appropriations in the measure;
- (6) Changing the means of financing for the retrofit projects at the University of Hawaii at Manoa and University of Hawaii at Hilo from general revenues to general obligation bonds; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 is in accord with the intent and purpose of H.B. No. 1509, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1509, H.D. 1, and be referred to the Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 189 Health on H.B. No. 1075

The purpose of this measure is to ensure continued access to health care services in the County of Maui by authorizing the Hawaii Health Systems Corporation (HHSC) Maui Regional System, in collaboration with a private entity, to transition one or more of its facilities, which include Maui Memorial Medical Center, Kula Hospital and Clinic, and Lanai Community Hospital, into a new private nonprofit corporation operated by the private entity and subject to HHSC oversight.

The Mayor of the County of Maui; County of Maui; HHSC; HHSC Maui Region; Hawaii Pacific Health; The Chamber of Commerce of Hawaii; Hawaii Lodging & Tourism Association; Maui Hotel & Lodging Association; The Westin Maui Resort & Spa; Napili Kai Beach Resort; Hale Makua Health Services; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and numerous individuals supported this measure. Lanai Community Health Center; Hawaii Primary Care Association; United Public Workers, AFSCME, Local 646, AFL-CIO; and an individual opposed this measure. The Department of Budget and Finance, Department of the Attorney General, Office of Hawaiian Affairs Committee on Beneficiary Advocacy and Empowerment, Maui Memorial Medical Center, and ILWU Local 142 commented on this measure.

To facilitate continued deliberation on this measure, your Committee requests that HHSC or the Maui Regional System Board provide the Committee on Labor and Public Employment with the following information:

- (1) The amounts of operating subsidies that HHSC and the Maui Regional System have received from the State since 2007; and
- (2) The amounts of previously-approved Capital Improvement Project (CIP) requests for Maui Memorial Medical Center, Kula Hospital and Clinic, and Lanai Community Hospital, as well as any pending CIP requests that are being considered for the transition to a public-private partnership.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity.

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 H.B. No. 1075, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1075, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 190 Health on H.B. No. 1112

The purpose of this measure, as referred to your Committee, is to ensure that all persons in the State, especially those residing in underserved rural communities, have continued access to health care services by establishing a process for determining whether the health care services presently provided by the Hawaii Health Systems Corporation (HHSC), one or more of HHSC's five regional health care systems, or one or more of HHSC's health systems facilities can be delivered more cost-effectively by partnering with a private health care management system.

HHSC; HHSC West Hawaii Regional Board of Directors; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; ILWU Local 142; The Chamber of Commerce of Hawaii; and two individuals supported this measure. The Department of Budget and Finance commented on this measure.

In its public hearings, your Committee deliberated over several measures regarding the HHSC, all of which aimed at improving access to quality health care services in the State. Your Committee recognizes the complexity of health care issues, including cost, quality, employment, and access issues. These issues merit further consideration. It is the intent of your Committee to enable the progress of legislation that facilitates further discussion of these issues in public hearings of the Legislature. As such, your Committee respectfully requests that this measure be re-referred to include the Committee on Labor and Public Employment, so that this measure may proceed further in the legislative process in tandem with other measures regarding the transformation of the HHSC and its facilities to afford greater opportunity for legislative discussion and deliberation.

Upon careful consideration, your Committee has amended this measure by deleting provisions relating to the transition of individual HHSC functions or facilities to other health care entities and;

- (1) Inserting the substantive contents of the following bills that were also heard by your Committee at the same public hearing:
 - (A) H.B. No. 1420, which centralizes personnel, purchasing, and other administrative functions within HHSC and repeals the regional system boards to achieve greater efficiency, effectiveness, and meaningful financial accountability;
 - (B) H.B. No. 1145, which lifts the prohibition on mortgages of HHSC real property to give HHSC the ability to fully utilize its real property assets for the benefit of the community, and clarifies that the \$25,000,000 annual limit on municipal leases applies per region; and
 - (C) H.B. No. 1146, which establishes seven separate bargaining units for HHSC employees, as further amended to specify that the Governor shall have two votes with respect to negotiating a collective bargaining agreement for the seven separate bargaining units for HHSC employees;
- (2) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1112, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1112, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 191 Health on H.B. No. 119

The purpose of this bill is to effectuate its title.

H.B. No. 119 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

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 action to report out H.B. No. 119, as amended herein, and recommends that it be recommitted to the Committee on Health, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 119, H.D. 1.

Signed by all members of the Committee except Representatives Hashem and Oshiro.

SCRep. 192 Judiciary on H.B. No. 376

The purpose of this measure is to:

- (1) Reduce the Chief Election Officer's term of office from four years to two years;
- (2) Require a performance evaluation of the Chief Election Officer within two months of the last election; and
- (3) Require a public hearing on the performance evaluation before the appointment or reappointment of the Chief Election Officer.

Several concerned individuals testified in support of the bill. The Office of the County Clerk, County of Hawaii; Office of the County Clerk, County of Kauai; and Office of the County Clerk, County of Maui testified in opposition. The League of Women Voters of Hawaii testified in opposition and provided comments. Common Cause Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Deleting the reduction of the Chief Election Officer's term of office;
- (2) Specifying that the Chief Election Officer shall be an at-will employee;
- (3) Requiring the Elections Commission to provide written notification of removal and the reason for the removal upon the removal of the Chief Election Officer;
- (4) Requiring the Elections Commission to conduct a performance evaluation of the Chief Election Officer within two months after a general election is certified; and
- (5) Requiring the Elections Commission to conduct a public hearing on the Chief Election Officer's performance and consider information gathered to inform deliberations on the reappointment of the Chief Election Officer.

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 H.B. No. 376, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 376, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hashem, Kawakami and Nakashima.

SCRep. 193 Judiciary on H.B. No. 412

The purpose of this measure is to assist with case load work and management of the daily operations of the Kauai Drug Court Program by appropriating funds for the establishment of a full-time permanent social worker V position.

The Judiciary; Office of the Prosecuting Attorney, County of Kauai; Friends of the Kauai Drug Court, Inc.; and three concerned individuals testified in support of this measure.

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 H.B. No. 412 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Thielen.

SCRep. 194 Housing on H.B. No. 1202

The purpose of this measure is to allow the fee or leasehold owner of agricultural district land to charge rent or fee for dwelling units and housing facilities on the property for various non-agricultural purposes (including housing for the elderly, homeless, vacation rentals, agricultural tourism, or farm-stay or workforce housing); provided that the dwelling units and housing facilities are located:

- (1) In a county with a resident population of greater than 170,000, but fewer than 200,000; and
- (2) Solely on agricultural district lands with soil classified by the Land Study Bureau's detailed land classification as overall (master) productivity rating class D and E.

The Office of Planning and Hawaii Farm Bureau opposed this measure. The Office of Hawaiian Affairs submitted comments.

Your Committee has amended this measure by:

- (1) Limiting the allowed housing purposes to housing for agricultural tourism activities or workforce housing;
- (2) Allowing agricultural tourism activities or workforce housing on agricultural district land only if the county has adopted ordinances regulating agricultural tourism;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 1202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1202, H.D. 1, and be referred to the Committee on Agriculture.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 195 Housing on H.B. No. 766

The purpose of this bill is to provide for more affordable housing units to meet the growing population and the changing economic conditions in the State by appropriating funds to the Hawaii Housing Finance and Development Corporation to be used for the construction of micro apartment housing units.

The Hawaii Housing Finance and Development Corporation, BIA Hawaii, PHOCUSED, Partners in Care, Hawaii Primary Care Association, Catholic Charities Hawaii, Hawaii Appleseed Center for Law and Economic Justice, and a concerned individual supported this bill. The Hawaii Association of Realtors supported the intent of this bill. A concerned individual submitted comments.

Your Committee has amended this bill by:

- (1) Changing the amount appropriated for the Hawaii Housing Finance and Development Corporation to construct micro apartment housing units to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Housing respectfully requests that it consider appropriating \$15,000,000 for the construction of micro apartment housing units.

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 H.B. No. 766, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 766, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 196 Housing on H.B. No. 865

The purpose of this measure is to provide low- and moderate-income families with the opportunity to afford homes by requiring the Hawaii Housing Finance and Development Corporation to establish a community land trust that, among other things:

- (1) Acquires and holds title to property for development and long-term lease to homebuyers; and
- (2) Facilitates the sale of homes and leases of land to low- and moderate income homebuyers.

One individual submitted testimony in support of this measure. The Hawaii Housing Finance and Development Corporation supports the intent of this measure.

Your Committee has amended this measure by:

- (1) Authorizing rather than requiring the Hawaii Housing Finance and Development Corporation to establish a community land trust;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and

- (3) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 865, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 865, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 197 Housing on H.B. No. 1025

The purpose of this measure is to authorize the Hawaii Housing Finance and Development Corporation Board of Directors to set the salary of the Executive Director, including by altering or withholding the Executive Director's benefits package in exchange for a higher salary, and to report any salary adjustments to the Legislature.

The Hawaii Housing Finance and Development Corporation and Department of Business, Economic Development, and Tourism offered comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 1025, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1025, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 198 Housing on H.B. No. 1314

The purpose of this measure is to establish an Emergency Home Relocation Special Fund and appropriate general funds to the special fund to assist individuals displaced from their homes due to natural disaster by providing for infrastructure development, grants, and loans.

The Hawaii Housing Finance and Development Corporation supported the intent of this measure. The Department of Budget and Finance submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Housing respectfully requests that it consider appropriating \$2,500,000 for deposit into the Emergency Home Relocation Special Fund to assist individuals who have been dispossessed of their homes as a result of a natural disaster.

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 H.B. No. 1314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1314, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 199 Economic Development & Business on H.B. No. 1482

The purpose of this measure is to positively impact Hawaii's economy by providing a mechanism for start-up businesses based in Hawaii to obtain financing, including financing obtained through the use of popular online fundraising platforms. Specifically, this measure establishes a limited intrastate crowdfunding exemption from state securities registration to be referred to as the Hawaii Invests Local Exemption Act.

The Redmont Group, LLC testified in support of this measure. The Business Registration Division of the Department of Commerce and Consumer Affairs provided comments.

Your Committee finds that, according to testimony received, only accredited investors are allowed to become shareholders in start-up businesses with more than 25 investors and that to qualify as an accredited investor, an individual must either have an income which exceeds \$200,000 annually over a two-year period with a reasonable expectation to maintain that income level throughout the year or a net worth net worth of over \$1,000,000. This high threshold makes it prohibitive for most individuals in Hawaii to invest in start-up businesses. It also makes it difficult for start-up businesses to raise capital using a popular fundraising trend, online fundraising platforms, also known as crowdfunding.

Your Committee finds that this measure seeks to address this issue by providing non-accredited investors with the opportunity to become shareholders in Hawaii-based start-up businesses, as well as providing these start-up businesses with access to sources of funding previously unavailable to them.

However, your Committee recognizes the concerns raised by the Business Registration Division of the Department of Commerce and Consumer Affairs regarding certain regulatory and technical provisions contained in this measure. Although this measure is a work in progress, it has the potential to positively impact Hawaii's economy and deserves further consideration.

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

- (1) Deleting the amendment to Act 229, Session Laws of Hawaii 2006, which established an intrastate crowdfunding initiative as a new section under the Hawaii Uniform Securities Act, as this may be interpreted to apply retroactively to 2008;
- (2) Conforming this measure to current statutory provisions relating to transaction exemptions contained in the Hawaii Uniform Securities Act under section 485A-202(a), Hawaii Revised Statutes;
- (3) Conforming exemptions for intrastate offerings to exemptions provided for under federal law;
- (4) Deleting provisions requiring the regulation of websites by the Office of the Securities Commissioner;
- (5) Changing its effective date to February 19, 2025, 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1482, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1482, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 200 Economic Development & Business on H.B. No. 1272

The purpose of this measure is to remove communication barriers at motion picture theaters for individuals who are deaf, hard of hearing, blind, or have low vision.

Specifically, the measure:

- (1) Requires motion picture theaters that are open to the public and operate more than two facilities in the State to provide closed movie captioning and descriptive narration, upon request, during at least two showings per week of each motion picture that is offered for viewing;
- (2) Exempts motion pictures that are shown for less than one week from the closed captioning and descriptive narration requirement; and
- (3) Takes effect on January 1, 2016.

Your Committee received testimony in support of this measure from the Hawaii Association of the Blind and four individuals.

Your Committee received testimony in support of the bill's intent with an amendment to require open, rather than closed, captioning from the Aloha State Association of the Deaf, Gallaudet University Alumni Association-Hawaii Chapter, Hawaii Deaf Surfriders Association, and nineteen concerned citizens.

Your Committee received comments on this measure from the Disability and Communication Access Board and one individual.

Your Committee finds that the measure will address discrimination of individuals who are deaf, hard of hearing, blind, or have low vision by providing them with an equal opportunity to attend and enjoy motion pictures. Your Committee further finds that open captioning, which refers to captioning that is seen on the screen by all viewers, would provide equal access to enjoying movies, rather than closed captioning, in which a viewer is required to wear or use a special device to see the captions. Your Committee further finds that these new accessibility requirements would be more easily enforced if placed under the purview of chapter 489, Hawaii Revised Statutes, which relates to nondiscrimination in public accommodations, where they may be enforced by the Hawaii Civil Rights Commission.

Based on the testimony submitted, your Committee has amended the measure by:

- (1) Requiring theaters to have "open movie captioning", instead of "closed movie captioning";
- (2) Removing the requirement that captioning and descriptive narration be provided "upon request";
- (3) Deleting the exemption for motion pictures shown for less than one week;
- (4) Making a violation of the new requirements a discriminatory practice under chapter 489, Hawaii Revised Statutes, and enforceable by the Hawaii Civil Rights Commission;
- (5) Directing the Department of Labor and Industrial Relations to adopt administrative rules necessary for the new requirements; 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1272, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1272, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee except Representative Ito.

SCRep. 201 Consumer Protection & Commerce on H.B. No. 781

The purpose of this measure is to address theft that may lead to further crimes by use of the victim's personal information, by establishing a felony for theft of personal electronic devices that may be used to store or retrieve personal information.

The Department of the Attorney General; Department of the Prosecuting Attorney, County of Maui; and a few individuals testified in support of this measure. The Department of the Prosecuting Attorney, City and County of Honolulu; Office of the Prosecuting Attorney, County of Kauai; and Office of the Prosecuting Attorney, County of Hawaii testified in support with amendments to this measure.

Your Committee has amended this measure by:

- (1) Specifying that the felony established by this measure shall be for the theft of any computer that contains or has access to personal information; and
- (2) Changing the effective date to July 1, 2112, to encourage further discussion.

While your Committee notes that the amended language is intended to address the concern of the Department of the Prosecuting Attorney of the City and County of Honolulu, the amended language ensures that a person that commits theft of a computer of a value not in excess of \$100, such as a new \$40 prepaid non-contract smartphone that contains no personal information, is not charged with a felony.

Your Committee respectfully requests that your Committee on Judiciary examine the constitutionality of this measure.

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 H.B. No. 781, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 781, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Creagan and Har.

SCRep. 202 Tourism on H.B. No. 1387

The purpose of this measure is to protect Hawaii's unique and limited natural resources by establishing a surcharge for the sale of activities by activity desks with the resulting funds to be deposited into the Conservation and Resource Enforcement Special Fund.

The Office of Hawaiian Affairs supported this measure. The Department of Land and Natural Resources and the Department of Commerce and Consumer Affairs offered comments.

Should the Committee on Water and Land further deliberate on this measure, your Committee respectfully requests that it consider clarifying the mechanism to enforce the remittances of the activity desk surcharge.

Your Committee has amended this measure by:

- (1) Clarifying that activity desks remit their surcharges to the Director of Commerce and Consumer Affairs;
- (2) Creating an activity desk surcharge subaccount;
- (3) Changing its effective date to July 1, 2020, to promote 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 Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1387, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1387, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Choy and Ito.
(Representative Ward voted no.)

SCRep. 203 Transportation on H.B. No. 1154

The purpose of this measure is to help cover the administrative costs of issuing disabled parking placards for persons with disabilities by increasing the annual vehicle registration fee by \$1, which will be deposited into the Disability and Communication Access Board Special Fund.

The Disability and Communication Access Board testified in support of this measure. The Department of Transportation testified in opposition to this measure.

Your Committee finds that with the aging of the population and projected increase in the number of individuals who are eligible for parking placards, the parking program for persons with disabilities will become a significant expenditure for the general fund. A nominal increase in the annual vehicle registration fee will ensure the continuation of a quality parking program without tapping into valuable and limited general funds.

Your Committee understands the concerns raised by the Department of Transportation that increasing the motor vehicle registration fee to fund programs other than highways related programs may make it difficult for the Department to request additional increases for highways related projects in the future. However, your Committee finds that this matter deserves further consideration.

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 H.B. No. 1154 and recommends that it pass Second Reading and be referred to the Committee on Human Services.

Signed by all members of the Committee except Representatives Har and Takumi.
(Representative Tupola voted no.)

SCRep. 204 Transportation on H.B. No. 1171

The purpose of this measure is to protect the safety of the motoring public by enabling government agencies to maintain roads whose ownership is in dispute between the State and counties.

The Hawaii Association for Justice testified in support of this measure. The Department of Transportation (DOT) supported the intent of this measure. The Department of Land and Natural Resources (DLNR) provided comments.

The dispute over the jurisdiction of various roads throughout the State has been ongoing for several decades, originating at a time prior to statehood. Prior to 1947, counties had jurisdiction over, and were responsible for the maintenance of, all public highways in the Territory of Hawaii. However, in 1947, jurisdiction for certain highways and roadways was transferred to territorial agencies. Many of these highways and roads were federal-aid highways that would later evolve into highways under the jurisdiction of what is now DOT. Although it was believed that the counties would maintain all public highways and roadways that were not under the jurisdiction of DOT, some were not maintained and fell into disrepair. The jurisdiction over some of these roads was also called into question and these roads began to be referred to as roads in limbo.

While some repair and maintenance activities have occurred on these roads in limbo in the past, government agencies have been reluctant to conduct such activities because they may be construed as assuming ownership or jurisdiction over the road. Your Committee finds that this measure will allow government agencies to maintain roads whose ownership and jurisdiction are in dispute without assuming ownership or jurisdiction of the disputed road.

Your Committee notes the concerns raised by DLNR that assuming repair and maintenance duties of a disputed road may lead to liability concerns for the government agency repairing or maintaining the disputed road. However, your Committee finds that this matter is beyond the purview of the Committee on Transportation and respectfully requests the Committee on Judiciary to consider this matter further.

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 H.B. No. 1171 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 205 Transportation on H.B. No. 1408

The purpose of this measure is to address questions regarding responsibility for the repair and maintenance of privately owned highways. Specifically, this measure confers the responsibility for the construction, reconstruction, preservation, resurfacing, restoration, and rehabilitation of a privately owned highway to a county if the privately owned highway has been surrendered to the county.

Bank of Hawaii testified in support of this measure.

Your Committee finds that, while federal, state, and county agencies maintain jurisdiction over, and are responsible for, the repair and maintenance of the majority of roads throughout Hawaii, there are numerous roads throughout the State that are privately owned. A number of these roads are what are termed remnant roads, or roads that abut or are sandwiched between sections of county-owned roads, that should have been dedicated to the county by developers but for unknown reasons were not. Over the decades, the roads have remained open to the public with unrestricted access, including access for cars, buses, and refuse trucks. However, questions still remain as to the party responsible for the repair and maintenance of such roads. Your Committee finds that this measure offers a solution to this important issue.

Your Committee finds that additional clarifying language is necessary to ensure that ownership of roads intended for broad public use can be more efficiently transferred to a county. Your Committee has amended this measure by:

- (1) Requiring the legislative body of a county to accept the surrender of a private road in cases where the private road is used by the public without restriction and has a history of maintenance by the county or State; and
- (2) Making technical, nonsubstantive amendments for clarity and consistency.

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 H.B. No. 1408, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1408, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 206 Transportation on H.B. No. 1463

The purpose of this measure is to preserve alternative forms of transportation services available to consumers while affording consumers the protection of law by regulating transportation network companies and requiring transportation network drivers to obtain commercial motor vehicle insurance.

The Hawaii Transportation Association, Roberts Hawaii, Inc., Charley's Taxi, The Cab, and a few concerned individuals testified in support of this measure. The Hawaii Insurers Council, Ecocab, and Uber Technologies testified in opposition to this measure. The Public Utilities Commission, State Farm Mutual Automobile Insurance Company, National Association of Mutual Insurance Companies, and USAA provided comments.

Transportation network companies are operating across the country, including in Hawaii, and have expanded transportation options for the benefit of the public. A transportation network company uses a digital network or software application service to connect passengers to drivers. While the public is

receptive to this innovation in transportation services, transportation network companies are not licensed or regulated in Hawaii and therefore, the public is not afforded the full and necessary protection of law when doing business with a transportation network company.

Your Committee finds that, although a transportation network company may operate under a different business model for connecting customers with drivers, their primary service is that of transporting passengers or property for compensation which is a commercial activity virtually indistinguishable from that of a traditional motor carrier. Thus, your Committee finds that a transportation network company should be regulated as such.

Your Committee has amended this measure by:

- (1) Inserting language establishing transportation network company and participating driver insurance requirements including the necessary types of coverage and timeframe as to when the coverage is applicable;
- (2) Amending the definition of "transportation network company" to more accurately reflect what a transportation network company is and the services the company provides;
- (3) Changing all references to the term "transportation network driver" to "participating driver" or "driver" and defining this term to mean any person who uses a vehicle in connection with a transportation network company's online-enabled application or platform to connect with passengers;
- (4) Inserting a definition of "transportation network company insurance" to mean an insurance policy that specifically covers a driver's use of a vehicle in connection with a transportation network company's online enabled application or platform;
- (5) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

While your Committee notes that a number of concerns were raised with regards to the regulation of transportation network companies, your Committee finds that the regulatory aspects discussed dealt with consumer protection issues and therefore respectfully requests your Committee on Consumer Protection and Commerce to discuss these issues should it decide to consider this measure.

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 H.B. No. 1463, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1463, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 207 Water & Land on H.B. No. 50

The purpose of this measure is to protect shooting ranges from criminal and civil penalties regarding claims of noise, nuisance, and frivolous negligence, which are commenced after the initial construction or operation of the shooting range.

The Department of Land and Natural Resources, Hawaii Rifle Association, Hawaii Hunting Association, Hawaii Sportsmen's Alliance, Lessons in Firearms Education, Institute for Rational and Evidence-based Legislation, National Rifle Association of America, On Target, Inc., and numerous individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Removing the reference to frivolous negligence claims;
- (2) Removing the provision that a person participating in sport shooting at a shooting range accepts the risks associated with the sport to the extent that the risks are inherent; and
- (3) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 50, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 50, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 208 Water & Land on H.B. No. 440

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for projects undertaken in accordance with watershed management plans; forest and outdoor recreation improvements; and fire, natural disaster, and emergency response.

The Department of Land and Natural Resources, The Nature Conservancy, Oahu Invasive Species Committee, Maui Invasive Species Committee, Kauai Invasive Species Committee, and a few concerned individuals provided testimony in support of this measure. The Society for Hawaii Heritage Animals, Hawaii Sportsmen's Alliance, Conservation Council for Hawaii, Coordinating Group on Alien Pest Species, Hawaii Hunting Association, and many individuals submitted testimony in opposition to this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 440 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 209 Water & Land on H.B. No. 829

The purpose of this measure is to facilitate the development of affordable housing as part of transit-oriented development by:

- (1) Directing the Hawaii Housing Finance and Development Corporation to work with county development agencies to encourage the development of these projects; and
- (2) Funding and setting priorities for grants to allow counties to contract for third-party permit reviews to expedite the development process.

The City and County of Honolulu Department of Planning and Permitting, Chamber of Commerce Hawaii, and Building Industry Association-Hawaii submitted testimony in support of this measure. The Hawaii Housing Finance and Development Corporation provided comments on this measure.

Your Committee has amended this measure by clarifying that the affordable housing eligible for incentives pursuant to this Act shall be located within three miles of a transit-oriented development.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 829, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 829, H.D. 2.

Signed by all members of the Committee.

SCRep. 210 Water & Land on H.B. No. 1325

The purpose of this measure is to encourage the protection of water resources by authorizing counties to charge user fees to create and maintain stormwater management systems or infrastructure to prevent or mitigate fresh water loss and contamination due to stormwater run-off.

The Surfrider Foundation and Life of the Land testified in support of this measure. The Department of Land and Natural Resources provided comments.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1325 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 211 Water & Land on H.B. No. 485

The purpose of this measure is to prepare for emergencies that may affect small boat harbors by requiring the Department of Land and Natural Resources to develop individual emergency response plans for natural and non-natural emergencies for each small boat harbor under the Department's jurisdiction.

The Department of Land and Natural Resources commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 485, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 485, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 212 Legislative Management on H.B. No. 181

The purpose of this measure is to clarify and strengthen the reporting requirements for lobbying expenditures by:

- (1) Deleting the exclusion of expenses for preparing written testimony from the definition of a lobbying "expenditure"; and
- (2) Removing the requirement that only lobbying expenditures in excess of \$750 must be reported.

The State Ethics Commission; League of Women Voters of Hawaii; and two concerned individuals testified in support of this measure. The ILWU Local 142 testified in opposition of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 181, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 181, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 213 Legislative Management on H.B. No. 184

The purpose of this measure is to give the State Ethics Commission an additional 30 days to render an advisory opinion if for good cause.

The State Ethics Commission and the League of Women Voters of Hawaii testified in support of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 184, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 184, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 214 Legislative Management on H.B. No. 188

The purpose of this measure is to prohibit state employees from taking official action directly affecting a business or undertaking in which an employee knows or has reason to know that a parent, sibling, or emancipated child has a substantial financial interest.

The State Ethics Commission; the League of Women Voters of Hawaii; and Common Cause Hawaii testified in support of this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the financial interests of the individual shall not include the interests of a spouse or child; and
- (2) Changing the effective date to July 1, 2030, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 188, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 188, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 215 Legislative Management on H.B. No. 813

The purpose of this measure is to amend the fair treatment law by:

- (1) Separating out certain limitations placed on task force members from those placed on legislators; and
- (2) Clarifying that legislators are not prohibited from taking action in the exercise of a legislator's legislative functions.

The State Ethics Commission and the League of Women Voters of Hawaii testified in support of this measure. Common Cause Hawaii commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 813, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 813, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 216 Legislative Management on H.B. No. 1054

The purpose of this measure is to provide for videoconferencing of legislative committee hearing testimony from the County of Hawaii by requiring the House of Representatives to coordinate with the County of Hawaii to develop rules for the implementation of a pilot videoconferencing program.

The Office of Information Management & Technology; Common Cause Hawaii; Hawaii Alliance for Nonprofit Organizations; and three concerned individuals testified in support of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1054, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1054, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 217 Energy & Environmental Protection on H.B. No. 623

The purpose of this measure is to further reduce Hawaii's dependence on imported fossil fuels and promote the growth of the State's renewable energy industry by, among other things:

- (1) Updating and extending renewable portfolio standard and renewable standard goals, including a 100-percent renewable energy goal by December 31, 2040;

- (2) Applying the same renewable energy goals to large self-generators and establishing reporting requirements and penalties for non-compliance;
- (3) Updating and clarifying exemptions and qualifying circumstances for waiver of penalties; and
- (4) Updating the Public Utilities Commission's independent study requirements to include the impact of renewable standards on developers' renewable energy prices.

Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, Blue Planet Foundation, Hawaii Renewable Energy Alliance, Hawaii Solar Energy Association, and numerous concerned individuals supported this measure. Starwood Hawaii and a concerned individual opposed the bill. The Department of Business, Economic Development, and Tourism; Public Utilities Commission; Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Life of the Land; and two concerned individuals submitted comments.

Your Committee has amended this bill by:

- (1) Changing the 100-percent renewable-portfolio-standard and renewable-standard goal date from December 31, 2040, to December 31, 2045;
- (2) Specifying that the renewable standards for large-self generators do not apply to electricity-generating equipment that was in service before July 1, 2015; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 623, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 623, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ing.

SCRep. 218 Energy & Environmental Protection on H.B. No. 887

The purpose of this measure is to promote the use of environmentally-friendly hydrogen fuel cell vehicles in Hawaii by requiring the Department of Accounting and General Services to create, implement, and report to the Legislature on a process to replace state fleet vehicles with hydrogen fuel cell vehicles and appropriating funds for that purpose.

The Blue Planet Foundation and Hawaii Automobile Dealers' Association supported this measure. The Department of Accounting and General Services submitted comments.

Your Committee has amended this bill by:

- (1) Adding a new provision giving hydrogen fuel cell vehicles highest priority in state vehicle procurement pursuant to the Hawaii Public Procurement Code, effective July 1, 2017;
- (2) Adding a new provision to include hydrogen fuel cell vehicles in existing exemptions from parking fees and high occupancy vehicle lane restrictions applicable to other alternative fuel vehicles;
- (3) Deleting provisions requiring the Department of Accounting and General Services to procure new hydrogen fuel cell vehicles and dispose of non-hydrogen fuel cell vehicles;
- (4) Amending the Department of Accounting and General Services' reporting requirements to include a report to the Legislature prior to the Regular Session of 2016 regarding recommendations to accomplish the replacement of state fleet vehicles with alternative fuel and fuel-efficient vehicles; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 887, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 887, H.D. 1, and be referred to the Committee on Transportation.

Signed by all members of the Committee.

SCRep. 219 Energy & Environmental Protection on H.B. No. 621

The purpose of this measure is to decrease the amount of waste flowing into the ocean and protect the State's marine environment by gradually prohibiting the manufacture and sale of personal care products containing synthetic plastic microbeads.

The Surfrider Foundation and the Surfrider Foundation Oahu Chapter, Rise Above Plastics Coalition, Beach Environmental Awareness Campaign Hawaii, Animal Rights Hawaii, Conservation Council for Hawaii, and several concerned individuals supported this measure. The American Chemistry Council, Personal Care Products Council, and Consumer Healthcare Products Association supported this measure with amendments. The Department of Health opposed this measure.

Your Committee has amended this measure by:

- (1) Clarifying the timeframe to gradually prohibit the manufacture and sale of personal care products containing synthetic plastic microbeads, beginning December 31, 2017, through December 31, 2019;

- (2) Specifying that the State's gradual prohibition of synthetic plastic microbeads will preempt any ordinance or resolution of a municipality, county or any other local government entity concerning synthetic plastic microbeads; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 621, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 621, H.D. 1, and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

Signed by all members of the Committee.

SCRep. 220 Energy & Environmental Protection on H.B. No. 265

The purpose of this measure is to facilitate the use of renewable energy through encouraging the use of grid-connected energy storage technologies and systems by:

- (1) Establishing a temporary tax credit for grid-connected energy storage properties that are installed and placed in service in the State during a taxable year beginning after December 31, 2015; and
- (2) Appropriating funds to the Department of Taxation for administering the tax credit.

Blue Planet Foundation, Hawaii PV Coalition, and an individual supported this measure. Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company, supported the intent of this measure. Hawaii Solar Energy Association opposed this measure. The Department of Commerce and Consumer Affairs, Division of Consumer Advocacy; Department of Business, Economic Development, and Tourism; Department of Taxation; Alliance for Solar Choice; and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting the requirement that a grid-connected energy storage property have a capacity of at least one megawatt-hour or one megawatt for purposes of qualifying for the tax credit; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your committee finds it prudent to leave the amount of the tax credit claimable under this chapter unspecified at this time. Your Committee recognizes that determining an appropriate credit amount involves consideration of varied and complex interests, including sufficiency of incentives to consumers and sufficiency of revenue to the State. Should your Committees on Consumer Protection and Finance deliberate this measure further, your Committee respectfully requests that those Committees consider an appropriate credit amount and defers to the discretion of those Committees and the legislative process.

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 is in accord with the intent and purpose of H.B. No. 265, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 265, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 221 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.B. No. 629

The purpose of this measure is to establish the Papahānaumokuākea Marine National Monument (Monument) Program, to be placed within the Office of the Chairperson of the Board of Land and Natural Resources, to coordinate and fulfill the State's role and responsibilities in co-managing the Monument. Specifically, this measure, among other things:

- (1) Allows the Monument Program to issue permits consistent with applicable state laws and Presidential Proclamation 8031, which established the Monument;
- (2) Allows the Department of Land and Natural Resources to charge fees that are proportional to the nature and complexity of the projects or services to be performed by the Monument Program; and
- (3) Establishes penalty provisions applicable to Monument Program violations.

The Department of Land and Natural Resources, Aha Moku Advisory Committee, Office of Planning, Office of Environmental Quality Control, National Oceanic and Atmospheric Administration, The Nature Conservancy of Hawaii, Historic Hawaii Foundation, Hawaiian National Communications Corporation, and Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 629 and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 222 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1478

The purpose of this measure is to codify the State's role in the co-management of the Hawaiian Islands Humpback Whale National Marine Sanctuary under the federal-state Compact Agreement for the Coordinated Management of the Hawaiian Islands Humpback Whale National Marine

Sanctuary. This measure establishes the Hawaiian Islands Humpback Whale National Marine Sanctuary Program in the Department of Land and Natural Resources and the position of Sanctuary Co-manager to represent the interests of the State in joint state-federal Sanctuary management activities.

The Department of Land and Natural Resources, Office of Planning, The Nature Conservancy of Hawai'i, Maui Nui Marine Resource Council, Conservation Council for Hawai'i, Kua'aina Ulu 'Auamo, the Ocean Tourism Coalition, Hawai'i Green Growth, Humane Society of the United States-Hawaii, and numerous individuals submitted testimony in support of this measure. Farming, Hunting, Fishing Association and two individuals submitted testimony in opposition to this measure. One individual submitted comments.

Although the State's co-management role for the Sanctuary was established by and memorialized in the Compact Agreement, which the State and the National Oceanic and Atmospheric Administration (NOAA) formalized in 1998, it has never been codified in state law. Your Committee finds that the time is right to do so now. The federal government has provided the sole source of funding support for Sanctuary activities since 1998 but that funding has sharply declined and is set to expire in 2015. Further, NOAA has plans to expand the Sanctuary's coverage area to include more state waters and its management scope to include all natural and cultural resources within its boundaries. Your Committee finds that State funding of and participation in Sanctuary management is critical to ensure that interests of the State and its communities continue to be represented in the management of this important conservation program.

Your Committee has amended this measure by:

- (1) Making technical, nonsubstantive amendments for the purposes of clarity and consistency; and
- (2) Changing its effective date to December 24, 2088, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1478, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1478, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 223 Consumer Protection & Commerce on H.B. No. 270

The purpose of this measure is to permit a landlord to use the security deposit for all charges agreed to by the tenant and the landlord in the rental agreement.

Your Committee received testimony in support of this measure from the Hawaii Association of Realtors. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that under existing law, a tenant's security deposit may only be used by a landlord to remedy specific tenant defaults, clean the dwelling unit, or compensate for certain damages to the dwelling unit. However, tenants typically have other obligations under their rental agreement such as utility charges, penalty assessments from condominium associations, and bank charges for returned checks. If tenants default on these other obligations, landlords are unable to use security deposits to cover these expenses. This measure will allow landlords to insert language into the rental agreement regarding these other obligations, thus allowing a landlord to use the security deposit to cover these unpaid charges, fees, and penalties, as agreed to by the tenant in the rental agreement, thus protecting their rights.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to facilitate further discussion on the measure.

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 H.B. No. 270, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 270, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Kawakami, Lee, Takayama and Fukumoto Chang.

SCRep. 224 Consumer Protection & Commerce on H.B. No. 281

The purpose of this measure is to require the Auditor to conduct a study on the feasibility of having the State establish a captive insurance company to manage the State's property and casualty insurance risks.

The Department of Accounting and General Services testified in support of this measure. The Department of Commerce and Consumer Affairs (DCCA) provided comments.

Your Committee notes that forming a captive insurance company to manage the State's property and casualty insurance risks could result in potential savings of \$14,000,000.

DCCA noted that the Insurance Division delivered a report to the Legislature in February of 2001 in response to Act 132, Session Laws of Hawaii 2000, entitled *Findings and Recommendations on a Potential Captive Insurance Company for State Risks* (Act 132 Report). The Act 132 Report concluded that while the State may reap significant financial and operational benefits by establishing a captive insurance company to insure some of the State's risks, it is difficult to gather the data needed to design and implement an effective captive program because of the State's decentralized fiscal and statutory responsibility to maintain its various risks. DCCA recommended that the measure be amended to reference the Act 132 Report and include additional criteria to be used in conducting the feasibility study.

Your Committee has amended this measure by:

- (1) Incorporating the recommendations from DCCA's written testimony to require the Auditor to:
 - (A) Review and use the Act 132 Report as a baseline from which to conduct its feasibility study; and

- (B) Examine "an objective comparison among options, presented in a format that includes the respective benefits and shortcomings of each, and that the experts selected to explore feasibility include in their report(s) comprehensive findings, conclusions, recommendations and plans for implementation"; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee finds that the Auditor estimated that the feasibility study proposed by this measure would cost \$300,000 and would require specialized actuarial work, and not a general review by the Auditor. Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$300,000 for the feasibility study.

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 H.B. No. 281, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 281, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Takayama and Fukumoto Chang.

SCRep. 225 Consumer Protection & Commerce on H.B. No. 348

The purpose of this measure is to prohibit, except under certain circumstances, the consumption, purchase, possession, or sale of powdered alcohol in the State.

The Department of Public Safety, Honolulu Police Department, Maui Police Department, and the Coalition for a Drug-Free Hawaii testified in support of this measure.

Your Committee has amended this measure by:

- (1) Specifying that the prohibition on the consumption, purchase, possession, or sale of powdered alcohol in the State shall not apply for legal commercial uses or bona fide research purposes by:
 - (A) A health care provider who uses powdered alcohol for the purpose of conducting scientific research;
 - (B) A state institution;
 - (C) The University of Hawaii, or other accredited educational or research institution; or
 - (D) A pharmaceutical or biotechnology company; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee notes that the amendments made to this measure come from legislation being considered by the Wyoming legislature. Your Committee believes that this exemption language is more clear and concise and, therefore, chose to include it in this measure.

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 H.B. No. 348, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 348, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Kawakami, Lee and Takayama.

SCRep. 226 Consumer Protection & Commerce on H.B. No. 925

The purpose of this measure is to update the State's insurance laws.

Specifically, this measure:

- (1) Establishes or increases fees;
- (2) Amends definitions and clarifies language;
- (3) Clarifies filing or notice procedures and requirements; and
- (4) Makes technical nonsubstantive amendments.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that this administration measure will establish consistency in fees charged on all applications issued and services provided by the Insurance Division to purchasing groups, foreign risk retention groups, insurers, fraternal benefit societies, mutual benefit societies, health maintenance organizations, and dental insurers. This measure will also allow the Insurance Division to recover certain administrative costs associated with the application process and services.

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 H.B. No. 925 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Creagan and Har.
(Representative McDermott voted no.)

SCRep. 227 Higher Education on H.B. No. 451

The purpose of this measure is to help end sexual and dating violence on college campuses by requiring the governing board of each community college district, trustees of the University of Hawaii, and regents of the University of Hawaii, as a condition to receive state funds for student financial assistance, to:

- (1) Adopt detailed and victim-centered policies and protocols regarding reporting, investigation, and disposition of incidents of sexual assault, domestic violence, dating violence, and stalking, including an affirmative consent standard;
- (2) To the extent feasible, enter into memoranda of understanding, agreements, or collaborative partnerships with existing on-campus and community-based organizations to make services available to students; and
- (3) Implement comprehensive prevention and outreach programs addressing sexual violence, domestic violence, dating violence, and stalking to make students aware of institutional policies and protocols.

The Hawaii State Commission on the Status of Women, Hawaii State Coalition Against Domestic Violence, IMUA Alliance, National Association of Social Workers - Hawaii Chapter, Sex Abuse Treatment Center, Planned Parenthood of Hawaii, YWCA of Oahu, Hawaii State Democratic Women's Caucus, Hawaii Women's Coalition, and numerous concerned individuals supported this measure. The University of Hawaii submitted comments.

Your Committee finds that sexual violence is prevalent on college campuses, including the University of Hawaii. Nationally, one in five women is sexually assaulted while in college. Nevertheless, these acts of sexual violence are vastly underreported. Less than five percent of completed and attempted rapes of college students are reported to campus authorities or law enforcement.

The University of Hawaii must adopt policies demonstrating that it does not tolerate sexual violence or any other form of sex discrimination. The University must seek to foster a culture that rejects sexual violence and educates community members about how to best prevent sexual assault and respond to incidents of sexual assault.

Your Committee has amended this measure by:

- (1) Adding a purpose section that emphasizes that the effort to end sexual violence and dating violence is a matter of statewide concern;
- (2) Removing unnecessary references to the governing board of each community college district, trustees of the University of Hawaii, and regents of the University of Hawaii;
- (3) Clarifying that the University of Hawaii's receipt of any state funds is contingent on its adoption of policies and protocols pursuant to this measure;
- (4) Changing the effective date to July 1, 2525, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 451, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 451, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Aquino.

SCRep. 228 Health on H.B. No. 1108

The purpose of this measure is to mandate insurance coverage for treatments of autism spectrum disorders for persons 18 years of age and under.

Autism Speaks; Community Children's Council of Hawaii; National Association of Social Workers, Hawaii Chapter; and numerous individuals supported this measure. The Hawaii Psychological Association and two individuals supported this measure with suggested amendments. The State Council on Developmental Disabilities, Easter Seals Hawaii, Kaiser Permanente Hawaii, Special Education Advisory Council, and a few individuals supported the intent of this measure. Hawaii Medical Service Association opposed this measure. The Department of Health, Department of Commerce and Consumer Affairs, Hawaii Disability Rights Center, Autism Society, The Chamber of Commerce of Hawaii, and several individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the age of eligibility for the treatment of autism spectrum disorders to 21 years of age or under;
- (2) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1108, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1108, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Hashem and Oshiro.

SCRep. 229 Health on H.B. No. 726

The purpose of this measure is to require, as a condition of licensure, health insurers with at least a 20 percent share of the health insurance market to offer their qualified plans and qualified dental plans for sale to qualified individuals and qualified employers.

Hawaii Primary Care Association testified in support of this measure and recommended amendments. Hawaii Medical Service Association testified in opposition. The Department of Commerce and Consumer Affairs, Hawaii Health Connector, and The Chamber of Commerce of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Requiring health insurers offering qualified health plans to offer federally-qualified health centers the opportunity to contract for services covered by the qualified plan;
- (2) Requiring health insurers with a greater than 20 percent share of the State's small group health insurance market to offer at least one silver and at least one gold qualified health plan as a condition of participation in the individual market of the Connector; and
- (3) Changing the effective date to July 1, 2050, to facilitate continued 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 H.B. No. 726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 726, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.
(Representative Fukumoto Chang voted no.)

SCRep. 230 Health on H.B. No. 1467

The purpose of this measure is to amend policy and insurer requirements for the Hawaii Health Connector (the Connector) by, among other things:

- (1) Authorizing the Connector to offer large group coverage to insurers, beginning January 1, 2017;
- (2) Mandating insurers having a small group market share in the State that exceeds twenty percent to offer coverage through the Connector;
- (3) Encouraging full participation in the Connector by prohibiting the issuance of transitional renewal policies beginning January 1, 2016, and expanding notice requirements for group health plans offering continuation coverage; and
- (4) Expanding the small business market in the Connector by increasing the number of employees needed to qualify as a "small employer" from fifty to one hundred, pursuant to federal law.

The Hawaii Primary Care Association testified in support of this measure. The Chamber of Commerce Hawaii testified in opposition to this measure. The Department of Commerce and Consumer Affairs Insurance Division, Hawaii Health Connector, and Hawaii Medical Service Association provided comments.

Your Committee has amended this measure by:

- (1) Requiring health insurers offering qualified plans to offer federally-qualified health centers the opportunity to contract for services covered by the qualified plan;
- (2) Requiring health insurers with a greater than 20 percent share of the State's small group health insurance market to offer at least one silver and at least one gold qualified health plan as a condition of participation in the individual market of the Connector;
- (3) Changing its effective date to July 1, 2050, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1467, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1467, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Hashem and Oshiro.
(Representatives Fukumoto Chang and Tupola voted no.)

SCRep. 231 Health on H.B. No. 1283

The purpose of this measure is to support the functions and financial sustainability of the Hawaii Health Connector (Connector) by, among other things:

- (1) Specifying that the Connector will be self-sustaining by January 1, 2023, rather than January 1, 2015;
- (2) Expanding the purposes of and revenue streams available to the Connector to include enrollment, implementation, and benefit administration services for employers and their employees for non-qualified health plans; and
- (3) Authorizing the Connector to issue debentures in amounts collectively not to exceed \$28,000,000, to be payable solely from operating revenues received by the Connector.

The Department of the Attorney General, Department of Commerce and Consumer Affairs, Connector, Hawaii Primary Care Association, Hawaii Medical Service Association, and The Chamber of Commerce Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the Connector be self-sustaining by January 1, 2015, to better comply with federal Patient Protection and Affordable Care Act of 2010 (ACA) mandates;
- (2) Ensuring that the issuance of debentures by the Connector complies with State fiscal constitutional and statutory mandates by:
 - (A) Amending the measure's purpose section to specify that the issuance of debentures in the name of the Connector serves a public purpose;
 - (B) Specifying that the State shall approve all debentures before they are issued; and
 - (C) Establishing and appropriating unspecified funds to the Connector Debenture Guarantee Trust Fund to ensure that reasonable reserves are established within the state treasury prior to the issuance of the debentures;
- (3) Specifying that all plans for the Connector to generate revenues be in compliance with both federal and state laws, rules, and regulations;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purpose of style, clarity, and consistency.

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 H.B. No. 1283, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1283, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Hashem and Oshiro.
(Representatives Fukumoto Chang and Tupola voted no.)

SCRep. 232 Health on H.B. No. 1455

The purpose of this measure to improve access to medical marijuana for qualifying patients who are unable to grow their own supply by:

- (1) Allowing a qualifying patient or a primary caregiver to transfer marijuana plants or plant material to any other qualifying patient or primary caregiver;
- (2) Increasing the amount of marijuana that constitutes an adequate supply; and
- (3) Increasing the maximum number of qualifying patients that a primary caregiver may care for at any given time, from one caregiver for one qualifying patient, to one caregiver for no more than five qualifying patients.

The Drug Policy Forum of Hawaii, Community Alliance on Prisons, The Libertarian Party of Hawaii, Alternative Pain Management Pu'uhona, Drug Policy Action Group, and numerous individuals testified in support of this measure. The Hawaii Police Department, Honolulu Police Department, Maui Police Department, City and County of Honolulu Department of the Prosecuting Attorney, Coalition for a Drug-Free Hawaii, and several individuals opposed this measure. The Department of Health, Hawaii Catholic Conference, Hawaii Family Advocates, and several individuals commented on this measure.

Your Committee has amended this bill by:

- (1) Deleting the provision allowing a qualifying patient or a primary caregiver to transfer marijuana plants or plant material to any other qualifying patient or primary caregiver;
- (2) Retaining existing statutory language that specifies that the amount of marijuana jointly possessed between a qualifying patient and primary caregiver shall not exceed seven marijuana plants, whether immature or mature, and four ounces of usable marijuana at any given time;
- (3) Decreasing the maximum number of qualifying patients that a primary caregiver may care for at any given time, from one caregiver for no more than five qualifying patients, to one caregiver for no more than three qualifying patients;
- (4) Specifying that a primary caregiver disclose to the Department of Health the number of qualifying patients for whom the caregiver is responsible, including the name, address, patient identification number, and other identifying information of each qualifying patient;
- (5) Providing that upon establishment of a medical marijuana dispensary, the primary caregiver to qualifying patient ratio shall revert to the current law of one caregiver to one qualifying patient;
- (6) Limiting the number of marijuana plants grown for medical marijuana use to no more than fourteen marijuana plants located at a single property defined by a single tax map key number; and
- (7) Changing its effective date to July 1, 2050, to facilitate 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 H.B. No. 1455, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1455, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Hashem and Oshiro.
(Representative Tupola voted no.)

SCRep. 233 Higher Education on H.B. No. 111

The purpose of this bill is to effectuate its title.

H.B. No. 111 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure, as amended, is to repeal the Board of Regents' authority to appoint or retain attorneys for the purpose of representing the University of Hawaii.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the action to report out H.B. No. 111, as amended herein, and recommends that it be recommitted to the Committee on Higher Education, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 111, H.D. 1.

Signed by all members of the Committee except Representative Aquino.

SCRep. 234 Consumer Protection & Commerce on H.B. No. 261

The purpose of this bill is to effectuate its title.

H.B. No. 261 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

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 action to report out H.B. No. 261, as amended herein, and recommends that it be recommitted to the Committee on Consumer Protection & Commerce, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 261, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Creagan and Har.

SCRep. 235 Education on H.B. No. 1412

The purpose of this bill is to effectuate its title.

H.B. No. 1412 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of the amended measure is to make certain amendments related to the fiscal operations of the Department of Education, including making permanent its authority to supervise its accounts, and making required housekeeping amendments.

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 action to report out H.B. No. 1412, as amended herein, and recommends that it be recommitted to the Committee on Education, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1412, H.D. 1.

Signed by all members of the Committee except Representatives Aquino and Ito.

SCRep. 236 Public Safety on H.B. No. 840

The purpose of this measure is to immediately initiate the planning and design process to develop a secure correctional facility to be operated by the State and designed to include rehabilitation programs for the treatment of chemical dependency and abuse and other mental health programs.

A concerned individual supported this measure. Hoomana Pono, LLC., and a concerned individual opposed this measure. The Department of Public Safety, State Procurement Office, Community Alliance on Prisons, and a concerned individual offered comments.

Your Committee has amended this measure by:

- (1) With respect to the correctional facility to be planned and designed:
 - (A) Amending the capacity of the facility to be from 1200 to 1500 beds;
 - (B) Clarifying that the facility is intended to be a minimum- to medium-security facility that will replace the Oahu Community Correctional Center; and
 - (C) Specifying that the Hawaii Public Procurement Code shall apply to any contracts therefor;

- (2) Making corresponding amendments to the purpose clause and recommending facility development via a public-private partnership that is subject to the Hawaii Public Procurement Code;
- (3) Changing all references to community correctional facility;
- (4) Changing its effective date to July 1, 2020, to promote 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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 840, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 840, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 237 Economic Development & Business on H.B. No. 1454

The purpose of this measure is to increase economic development in the State through promotion of manufacturing by establishing a temporary nonrefundable income tax credit for qualified manufacturing costs incurred for manufacturing products in Hawaii.

The Chamber of Commerce of Hawaii, Hawaii Food Industry Association, KYD, Inc. dba: K. Yamada Distributors, and Meadow Gold Dairies, Hawaii Farm Bureau, and a concerned individual testified in support of this bill. The Department of Business, Economic Development, and Tourism (DBEDT) and High Technology Development Center testified in support of the intent of this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

As one of the most isolated land masses on earth, Hawaii must import approximately 90 percent of all products consumed annually. However, manufacturers in Hawaii produce goods that are in demand across the United States and around the world. Thus, developing and supporting manufacturing in Hawaii could serve two purposes. First, in-state manufacturing could reduce Hawaii's need to import consumer products. Second, exporting more products made in-state could lead to greater economic development.

According to the Chamber of Commerce of Hawaii, Hawaii has over 1,000 active manufacturers employing approximately 17,000 workers. Hawaii's manufacturing industry contributes to the economy by exporting manufactured goods. Providing a manufacturing tax credit would provide financial benefits to these manufacturers, thereby increasing their growth. The tax credit would also encourage other manufacturers to begin operations in Hawaii, thereby strengthening Hawaii's economy.

However, your Committee understands the concerns raised by the Department of Taxation regarding the broad definition of "qualified manufacturing costs". Your Committee also understands the concerns raised by DBEDT that it currently lacks the ability to verify the amount of the qualified manufacturing costs claimed as required under this measure. Accordingly, your Committee has amended this measure by:

- (1) Stipulating that qualified manufacturing costs eligible for the tax credit qualify for a deduction under section 167 (with respect to depreciation) of the Internal Revenue Code, as amended;
- (2) Stipulating that qualified manufacturing costs do not include any costs related to the production of electricity;
- (3) Stipulating that DBEDT obtain information on self-verified qualified manufacturing costs claimed rather than verifying the amount claimed;
- (4) Requiring that equipment eligible for the tax credit be placed in service within one year after the date of purchase;
- (5) Prohibiting equipment from qualifying for the manufacturing tax credit if it has been previously claimed by any taxpayer in this State for the tax credit; and
- (6) Specifying that costs incurred to train employees to manufacture tangible personal property that are eligible for the tax credit be reasonable and necessary and do not include professional and personal services.

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

Finally, your Committee realizes that this bill is a work in progress. However, your Committee finds that it is in the best interest of the State that accurate and relevant information be obtained in order to determine the effectiveness of this tax credit. Accordingly, your Committee suggests that all interested parties work together to determine what constitutes the minimum information necessary for certification to evaluate the effectiveness of the credit and present any amendments determined to be necessary to future committees as this measure continues through the legislative process. Furthermore, your Committee also suggests that when determining minimum informational requirements, all interested parties consider the applicability of consent waivers with respect to confidential information.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1454, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1454, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Tokioka, Woodson and Matsumoto.

SCRep. 238 Judiciary on H.B. No. 211

The purpose of this measure is to appropriate funds for a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the Honolulu Family Justice Center, including the hiring of necessary staff.

The Department of the Prosecuting Attorney of the City and County of Honolulu and Office of the Prosecuting Attorney, County of Kauai testified in support of this measure.

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 H.B. No. 211 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Thielen.

SCRep. 239 Judiciary on H.B. No. 1134

The purpose of this measure is to support pro se and other litigants on the Island of Hawaii by appropriating funds for equipment, supplies, and salaries associated with the hiring of personnel needed for the implementation of Ho'okole Legal Self-help Service Centers in Hilo and Kona.

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

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 H.B. No. 1134 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami and Thielen.

SCRep. 240 Judiciary on H.B. No. 401

The purpose of this measure is to make voter registration automatic upon an application for a new or renewed driver's license, instructional permit, provisional license, or civil identification card.

Your Committee received testimony in support of the measure with suggested alternative language from the Office of Elections, the League of Women Voters, Common Cause Hawaii, and the Center for Popular Democracy.

Your Committee received technical comments on this measure from the Department of the Attorney General.

Your Committee finds that voter registration and participation are important components of a healthy democracy and that steps should be taken to maximize registration and participation. However, your Committee also finds that despite the beneficial intent of this measure, as received, it does not comply with the federal National Voter Registration Act because it does not offer applicants the option to decline to register to vote.

Your Committee has amended the measure by:

- (1) Making voter registration affidavits a part of the application associated with the issuance of civil identification cards or driver's licenses;
- (2) Requiring applicants to either clearly decline to register to vote or complete the voter affidavit before the application can be processed;
- (3) Making conforming amendments to sections 286-109, 286-301, and 286-311, Hawaii Revised Statutes; and
- (4) Making technical amendments for purposes of 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 H.B. No. 401, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 401, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and McDermott.

SCRep. 241 Housing on H.B. No. 283

The purpose of this measure is to promote the development of affordable housing by authorizing the exemption of any qualified person or firm involved in the development of affordable housing in a mixed-use project on certain state or county lands from general excise taxes.

The Hawaii Primary Care Association testified in support of this measure. The Hawaii Housing Finance and Development Corporation and Hawaii Association of REALTORS supported the intent of this bill. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee acknowledges that this measure warrants further discussion and collaboration, but notes that if it is ultimately passed, it should take effect no earlier than July 1, 2017. Your Committee respectfully requests that this date be given due consideration as this measure continues through the legislative process.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to promote further discussion.

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 H.B. No. 283, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 283, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 242 Housing on H.B. No. 1354

The purpose of this measure is to increase development in the quantity and quality of housing in Hawaii by appropriating funds to various housing agencies for improving the quality of existing public and affordable housing structures and increasing the supply of affordable and public housing units in the State.

The Hawaii Housing Finance and Development Corporation, Department of Hawaiian Home Lands, Hawaii Public Housing Authority, General Contractors Association of Hawaii, PHOCUSED, Partners in Care, EAH Housing, Neighborhood Place of Puna, Catholic Charities Hawaii, Hawaii Primary Care Association, Hawaii Catholic Conference, Hawaii Appleseed Center, and several concerned individuals supported this measure. The Hawaii Interagency Council on Homelessness, BIA Hawaii, The Chamber of Commerce Hawaii, and Hawaii Association of Realtors supported the intent of this measure. The Department of Budget and Finance and a concerned individual submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Housing respectfully requests that it consider appropriating:

- (1) \$50,000,000 for the improvement of existing public housing stock and increasing the supply of public housing units;
- (2) \$100,000,000 for general obligation bonds for loans and grants for rental housing from the Rental Housing Trust Fund;
- (3) \$20,000,000 for general obligation bonds for the development of infrastructure from the Dwelling Unit Revolving Fund;
- (4) \$15,000,000 for the construction of micro apartment housing units;
- (5) \$30,000,000 for the construction of housing for Native Hawaiian beneficiaries on Department of Hawaiian Home Lands homestead land; and
- (6) An appropriate amount for affordable housing projects for veterans.

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 H.B. No. 1354, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1354, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 243 Transportation on H.B. No. 1089

The purpose of this measure is to mitigate the burdens of obtaining a yearly certificate of motor vehicle inspection, while maintaining public safety, by requiring that motor vehicle inspections be conducted every two years rather than annually.

Street Bikers United Hawaii testified in support of this measure. The Department of Transportation testified in opposition to this measure.

Annual safety inspections performed on motor vehicles serve the public interest by ensuring that vehicles being driven on Hawaii's roadways are in a safe operating condition. However, these annual safety inspections cost considerable time and money for Hawaii's drivers. Additionally, new requirements for photographs and other paperwork have led to a longer and more complicated safety inspection process and wait times to schedule an annual safety inspection in some communities can be over one week long.

Your Committee finds that requiring vehicle inspections every two years rather than every year will save consumers, businesses, and government agencies considerable time, energy, and money without compromising safety on the roadways.

Your Committee has amended this measure by changing its effective date to July 1, 2030, to encourage further discussion.

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 H.B. No. 1089, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1089, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 244 Transportation on H.B. No. 1360

The purpose of this measure is to increase aviation and harbor safety, as well as enhance the safety of operation of the Department of Transportation, by authorizing the issuance of general obligation (GO) bonds to fund the relocation of the Clear Channel antenna currently located near the campus of Honolulu Community College.

The Department of Transportation (DOT) testified in support of this measure. The Department of Budget and Finance provided comments.

According to DOT, the Federal Aviation Administration (FAA) has expressed concerns regarding the height of cranes used to offload maritime cargo in Honolulu Harbor and their proximity to operations at the Honolulu International Airport. A major concern of the FAA is that the height of the cranes may jeopardize aircraft in the case of a "one engine inoperable" scenario where an aircraft loses power from one engine upon takeoff. While DOT has reviewed options to address this concern including moving the cranes, obtaining lower profile cranes, and extending airport runways, none of these

options have proved to be feasible at this time. However, relocation of a radio antenna currently located near the campus of Honolulu Community College is an option that would address this concern and allow for a safe flight plan to be engaged in the case of a "one engine inoperable" scenario. Your Committee finds that movement of the radio antenna is in the best interest of public safety.

Your Committee has amended this measure by changing its effective date to July 1, 2030, to encourage further discussion.

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 H.B. No. 1360, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1360, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 245 Higher Education on H.B. No. 285

The purpose of this measure is to address an increasing shortage of physicians in the State by establishing the John A. Burns School of Medicine Scholarship Program, which covers the cost of tuition and fees for a full course of study at the John A. Burns School of Medicine in return for a five-year service commitment to practice in the State.

The Queen's Health Systems and Hawaii Primary Care Association testified in support of this measure. One concerned individual testified in opposition to this measure. The University of Hawaii at Manoa John A. Burns School of Medicine provided comments.

Your Committee has amended this measure by changing its effective date to July 1, 2525, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 285, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 285, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 246 Higher Education on H.B. No. 543

The purpose of this measure is to require the Auditor to conduct audits of the University of Hawaii's management of faculty workloads and report findings and recommendations to the Legislature, beginning with the 2016 Regular Session and, thereafter, at each Regular Session immediately prior to the expiration of each faculty union collective bargaining agreement.

The University of Hawaii Professional Assembly and one concerned individual opposed this measure. The University of Hawaii System 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 is in accord with the intent and purpose of H.B. No. 543 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.
(Representative Tupola voted no.)

SCRep. 247 Human Services on H.B. No. 900

The purpose of this measure is to strengthen the State's ability to prosecute individuals who fraudulently obtain medical assistance benefits by:

- (1) Clarifying that fraudulently applying for or renewing medical assistance benefits is a class C felony;
- (2) Clarifying that an individual charged with the offense shall pay restitution equivalent to the amount of medical assistance benefits received; and
- (3) Extending the statute of limitations for the offense of medical assistance fraud.

The Department of Human Services and Department of the Attorney General support this measure.

Your Committee has 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 900, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 900, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti and Creagan.

SCRep. 248 Agriculture on H.B. No. 1345

The purpose of this measure is to ensure that the East Kauai Water Users' Cooperative (Cooperative) has a steady and dependable supply of water by appropriating funds, as a grant, for the operation, repair, maintenance, and improvement of the Cooperative's irrigation systems.

The Department of Agriculture, East Kauai Water Users' Cooperative, Hawaii Farm Bureau, Kauai County Farm Bureau, Hawaii Crop Improvement Association, Hawaii Farmers Union United, Kalepa Coalition, Saiva Siddhanta Church, HARC, and a concerned individual supported this measure.

Your Committee has amended this measure by deleting the requirement that the appropriation for the Cooperative's irrigation systems be in the form of a grant pursuant to Chapter 42F, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1345, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1345, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Ito.

SCRep. 249 Water & Land on H.B. No. 1410

The purpose of this measure is to distinguish the State Youth Conservation Corps Program from other federal and nationally affiliated youth conservation corps programs.

The Department of Land and Natural Resources submitted testimony in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1410, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1410, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 250 Water & Land on H.B. No. 837

The purpose of this measure is to prevent the extinction of animals with ivory teeth and tusks and the rhinoceros by prohibiting the sale and trade of ivory and rhinoceros horn within the State.

The Department of Land and Natural Resources, Hawaiian Humane Society, Humane Society of the United States, The Nature Conservancy, and numerous individuals testified in support of this measure. Lessons in Firearms Education, National Rifle Association of America, Hawaii Rifle Association, and many individuals testified in opposition to this measure. Two individuals provided comments.

Your Committee has amended this measure by:

- (1) Exempting from the applicability of this measure:
 - (A) Guns, knives, and musical instruments where composition contains less than twenty percent ivory or rhinoceros horn; and
 - (B) Ivory or rhinoceros horn jewelry identified as Ming's jewelry;
- (2) Excluding whale teeth from the definition of "ivory";
- (3) Specifying that there is a two-year enforcement delay on the prohibition of the sale and trade of ivory from the effective date of the measure;
- (4) Making technical, nonsubstantive amendments to better comport with drafting conventions and to enhance clarity, consistency, and style; and
- (5) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 837, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 837, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 251 Water & Land on H.B. No. 722

The purpose of this measure is to assist the Department of Land and Natural Resources in its new acquisition of Lipoa point by establishing a Lipoa Point Management Council to collaborate with relevant agencies and entities and make recommendations on the development of Lipoa point.

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

Your Committee has amended this measure by:

- (1) Replacing specific named groups with community members for the Lipoa Point Management Council membership;
- (2) Removing the Council's rule making exemption from chapter 91, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2050, 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 722, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 722, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 252 Water & Land on H.B. No. 1170

The purpose of this measure is to allow for the lease of public lands for geothermal use without public auction and to provide clarity and consistency in the statutory provisions relating to the regulation of mineral resources under chapters 171 and 182, Hawaii Revised Statutes.

The Department of Business, Economic Development, & Tourism and the Department of Land and Natural Resources testified in support of this measure. A concerned individual provided comments.

Your Committee has amended this bill by changing its effective date to July 1, 2050, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1170, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1170, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 253 Labor & Public Employment on H.B. No. 676

The purpose of this measure is to:

- (1) Authorize the Chair of the State Public Charter School Commission to vote on collective bargaining agreements for bargaining units (5) and (6); and
- (2) Require collective bargaining agreements for bargaining unit (9) to provide three votes for the Governor, two for the Hawaii Health Systems Corporation (HHSC), and one for each county mayor in which HHSC operates a facility.

HHSC, East Hawaii Region of HHSC, and Hilo Medical Center Foundation testified in support of this measure. The Office of Collective Bargaining and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in opposition to this measure. The Department of the Attorney General, Department of Budget and Finance, State Public Charter School Commission, and Hawaii Public Charter Schools Network commented on this measure.

Your Committee has amended this measure by:

- (1) Amending the voting allocations for bargaining units (5) and (6) to give the governor four, instead of three, votes;
- (2) Changing the voting structure for bargaining unit (9) to give the Chief Justice of the Hawaii Supreme Court one vote; and
- (3) Changing the effective date to July 1, 2115, to encourage further discussion.

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 H.B. No. 676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 676, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 254 Labor & Public Employment on H.B. No. 905

The purpose of this measure is to improve state planning and policies by:

- (1) Completing a comprehensive review, including the solicitation of proposals and recommendations, regarding the Hawaii State Planning Act in the context of existing county, departmental, and agency programs, regulations, practices, projects, and issues faced; and
- (2) Appropriating funds for the completion of such a review.

The Department of Business, Economic Development & Tourism and the Office of Planning testified in support of this measure.

Should the Committee on Finance deliberate on this measure further, your Committee respectfully requests that it consider appropriating \$250,000 for fiscal year 2015-2016 and the same sum or so much thereof as may be necessary for fiscal year 2016-2017, to conduct the Hawaii State Planning Act review proposed by this measure.

Your Committee has amended this measure by changing the appropriation to an unspecified amount.

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 H.B. No. 905, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 905, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 255 Health on H.B. No. 481

The purpose of this measure is to support emergency medical services on the island of Hawaii by appropriating funds for an advanced life support ambulance to be based in the Makalei area, including associated costs for vehicle and equipment acquisition and personnel.

The Councilmember representing District 4 of the Hawaii County Council, Hawaii Fire Fighters Association, and the Daniel Sayre Memorial Foundation testified in support of this measure. The Department of Health provided comments.

Your Committee has amended this measure by:

- (1) Changing its 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 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 H.B. No. 481, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 481, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 256 Health on H.B. No. 584

The purpose of this measure is to extend the legal protections currently afforded to healthcare workers who are assaulted in emergency departments to workers in other healthcare settings. Specifically, this measure makes it an assault in the second degree to intentionally or knowingly cause bodily injury to any medical services provider who is in the performance of duty in a hospital, medical clinic, or federally qualified health center.

The Hawaii Primary Care Association, The Queen's Health Systems, and an individual testified in support of this measure. An individual testified in opposition to this measure. Kaiser Permanente and Healthcare Association of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the extension of legal protection to medical services providers does not apply to patients in a hospital, medical clinic, or federally qualified health center;
- (2) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 584, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 584, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 257 Energy & Environmental Protection on H.B. No. 949

The purpose of this measure is to make an emergency appropriation of \$1,050,000 to the Environmental Response Revolving Fund, which has a dangerously low balance because of reduced deposits from the tax on petroleum products and increased demand for public health and environmental hazard evaluation and emergency response. The measure also appropriates the same amount from the Environmental Response Revolving Fund for hazard evaluation and emergency response preparedness.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 168 to the Legislature, requested immediate consideration and passage of this bill by the Legislature.

The Department of Health and a concerned individual testified in support of the measure. Life of the Land provided comments.

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 is in accord with the intent and purpose of H.B. No. 949 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 258 Judiciary on H.B. No. 210

The purpose of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the City and County of Honolulu for the Career Criminal Prosecution Unit and Victim Witness Assistance Program.

The Crime Victim Compensation Commission, the Department of the Prosecuting Attorney of the City and County of Honolulu, the Office of the Prosecuting Attorney of the County of Hawaii, the Department of the Prosecuting Attorney of the County of Maui, and the Office of the Prosecuting Attorney of the County of Kauai submitted testimony in support of this measure.

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 H.B. No. 210 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Thielen.

SCRep. 259 Judiciary on H.B. No. 1404

The purpose of this measure is to appropriate funds to the County of Hawaii Office of the Prosecuting Attorney for the Career Criminal Prosecution Unit and the Victim Witness Assistance Program.

The Department of the Attorney General, Crime Victim Compensation Commission, the Office of the Prosecuting Attorney of the County of Hawaii, the Department of the Prosecuting Attorney of the County of Maui, the Office of the Prosecuting Attorney of the County of Kauai, the Department of the Prosecuting Attorney of the City and County of Honolulu, and one individual submitted testimony in support of this measure.

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 H.B. No. 1404 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami and Thielen.

SCRep. 260 Judiciary on H.B. No. 414

The purpose of this measure is to appropriate funds for a grant-in-aid to the County of Kauai, Office of the Prosecuting Attorney for its Career Criminal Prosecution Unit and Victim Witness Assistance Program.

The Crime Victim Compensation Commission; Department of the Prosecuting Attorney, City and County of Honolulu; Office of the Prosecuting Attorney, County of Hawaii; Office of the Prosecuting Attorney, County of Kauai; Department of the Prosecuting Attorney, County of Maui; and Kauai Police Department testified in support of this measure.

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 H.B. No. 414 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Thielen.

SCRep. 261 Judiciary on H.B. No. 178

The purpose of this measure is to permit the electronic transmission and return of absentee ballots by voters who have not received absentee mail ballots within five days of an election.

The Office of Elections of the State, Office of the County Clerk of the County of Kauai, Office of the County Clerk of the County of Maui and one individual submitted testimony in support of this measure. The Office of the City Clerk of the City and County of Honolulu and the League of Women Voters of Hawaii provided comments.

Your Committee finds that this measure would ensure that all voters who have requested but have not received their absentee ballot will have the option to electronically receive and cast absentee election ballots. Your Committee notes that this form of absentee voting is currently allowed only for voters covered by the state's Uniform Military and Overseas Voters Act, chapter 15D, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Adding a provision to allow any voter who requires a replacement absentee ballot to request electronic transmission of the ballot within five days of an election;
- (2) Specifying that, if a voter returns multiple ballots, a county clerk shall prepare for counting only the first unspoiled absentee ballot returned by the voter; 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 H.B. No. 178, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 178, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 262 Judiciary on H.B. No. 238

The purpose of this measure is to establish the Office of the State Inspector General to investigate complaints alleging fraud, waste, abuse, or corruption by a state agency, quasi-public agency, or the officers or employees of those agencies. The Office of the State Inspector General will promote integrity and accountability, and maximize efficiency and effectiveness of state and quasi-public agencies through the conduct of independent investigations and performance reviews.

Two concerned individuals testified in support of the measure. The Office of the Auditor and the Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Establishing the Office of the State Inspector General within the Department of Accounting and General Services for administrative purposes only, instead of in the Office of the Auditor; 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 H.B. No. 238, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 238, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami and Thielen.

SCRep. 263 Judiciary on H.B. No. 344

The purpose of this measure is to appropriate funds to the Department of the Attorney General to fund the Statewide Sexual Assault Services Program to ensure that all islands have access to quality forensic sexual assault examinations.

The funds will be used to restart the Hawaii Sexual Assault Response and Training initiative ("HSART"), a statewide program that provides medical, legal, and counseling services to victims. HSART also provides investigative services including forensic sexual assault examinations that are necessary for the effective prosecution of perpetrators.

The Department of the Attorney General; Office of the Prosecuting Attorney, County of Hawaii; Department of the Prosecuting Attorney, County of Maui; Children's Justice Center of Kauai; and several concerned individuals testified in support of the measure. The YWCA of Hawaii Island testified in support and provided a proposed amendment. The Sex Abuse Treatment Center, Kapiolani Medical Center for Women & Children, and YWCA of Kauai provided 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 H.B. No. 344 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Kawakami and Thielen.

SCRep. 264 Judiciary on H.B. No. 452

The purpose of this measure is to appropriate funds to increase and set the base budget of the Department of the Attorney General for statewide sexual assault services.

The Crime Victim Compensation Commission, Office of the Prosecuting Attorney of the County of Hawaii, The Sex Abuse Treatment Center, YWCA of Kauai, Child & Family Service, YWCA of Hawaii Island, Hawaii Women's Coalition, and a few individuals submitted testimony in support of this measure. The Department of the Attorney General provided comments on this measure.

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 H.B. No. 452 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Kawakami and Thielen.

SCRep. 265 Judiciary on H.B. No. 492

The purpose of this measure is to appropriate funds for the Judiciary to enter into contracts with community mediation centers for mediation services.

The Mediation Centers of Hawaii, Inc. and an individual submitted testimony in support of the measure. The Judiciary provided comments on the measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 492 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Kawakami and Thielen.

SCRep. 266 Judiciary on H.B. No. 792

The purpose of this measure is to amend the Hawaii Rules of Evidence to authorize nonresident property crime victims to testify in criminal proceedings by a live two-way video connection.

The Department of the Prosecuting Attorney, County of Maui and Hawaii Police Department testified in support of the measure. The Judiciary and Office of the Public Defender testified in opposition.

Your Committee has amended this measure to:

- (1) Apply to misdemeanor or petty misdemeanor property offenses;
- (2) Require the whole body of the witness to be visible during the witness's testimony; and
- (3) Require the rule to be liberally construed to further the important public policy of protecting the safety of visitors and residents.

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 H.B. No. 792, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 792, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Kawakami and Thielen.

SCRep. 267 Judiciary on H.B. No. 966

The purpose of this measure is to correct the inadvertent repeal of the words "as such" from section 237-23(b), Hawaii Revised Statutes, which provides various general excise tax exemptions.

Act 184, Session Laws of Hawaii 2012, amended section 237-23, Hawaii Revised Statutes, to add potable water companies to the list of organizations qualifying for general excise tax exemptions, but in doing so inadvertently repealed "as such" from this section.

Hawaii law holds that income from activities that further the exempt purpose of the organization are exempt from general excise taxation. Income from activities unrelated to the organization's exempt purpose would not be exempt from taxation. The deletion of "as such" implies that all activities of the listed organization are exempt, instead of only those activities that further the organization's exempt purpose. The inadvertent deletion could significantly expand the exemption to all activities of hospitals, infirmaries, sanitarium, and potable water companies.

The Department of Taxation testified in support of the measure. Tax Foundation of Hawaii provided comments and proposed an amendment to ensure retroactive applicability of this correction.

Your Committee has amended the measure to take effect upon its approval, retroactive to taxable years beginning after December 31, 2011.

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 H.B. No. 966, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 966, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami and Thielen.

SCRep. 268 Judiciary on H.B. No. 1198

The purpose of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the City and County of Honolulu for the Honolulu Family Justice Center for the hiring of staff, risk assessment training, and evaluation services for victims, on a 1:1 matching basis with the City and County of Honolulu.

Ala Kuola and one individual submitted testimony in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu and Family Violence & Sexual Assault Institute provided comments on this measure.

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 H.B. No. 1198 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami and Thielen.

SCRep. 269 Education on H.B. No. 12

The purpose of this measure is to allow student or class participation in a charitable fundraiser or activity that is exempt from federal taxes under section 501(c)(3) of the Internal Revenue Code of 1988, as amended, if the activity is a part of a school project that benefits student learning.

The Department of Education and IMUAlliance testified in support of this measure. Common Cause Hawaii testified in opposition to this measure. The Hawaii State Ethics Commission provided comments.

Your Committee has amended this measure by:

- (1) Specifying that, in allowing class and school participation in charitable activities, the Department of Education shall take steps to prevent:
 - (A) The preferential treatment or selection of specific charities; and
 - (B) Coercive or undue influence by Department of Education personnel aimed at spurring student or family participation in school or class-based charitable activities against their will; 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 H.B. No. 12, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 12, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Ito.

SCRep. 270 Education on H.B. No. 1107

The purpose of this measure is to appropriate funds out of the general revenues of the State to establish and maintain a bookmobile that serves the rural areas of the island of Hawaii.

The Hawaii State Public Library System testified in support of the measure and proposed an amendment to name the Hawaii Public Library System as the entity that is authorized to expend the appropriation. The Department of Education provided comments.

Your Committee has amended this measure by:

- (1) Naming the Hawaii State Public Library System as the entity that is authorized to expend the appropriation; and
- (2) Changing the appropriated amounts to an unspecified amount to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Education respectfully requests that it consider appropriating \$300,000 for each year of fiscal biennium 2015-2017 for the establishment and maintenance of the bookmobile servicing rural areas of the island of Hawaii.

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 H.B. No. 1107, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1107, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito and Matsumoto.

SCRep. 271 Education on H.B. No. 462

The purpose of this measure is to provide the Board of Education with more flexibility to establish the salary of the State Librarian by raising the salary cap on the State Librarian position from \$120,000 to \$200,000 per year.

The Board of Education and Hawaii State Public Library System testified in support 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 is in accord with the intent and purpose of H.B. No. 462 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 272 Education on H.B. No. 463

The purpose of this measure is to make housekeeping changes to codify the long-standing Board of Education and Hawaii State Public Library System practice of delegating certain duties and responsibilities that were initially assigned to the Board of Education, to the State Librarian and the Hawaii State Public Library System.

Among other things, the State Librarian shall:

- (1) Acquire all books and publications for libraries; expend moneys appropriated by the Legislature or otherwise acquired for the development, use, support and maintenance of libraries; place libraries within reach of all residents and public and private students in the State; enter into contracts to effect its general duties; appoint officers and employees as necessary; and adopt rules for the management and use of libraries and properties under its management; and
- (2) Report to the Governor the moneys received from all sources and expended for all purposes during the preceding year.

The Hawaii State Public Library System testified in support of the measure and proposed an amendment to the measure.

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 H.B. No. 463 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 273 Education on H.B. No. 1398

The purpose of this measure is to allow public schools to use school resources to distribute to students and their families third party promotional materials that contain information about a community event, or are produced by or offer services from a nonprofit organization, if the materials have a clear and specific benefit for students, closely align with the Department of Education's educational mission, or advance the implementation of the Department's strategic plan.

The Department of Education testified in support of the measure. The Gay, Lesbian, Bisexual, and Transgender Caucus of the Democratic Party of Hawaii, Rainbow Family 808, and two concerned individuals testified in opposition.

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 H.B. No. 1398 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito and Matsumoto.

SCRep. 274 Agriculture on H.B. No. 1403

The purpose of this measure is to address the infestation of little fire ants in the County of Hawaii by requiring, and providing funding to, the Department of Agriculture to:

- (1) Develop and implement a pilot Pesticide Treatment Coupon Project that would distribute coupons redeemable for qualifying pesticides at suppliers and vendors by individuals who have reported and verified the presence of little fire ants on their property; and

- (2) Create a map that indicates all little fire ant sites in the County of Hawaii.

The Hawaii Farm Bureau Federation, Maui Chamber of Commerce, Hawaii Farmers Union United, Hawaii Island School Garden Network, 'Ai Pohaku, Three Roads Farm, and numerous concerned individuals supported this measure. A concerned individual supported this measure with amendments. The Department of Agriculture and Department of Land and Natural Resources provided comments on 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 is in accord with the intent and purpose of H.B. No. 1403 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Ito.

SCRep. 275 Agriculture on H.B. No. 1050

The purpose of this measure is to address the interisland spread of invasive species that harms agriculture, native biota, public health, and the economic well-being of the State by:

- (1) Requiring the Department of Agriculture (DOA) and the Hawaii Invasive Species Council (HISC) through existing contracts and appropriated funds for invasive species activities to:
- (A) Undertake specified invasive species management related to agricultural lands and agricultural and non-agricultural commodities, including developing an interisland and export tracking database; providing risk level assessments for the interisland transport of non-agricultural commodities; increasing priority inspections for the interisland transport of agricultural commodities; developing and coordinating interisland quarantine activities; implementing statewide pest management programs for potted plant, cut-flower, and cut-foliage production; and providing chemicals and equipment to assist growers in reducing infestation in agricultural areas, statewide; and
- (B) Undertake specified invasive species management on non-agricultural lands, including reducing infestation levels near or adjacent to Hilo Harbor, Hilo International Airport, and agricultural production areas in the County of Hawaii; and creating buffer areas between conservation lands and agricultural production areas in the County of Hawaii to prevent re-infestation of invasive species;
- (2) Requiring DOA and HISC to each submit annual reports to the Legislature beginning with the 2016 Regular Session; and
- (3) Appropriating moneys to fund the foregoing tasks.

The Hawaii Farm Bureau Federation, The Nature Conservancy, Hawaii Floriculture and Nursery Association, and three concerned individuals supported this measure. The Department of Agriculture, Oahu Invasive Species Committee, and Coordinating Group on Alien Pest Species supported the intent of this measure. The Department of Land and Natural Resources and Big Island Invasive Species Committee provided comments.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1050 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 276 Agriculture on H.B. No. 482

The purpose of this measure is to facilitate the Department of Agriculture's program to control the destructive coffee berry borer by establishing and funding a pesticide subsidy program manager position in the Department to manage and facilitate the Pesticide Subsidy Program.

The Department of Agriculture, Hawaii Farm Bureau Federation, Hawaii Crop Improvement Association, Hawaii Farmers Union United, Three Roads Farm, Counter Culture Food + Ferments, Hawaii Coffee Association, and numerous concerned individuals supported this bill.

Your Committee has amended this measure by:

- (1) Deleting the appropriation for the position of pesticide subsidy program manager, since the Department of Agriculture testified that sufficient funds are available for the position; and
- (2) Making technical, nonsubstantive amendments for style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 482, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 482, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Ito.

SCRep. 277 Agriculture on H.B. No. 1177

The purpose of this measure is to assist farmers and ranchers in applying for and obtaining grants offered by the United States Department of Agriculture and fulfilling the requirements of the grant by appropriating an unspecified sum to establish one full-time grant writer position within the Department of Agriculture.

The Department of Agriculture, Hawaii Farm Bureau Federation, Hawaii Crop Improvement Association, Hawaii Farmers Union United, Three Roads Farm, Counter Culture Food + Ferments, and a number of concerned individuals supported this bill.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1177 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Ito.

SCRep. 278 Agriculture on H.B. No. 573

The purpose of this measure is to achieve the State's goal of food security, sustainability, and self-sufficiency by establishing and funding a Hawaii Good Agricultural Practices Program within the Department of Agriculture to develop science- and risk-based good agricultural practices that reasonably reduce the potential for on-farm food-borne illness along with corresponding education and compliance certification programs.

A member of the Maui County Council, the Hawaii Farm Bureau Federation, and a concerned individual supported this measure. The Department of Agriculture supported the intent of this measure.

Your Committee notes that the Hawaii Good Agricultural Practices Program will assist small farmers in Hawaii in complying with the Food Safety Modernization Act of 2011 when they come under the authority of the Act, which authorizes the Food and Drug Administration to set minimum criteria for preventing food-borne illnesses.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 573 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 279 Agriculture on H.B. No. 501

The purpose of this measure is to assist farmers and ranchers in remaining competitive and self-sustaining by providing them with the means to request preferential rates from the Public Utilities Commission not only for potable water, but for all public utility services for agricultural activities on lands within an agricultural district.

The Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, Land Use Research Foundation of Hawaii, and a concerned individual supported this measure. The Department of Agriculture supported the intent of this measure. The Public Utilities Commission provided comments.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 501 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 280 Agriculture on H.B. No. 1332

The purpose of this measure is to ensure Hawaii's agricultural crops receive a steady and dependable supply of water by appropriating funds to maintain and improve the Pelekaui Ditch Irrigation System and its appurtenances.

The East Kauai Water User's Cooperative, Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, and one concerned individual supported this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum; and
- (2) Changing its effective date to January 20, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$10,000 for each fiscal year of fiscal biennium 2015-2017 for the purpose of maintenance and improvements to the Pelekaui Ditch Irrigation System, also known as Menehune Ditch, and all appurtenances.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1332, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1332, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 281 Agriculture on H.B. No. 1080

The purpose of this measure is to improve the efficiency of landscape irrigation installations at state facilities through low cost, practical measures by establishing and funding a four-year Irrigation Water Conservation Best Management Practices Pilot Program (Program) that requires the Department of Accounting and General Services (DAGS) to implement irrigation water conservation best management practices as established by the Landscape Industry Council of Hawaii at a minimum of four projects in the Capitol District and report Program results to the Legislature.

The Department of Land and Natural Resources commented on 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 is in accord with the intent and purpose of H.B. No. 1080 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 282 Agriculture/Economic Development & Business on H.B. No. 1225

The purpose of this measure is to support diversified agriculture in the County of Hawaii by:

- (1) Authorizing the Department of Business, Economic Development, and Tourism (DBEDT), in collaboration with the Department of Agriculture, to perform:
 - (A) Planning and feasibility studies for quarantine inspection and treatment, deconsolidation, and consolidation facilities on the Island of Hawaii, including possible sites at Foreign Trade Zone No. 9 in Hilo and other specified possible sites; and
 - (B) Marketing and economic impact analysis for the facilities;
- (2) Requiring DBEDT to submit a status report on the planning and feasibility study and the marketing and economic analysis, including recommendations and necessary legislation, prior to the 2016 Regular Session; and
- (3) Appropriating funds for the planning and feasibility study and marketing and economic analysis.

The Department of Agriculture, DBEDT, Hawaii Farm Bureau Federation, Hawaii Crop Improvement Association, Hawaii Farmers Union United, 'Ai Pohaku-The Stone Eaters, Three Roads Farm, Counter Culture Food + Ferments, Hawaii Floriculture and Nursery Association and numerous concerned individuals supported this measure.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1225 and recommend that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Ito.

SCRep. 283 Transportation on H.B. No. 1011

The purpose of this measure is to ensure highway safety by prohibiting the use of certain types of motor vehicle wheels that are considered dangerous. Specifically, this measure:

- (1) Defines the term "dangerous wheels" to mean any wheel, wheel cover, hubcap, lug nut cover or cap, prong, or any ornamentation affixed to any of the aforementioned items that extends past the wheel's rim and that may cause injury or property damage by minimal contact with a person or object; and
- (2) Prohibits any person from operating a vehicle, trailer, or semi-trailer equipped with dangerous wheels.

The Honolulu Police Department testified in support of this measure. The Department of Transportation supported the intent of this measure. The Hawaii Transportation Association provided comments.

An increasing number of motor vehicles operating on Hawaii's roadways are reportedly using wheels with a propensity to cause severe injury and property damage. By design, most of these wheels have parts that extend past their rim, and include items such as gorilla pokes, superpoke elbows, and giraffe necks. However, others not designed as such are just as dangerous due to the addition of aftermarket parts, such as lug nuts and wheel covers that bear sharp pointed projections. Your Committee finds that existing law does not address the inherent dangers associated with the use of this type of motor vehicle wheel and that prohibiting their use will improve public safety on Hawaii's highways.

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 H.B. No. 1011 and recommends that it pass Second Reading and be referred to the Committees on Judiciary and Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 284 Transportation on H.B. No. 1008

The purpose of this measure is to increase pedestrian safety for blind individuals by:

- (1) Requiring the driver's license examination to test an applicant's knowledge of exercising due care when driving a motor vehicle toward pedestrians who are blind or visually handicapped; and
- (2) Specifying in the Traffic Code that every driver of a vehicle shall exercise due care toward pedestrians who are blind or visually handicapped.

The Hawaii Association of the Blind testified in support of this measure. The Department of Transportation provided comments.

Blind and visually impaired individuals face unique situations and challenges as pedestrians, particularly when crossing the street. Unlike individuals with sight, a blind or visually impaired individual must use other senses, such as hearing, to traverse a roadway. As such, drivers need to exercise due caution toward blind and visually impaired individuals when operating a motor vehicle on a roadway. This measure addresses this issue.

Although your Committee notes that, according to the Department of Transportation, questions regarding a driver's responsibility toward blind and visually impaired pedestrians are already included on the driver's license examination, your Committee was informed that the selection of examination questions is a random process and that not all examinations contain a question about this responsibility.

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 H.B. No. 1008 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 285 Transportation on H.B. No. 970

The purpose of this measure is to increase government efficiency with regard to the motor vehicle safety inspection program by, among other things:

- (1) Streamlining and reducing the insurance information required to be placed on a safety inspection certificate;
- (2) Eliminating the ability of motor vehicle owners to replace lost, stolen, or destroyed inspection stickers without a re-inspection of the motor vehicle; and
- (3) Allowing the Director of Transportation to adopt administrative rules regarding the administration and enforcement of motor carrier vehicle safety inspections, including the establishment and amendment of various fees.

The Department of Transportation testified in support of this measure.

Your Committee finds that the current safety inspection system for motor vehicles is antiquated and that simplifying certain safety inspection information requirements would allow the motor vehicle safety inspection program to be run more efficiently, thereby improving service and value to the public.

Your Committee also finds that the Department of Transportation needs the flexibility to make changes to fees for the inspection of motor vehicle carriers without having to introduce legislation each time a fee needs to be changed. Allowing the Department to change these fees through the administrative rules process would further increase government efficiency.

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 H.B. No. 970 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 286 Transportation on H.B. No. 740

The purpose of this measure is to improve the process for the registration of used vehicles sold through a car dealership or motor vehicle rental company by allowing the directors of finance of each county to enter into contracts with car dealerships and motor vehicle rental companies to register used cars.

The Hawaii Automobile Dealers Association testified in support of this measure.

Under current law, the county director of finance is allowed to enter into a contract with new car dealerships and motor vehicle rental companies for the registration of new motor vehicles. However, when a new car dealership or motor vehicle rental company sells a used vehicle, the registration of that used vehicle generally is the responsibility of the individual purchasing the vehicle.

Your Committee finds that, as used car dealerships and motor vehicle rental companies are increasing their sales of used cars in response to growing consumer demand, it is sensible to allow these entities to register used vehicles to the same extent that they register new vehicles.

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 H.B. No. 740 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 287 Transportation on H.B. No. 1009

The purpose of this measure is to allow owners of older vehicles to legally operate their vehicles on Hawaii's roadways. Specifically, this measure redefines the term "special interest vehicle" under Hawaii's highway safety law to include a vehicle that, based on its model year, is at least twenty-five years old.

Several individuals testified in support of this measure. The Department of Transportation testified in opposition to this measure.

Under current law, certain reconstructed motor vehicles considered to be classic cars are unable to be legally registered due to ambiguity in the definition of a special interest vehicle under Hawaii's highway safety law. Your Committee notes that, in 2004, the definition of special interest vehicle was amended to include vehicles manufactured before 1968 and vehicles manufactured after 1967 to resemble a vehicle manufactured before 1968. This was an attempt to address difficulties certain motor vehicle owners were experiencing when trying to register their vehicles. However, your Committee received testimony stating that difficulties still exist in registering these motor vehicles because of the interpretation of the term resemble.

According to testimony received, since many of the classic cars being restored or rebuilt use modern, aftermarket parts, inspectors are not registering these vehicles because they do not resemble the vehicle manufactured before 1968. Thus, the owner of a 1967 Camaro may legally register their vehicle as a special interest vehicle while the owner of a 1969 Camaro, which is an almost identical vehicle, may not because of its aftermarket parts. Your Committee finds that changing the definition of special interest vehicle to include a vehicle that, based on its model year, is at least twenty-five years old will eliminate this ambiguity and allow these vehicles to be registered.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

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 H.B. No. 1009, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1009, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 288 Transportation on H.B. No. 901

The purpose of this measure is to assist the Department of the Attorney General (AG) and Harbors Division of the Department of Transportation (Harbors Division) in enforcing the laws of this State by:

- (1) Allowing the use of blue and red lamps, reflectors, or illumination devices on approved law enforcement vehicles of the AG and Harbors Division; and
- (2) Amending the definition of "authorized emergency vehicle" to include AG and Harbors Division law enforcement vehicles.

The Department of Transportation, AG, and a concerned individual testified in support of this measure.

Under current law, AG investigators have all the powers and authority of a police officer or a deputy sheriff. Appointed enforcement officers of the Harbors Division are conferred the powers of police officers and are tasked with enforcing the laws and regulations for harbors in the State. Despite this law enforcement responsibility and authority, neither department has the official and explicit authority to use law enforcement vehicles with emergency response lights. This measure would explicitly allow the use of emergency response lights on approved law enforcement vehicles of both departments and assist them in enforcing the laws of the State.

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 H.B. No. 901 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 289 Economic Development & Business on H.B. No. 240

The purpose of this measure is to support the development of seawater air conditioning district cooling systems on Oahu. Specifically, this measure includes seawater air conditioning district cooling systems in the definition of "service business" under the State's Enterprise Zone Program to enable the Downtown Honolulu Seawater Air Conditioning Project to benefit from the Program.

Honolulu Seawater Air Conditioning, LLC and Ulupono Initiative testified in support of this measure. The Department of Taxation; Department of Business, Economic Development, and Tourism; and Tax Foundation of Hawaii provided comments.

Honolulu Seawater Air Conditioning's Downtown Honolulu Seawater Air Conditioning Project is expected to service approximately 14,000,000 square feet of building space in the downtown area. In addition to the environmental and renewable energy benefits associated with this project, it is anticipated that the project will result in millions of dollars of economic opportunity for Hawaii and the creation of numerous construction and high-tech, high value employment opportunities.

Your Committee finds that the development of the Downtown Honolulu Seawater Air Conditioning Project supports the State's goal of transitioning from being dependent on fossil fuels to using more renewable resources.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 240 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 290 Economic Development & Business on H.B. No. 271

The purpose of this measure is to assist time share purchasers and time share developers by:

- (1) Providing cancellation rights to persons who contract to buy short-term products that grant a time-limited right to time share accommodations in Hawaii under Hawaii's time share law; and
- (2) Allowing for the disbursement prior to closing of purchasers' funds to a developer provided that the developer first posts a bond, letter of credit, or other financial assurance.

The American Resort Development Association and Wyndham Vacation Ownership testified in support of this measure. The Department of Commerce and Consumer Affairs and the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs provided comments.

In Hawaii, and across the nation, many time share developers offer short-term products that allow prospective time share buyers to explore the time share experience on a trial basis. Some other states have adopted laws providing a seven-day right of cancellation to short-term product buyers. Your Committee finds that this right of cancellation provides the consumer with an opportunity to explore the time share experience while providing them protections should the buyer determine to cancel the purchase within a reasonable amount of time.

Your Committee finds that under current law, a developer who constructs a time share project must hold a time share buyer's funds in escrow after the seven-day cancellation period has passed until the project is completed and closing has occurred. While the developer may remove the funds from

escrow, this option is only available under very limited circumstances. This requirement places significant amounts of money, potentially tens of millions of dollars, in escrow for months at a time. This measure addresses this issue by allowing a developer to use time share buyers' funds to develop a project; provided that the developer first posts a bond, letter of credit, or other financial assurance. Your Committee finds that protection of a time share buyer's funds with third party assurance gives the consumer ample protection if a project is not completed, while granting the developer access to funds to cover construction costs.

While your Committee does understand the concerns raised by the Department of Commerce and Consumer Affairs, your Committee finds that this measure is a work in progress that deserves further consideration and that these concerns can be discussed further as this measure continues through the legislative process.

Your Committee has amended this measure by changing its effective date to February 19, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 271, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 271, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 291 Economic Development & Business on H.B. No. 103

The purpose of this measure is to assist homeowners by providing easier access to construction services for smaller home repair and remodeling projects. Specifically, this measure raises the threshold under the contractor licensing law's "handyman exemption" from \$1,000 to \$5,000.

The Hawaii Association of REALTORS and a concerned individual testified in support of this measure. The Contractors License Board, Hawaii Construction Alliance, Building Industry Association of Hawaii, Subcontractors Association of Hawaii, and David's Custom Roofing & Painting, Inc., testified in opposition to this measure. The Department of Commerce and Consumer Affairs submitted comments.

Under the contractor licensing law, the "handyman exemption" permits the hiring of a person not licensed as a contractor, if the total cost of the project including labor, materials, taxes, and all other items, is not more than \$1,000. This allows for smaller home repair and remodeling projects to be undertaken in a more timely and efficient manner. However, rising construction costs, due in large part to the increase in construction in the State, has resulted in a concomitant increase in the costs of construction materials. As such, small home repair and remodeling projects may easily exceed \$1,000. Your Committee finds that increasing the handyman threshold, a threshold that has not been increased since 1992, will combat high housing costs and provide faster, easier access to construction services for smaller projects.

While your Committee understands the safety and regulatory concerns raised with regard to increasing the handyman exemption threshold by the opponents of this measure, your Committee finds that this measure warrants further consideration and discussion and has amended this measure by:

- (1) Reducing the increase in the exemption threshold from \$5,000 to \$2,000; and
- (2) Changing its effective date to February 19, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 103, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 103, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 292 Economic Development & Business on H.B. No. 241

The purpose of this measure is to support the development of a renewable and efficient energy system in the state by extending, from June 30, 2015, to June 30, 2020, the authorization to issue special purpose revenue bonds to assist Honolulu Seawater Air Conditioning, LLC, in financing the design and construction of a seawater air conditioning district cooling system on Oahu.

Honolulu Seawater Air Conditioning, LLC and Ulupono Initiative testified in support of this measure

Honolulu Seawater Air Conditioning's downtown Honolulu seawater air conditioning project is expected to service approximately fourteen million square feet of building space in the downtown area. In addition to the environmental and renewable energy benefits associated with this project, it is anticipated that the project will result in millions of dollars of economic opportunity for Hawaii and the creation of numerous construction and high-tech, high value employment opportunities.

Over the years, the Legislature has authorized the issuance of a total of \$145,000,000 in special purpose revenue bonds for the downtown Honolulu seawater air conditioning project, \$20,000,000 of which was authorized in 2012 with an expiration date of 2015. However, disruptions in the financial markets and longer than expected permitting and regulatory reviews have delayed the sale of these special purpose revenue bonds. Your Committee finds that extending the authorization to issue special purpose revenue bonds for this project is in the best interest of the State and is an important element in providing economically feasible project financing for Honolulu Seawater Air Conditioning.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 241 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 293 Economic Development & Business on H.B. No. 1329

The purpose of this measure is to diversify Hawaii's economy by developing a motor sports industry in the State. Specifically, this measure authorizes the issuance of special purpose revenue bonds to assist Paradise Ohana Automotive Training & Education, LLC in the:

- (1) Planning, design, and construction of an automotive training and education facility in Hawaii;
- (2) Planning, design, and construction of a manufacturing and industrial facility in West Oahu;
- (3) Development of an educational facility in West Oahu; and
- (4) Planning and construction of a motorsports center.

Paradise Ohana Centers LLC and numerous concerned individuals testified in support of this measure. The Attorney General provided comments.

Motorsports, including racing, is a growing major worldwide industry. The development of a motorsports industry and planned motorsports center will not only provide a venue for Hawaii's sports racing fans and motorsports enthusiasts, but it is expected to have a positive economic benefit for the State. As there is a synergistic relationship between the motorsports industry and numerous businesses associated with the automotive industry, the potential for the creation of manufacturing and industrial jobs and high tech and innovative automotive businesses in Hawaii through the development of a motorsports center is high. In addition, the clustering of similar businesses around these centers can have the same positive economic impact of hundreds of millions of dollars, much like what is happening in other states that have developed such facilities. With the boom in racing and other motorsports currently occurring in Asia, Hawaii stands to gain from the development of this industry.

Your Committee finds that the provision of special purpose revenue bonds authorized in this measure for the development of a motorsports center and associated educational, training, industrial, and manufacturing facilities has tremendous economic potential, would support the general welfare of the State, and is a first step in developing a world class motorsports center and industry in Hawaii.

While your Committee notes the legal concerns regarding the issuance of the special purpose revenue bonds in this measure raised by the Attorney General, this measure deserves further consideration.

Your Committee has amended this measure by changing its effective date to February 19, 2025, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1329, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1329, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 294 Economic Development & Business on H.B. No. 242

The purpose of this measure is to support the development of a renewable and efficient energy system in the State by extending, from June 30, 2015, to June 30, 2020, the authorization to issue special purpose revenue bonds to assist Honolulu Seawater Air Conditioning, LLC, in financing the design and construction of a seawater air conditioning district cooling system on Oahu.

Honolulu Seawater Air Conditioning, LLC and Ulupono Initiative testified in support of this measure.

Honolulu Seawater Air Conditioning's downtown Honolulu seawater air conditioning project is expected to service approximately fourteen million square feet of building space in the downtown area. In addition to the environmental and renewable energy benefits associated with this project, it is anticipated that the project will result in millions of dollars of economic opportunity for Hawaii and the creation of numerous construction and high-tech, high value employment opportunities.

Over the years, the Legislature has authorized the issuance of a total of \$145,000,000 in special purpose revenue bonds for the downtown Honolulu seawater air conditioning project, \$20,000,000 of which was authorized in 2012 with an expiration date of 2015. However, disruptions in the financial markets and longer than expected permitting and regulatory reviews have delayed the sale of these special purpose revenue bonds. Your Committee finds that extending the authorization to issue special purpose revenue bonds for this project is in the best interest of the State and is an important element in providing economically feasible project financing for Honolulu Seawater Air Conditioning.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 242 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 295 Economic Development & Business on H.B. No. 867

The purpose of this measure is to advance the State's economic development and sustainability by authorizing the issuance of general obligation bonds to support the Pacific International Space Center for Exploration Systems' Basalt Rebar Initiative, including the construction of a basalt rebar plant and engineering assessments of the manufactured basalt rebar.

The Council Member of District 3 of the Hawaii County Council, Pacific International Space Center for Exploration Systems, and a concerned individual testified in support of this measure. The Department of Business, Economic Development, and Tourism testified in support of the intent of this measure. The Department of Budget and Finance provided comments.

Hawaii currently imports most of its iron rebar from China, but has experienced high transportation costs and quality issues with these imports. The basalt rebar initiative is an attempt to address these issues through the production of basalt rebar, a product that is lighter and stronger than steel rebar. Basalt rebar may have many applications for its use, including use in numerous civil engineering projects statewide, and refinement and development of this product may have tremendous economic impacts for the State.

Given that the Hawaiian Islands are made of basalt material, there appears to be real potential for the creation of a basalt rebar fabricating industry in Hawaii. However, more testing and engineering studies must be conducted to determine if Hawaii basalt can be used to produce the fibers required to fabricate basalt rebar. Your Committee finds that establishing a processing plant to demonstrate the possibility of manufacturing Hawaii basalt into basalt rebar is the first step in the development of a new and innovative industry.

Your Committee has amended this measure by:

- (1) Deleting provisions requiring a collective 2:1 match of funds by the private sector and federal government before authorized general obligation funds are released; and
- (2) Changing its effective date to February 19, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 867, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 867, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 296 Economic Development & Business/Tourism on H.B. No. 716

The purpose of this measure is to promote economic development by facilitating the interaction of innovative local and out-of-state businesses, investors, and talent through an organized interaction program held in conjunction with a larger event. Specifically, this measure:

- (1) Establishes an Innovative Business Interaction Program for Investors and Talent under the Department of Business, Economic Development, and Tourism (Program); and
- (2) Increases the transient accommodations tax revenues deposited into the Tourism Special Fund by \$500,000 to provide funds for the Program.

The Hawaii Strategic Development Corporation testified in support of this measure. The Department of Business, Economic Development, and Tourism, and High Technology Development Corporation supported the intent of this measure. The State Procurement Office, Department of Budget and Finance, and Tax Foundation of Hawaii provided comments.

Your Committees find that Hawaii needs to improve its reputation as a place for innovation and a place to do business. One way to accomplish this is to emphasize and support the growth of innovative businesses through the building of relationships between investors and innovative talent. Enabling the State to contract with the organizer of an annual event in Hawaii to include an element that encourages interaction between innovative business talent and potential investors accomplishes this objective.

Your Committees find that establishing the Program would bring together businesses, the investment community, and tourism sector and allow for the establishment of a framework, including messaging and marketing, to attract global interest and showcase Hawaii as an innovation and creative business hub of the Pacific.

However, your Committees understand the concerns raised by the State Procurement Office that certain provisions in this measure may be unnecessarily restrictive of competition by specifying qualification criteria that may be construed as having the appearance of favoring one specific organizer. In addition, this measure is contrary to administrative rules, where specification should identify the minimum requirements and allow for competition.

Accordingly, your Committees have amended this bill by:

- (1) Removing the requirement that the Department of Business, Economic Development, and Tourism award one contract to a single event organizer for a period of five years;
- (2) Removing provisions specifying the eligibility criteria for the contract;
- (3) Changing its effective date to February 19, 2025, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committees want to stress that, should this measure be enacted, the Department of Business, Economic Development, and Tourism, should emphasize its cost-benefit analysis of the Program in its reports to the Legislature.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 716, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 716, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 297 Human Services on H.B. No. 855

The purpose of this measure is to clarify that penalties for noncompliance with workers' compensation requirements apply to vocational rehabilitation providers who do not timely provide all information required in an initial evaluation report.

The Hawaii Insurers Council and the Chamber of Commerce of Hawaii supported this measure. The International Association of Rehabilitation Professionals in the Private Sector, Vocational Management Consultants, and numerous concerned individuals opposed this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

Your Committee recognizes that there are labor issues involved with this measure. Should the Committee on Judiciary deliberate this measure further, your Committee on Human Services respectfully requests that the Committee consider requesting the Department of Labor and Industrial Relations to provide testimony on this bill.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 855, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 855, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 298 Human Services on H.B. No. 1216

The purpose of this measure is to clarify the procedures through which grandparents may be given reasonable visitation rights to their grandchildren by amending standards for the court to use in awarding visitation rights to grandparents.

The Department of the Attorney General submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Amending the standard required for an award of grandparent visitation to a showing of significant harm if visitation were denied, in order to meet the strict scrutiny inquiry required by the United States and Hawaiian Supreme Courts of a statute that implicates a parent's fundamental rights; and
- (2) Changing the effective date to July 1, 2050, to encourage 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 is in accord with the intent and purpose of H.B. No. 1216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1216, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 299 Human Services on H.B. No. 1236

The purpose of this measure is to assist individuals with disabilities in improving their employment opportunities and obtaining employment by establishing a Medicaid Buy-in Program that affords these individuals with expanded access to Medicaid. This measure also establishes and appropriates funds to the Department of Health to implement a Medicaid Buy-in Pilot Program.

Ohana Health Plan, Lanakila Pacific, and a concerned individual supported this measure. The Department of Health and the State Council on Developmental Disabilities supported the intent of this measure. The Department of Human Services and the Hawaii Disability Rights Center commented on this measure.

Your Committee has amended this measure 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 record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1236, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1236, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 300 Human Services on H.B. No. 1248

The purpose of this measure is to protect victims of rape or sexual assault and their children from the possibility of the attacker remaining in their lives by requiring family courts in Hawaii to terminate the parental rights of a natural parent who is convicted of rape or sexual assault that caused the conception of the child.

The American Association of University Women-Hawaii and the Big Island Adult Foster Home Operators 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 is in accord with the intent and purpose of H.B. No. 1248 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 301 Human Services on H.B. No. 1346

The purpose of this measure is to support the positive development of middle school and high school youth by appropriating funds to the Office of Youth Services to establish a program for positive youth development through the establishment, support, and enhancement of after school and school break programs.

The Office of Youth Services, Hawaii Youth Services Network, Big Island Adult Foster Home Operators, Hawaii Primary Care Association, and a concerned individual testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated to the Office of Youth Services to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Human Services requests that it consider appropriating \$800,000 for the establishment and operation of the positive youth development program.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1346, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1346, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 302 Human Services on H.B. No. 1347

The purpose of this measure is to assist the Department of Human Services in administering the Supplemental Nutrition Assistance Program by appropriating funds to the Department for the hiring of any necessary staff; the improvement of the Department's electronic systems capacity; and the contracting of any needed services to effectively implement and spread awareness of the Program.

The Hawaii Appleseed Center for Law and Economic Justice supported this measure. The Department of Human Services supported the intent of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further 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 is in accord with the intent and purpose of H.B. No. 1347, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1347, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 303 Human Services on H.B. No. 1432

The purpose of this measure is to provide stability to state-funded assistance programs by establishing the Interim Assistance Reimbursement Special Fund to allow the Department of Human Services to preserve any interim assistance reimbursements received from the federal government for a prior fiscal year.

The Department of Human Services, University of Hawaii Bridge to Hope, and PHOCUSED supported this measure. The Department of Budget and Finance commented on this measure.

Your Committee has amended this measure 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 record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1432, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1432, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 304 Energy & Environmental Protection on H.B. No. 1296

The purpose of this measure is to implement a hydrogen economy in Hawaii by establishing the Hydrogen Implementation Authority within the State Energy Office of the Department of Business, Economic Development, and Tourism.

The Hawaii Center for Advanced Transportation Technologies supported this measure. The Department of Business, Economic Development, and Tourism and Hawaii Automobile Dealers' Association submitted comments.

Your Committee has amended this bill by:

- (1) Deleting provisions establishing the Hydrogen Implementation Authority;
- (2) Designating the director of the Hawaii Center for Advanced Transportation Technologies of the High Technology Development Corporation as the State Hydrogen Implementation Coordinator;
- (3) Establishing the responsibilities of the State Hydrogen Implementation Coordinator;
- (4) Requiring that the Hydrogen Investment Capital Special Fund be used to provide funding for the implementation of hydrogen infrastructure, instead of providing seed capital for and venture capital investments in private- sector and federal projects for research, development, testing, and implementation of the Hawaii Renewable Hydrogen Program and related purposes;
- (5) Establishing the Hydrogen Implementation Working Group to study and examine methods to promote the expansion of hydrogen-based energy in Hawaii and directing the working group to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature by November 30, 2015; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1296, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 305 Higher Education on H.B. No. 843

The purpose of this measure is to provide additional resources to the University of Hawaii Pamantasan Council to help the State and the University of Hawaii meet strategic goals for access and diversity by supporting annual conferences, workshops, curriculum development, exchange programs, internships, neighbor island travel, library material, distance education units, and community partnerships.

The University of Hawaii Pamantasan Council; Filipino American Citizens League; Kabataang maka-Bayan, Pro-People Youth Oahu, Nursing Advocates & Mentors, Inc., and several concerned individuals testified in support of this measure. The University of Hawaii System supported the intent of this measure.

Your Committee has amended this measure by changing the appropriated amounts to unspecified amounts to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Higher Education respectfully requests that it consider appropriating \$225,000 for each year of fiscal biennium 2015-2017 to fund four full-time positions for the system-wide Pamantasan Council, including instructional faculty, student personnel, and graduate assistantships.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 843, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 843, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 306 Higher Education on H.B. No. 979

The purpose of this measure is to appropriate funds for Cybersecurity Workforce Development Education and Training Programs to increase the number of qualified employees for cybersecurity positions by building upon existing cybersecurity degree pathways and related training programs with the University of Hawaii Community College System.

The University of Hawaii System testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2525, to facilitate further discussion;
- (2) Changing the appropriated amounts to unspecified amounts to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Higher Education respectfully requests that it consider appropriating:

- (1) \$850,000 for fiscal year 2015-2016; and
- (2) \$650,000 for fiscal year 2016-2017,

for Cybersecurity Workforce Development Education and Training Programs within the University of Hawaii Community College system.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 979, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 979, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 307 Higher Education on H.B. No. 140

The purpose of this measure is to authorize the issuance of special purpose revenue bonds for the purpose of assisting Chaminade University to finance and re-finance the planning, acquisition, construction, improvement, and equipping of its educational facilities.

Chaminade University of Honolulu testified in support of this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by changing the effective date to July 1, 2525, and changing the authorized amount to an unspecified amount to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Higher Education respectfully requests that it consider authorizing the issuance of special purpose revenue bonds in a total amount not to exceed \$25,000,000 to assist Chaminade University of Honolulu to finance and re-finance the planning, acquisition, construction, improvement, and equipping of its educational facilities.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 140, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 140, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 308 Higher Education on H.B. No. 493

The purpose of this measure is to fund a full-time permanent Director position and a full-time Faculty Specialist position within the University of Hawaii Center on Aging.

The University of Hawaii System; Office on Aging, Maui County; AARP Hawaii; Alzheimer's Association, Aloha Chapter; Hawaii Family Caregiver Coalition; and several concerned individuals testified in support of the measure.

Your Committee has amended this measure by changing the effective date to July 1, 2525, and changing the appropriated amounts to unspecified amounts to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Higher Education respectfully requests that it consider appropriating:

- (1) \$97,356 for each year of fiscal biennium 2015-2017 to fund the director position at the University of Hawaii Center on Aging; and
- (2) \$85,176 for each year of fiscal biennium 2015-2017 to fund the faculty specialist position at the University of Hawaii Center on Aging.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 493, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 493, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 309 Higher Education on H.B. No. 811

The purpose of this measure is to establish two full-time graduate assistant positions at the Hawaii Educational Policy Center at the University of Hawaii.

The Hawaii Educational Policy Center; University of Hawaii at Manoa Graduate Student Organization; and several concerned individuals testified in support of the measure.

Your Committee has amended this measure by changing the effective date to July 1, 2525, to promote further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$40,000 to establish two full-time graduate assistant positions at the Hawaii Educational Policy Center at the University of Hawaii.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 811, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 811, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 310 Education on H.B. No. 1001

The purpose of this measure is to make clarifying and conforming amendments to statutes governing charter school administration by:

- (1) Aligning the application requirements for start-up and conversion charter schools and clarifying requirements for charter school governing boards during the application phase;

- (2) Amending Board of Education and Department of Education reporting requirements; and
- (3) Providing students in a charter school that may be closing and educationally disadvantaged students with an enrollment priority preference at other charter schools.

The State Public Charter School Commission testified in support of this measure and proposed amendments.

Your Committee has amended the measure to

- (1) Permit, rather than require, the authorizer to obtain an annual report from public charter schools which may include the status of the charter school's compliance with annual performance targets;
- (2) Permit, rather than require, a charter school to give special consideration to a student who is transferring from a closing charter school; and
- (3) Make 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 is in accord with the intent and purpose of H.B. No. 1001, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1001, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito and Matsumoto.

SCRep. 311 Water & Land on H.B. No. 611

The purpose of this measure is to appropriate moneys to the State Historic Preservation Division to implement an acceptable data management plan for the digitization of historic preservation records as required by the National Park Service and to hire necessary staff.

The Department of Land and Natural Resources, Historic Hawaii Foundation, and the Society for Hawaiian Archaeology provided testimony in support of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2050, in order to encourage further discussion.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 611, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 611, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 312 Water & Land on H.B. No. 608

The purpose of this measure is to authorize the issuance of up to \$45,000,000 in special purpose revenue bonds to assist Waimea Nui Community Development Corporation and its not-for-profit affiliates to finance, refinance, and reimburse costs related to the planning, acquisition, and construction of its agriculture, renewable energy, and educational facilities.

The Department of Agriculture, Department of Hawaiian Home Lands, Pacific Biodiesel Technologies, Hawaii Farm Bureau, Hawaii Alliance for Community-Based Economic Development, and many individuals provided testimony in support of this measure. Two individuals provided testimony in opposition. The Department of the Attorney General, the Department of Budget and Finance, and Waimea Nui Community Development Corporation provided comments.

Your Committee has amended this measure by:

- (1) Identifying part X as the applicable part of chapter 39A, Hawaii Revised Statutes; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 608, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 608, H.D. 1.

Signed by all members of the Committee.

SCRep. 313 Water & Land on H.B. No. 1168

The purpose of this measure is to authorize the use of the boating special fund to pay for the hiring of full- or part-time positions for the planning, development, management, operations, or maintenance of land and improvements under the control and management of the Board of Land and Natural Resources and Division of Boating and Ocean Recreation.

The Department of Land and Natural Resources submitted testimony in support of this measure. An individual provided comments.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1168 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 314 Water & Land on H.B. No. 1267

The purpose of this measure is to rejuvenate areas that have become dilapidated, obsolete, or deteriorated by establishing redevelopment districts in public lands by:

- (1) Authorizing the designation of redevelopment districts;
- (2) Establishing a committee as a policy-making board for each redevelopment district;
- (3) Requiring the committee to prepare a redevelopment plan for the designated district;
- (4) Establishing a separate revolving fund for each redevelopment district designated; and
- (5) Appropriating funds to carry out its purposes, including staffing costs.

The Department of Land and Natural Resources testified in opposition to this measure.

Upon further consideration, your Committee has amended this measure by limiting its scope to a single district in the Kanoiehua industrial area. As amended, this measure:

- (1) Establishes a four-year pilot project to be known as the Kanoiehua Redevelopment Pilot Project;
- (2) Changes the nature of the planning committee from a policy-making to policy-advising board;
- (3) Removes the revolving fund;
- (4) Changes the effective date to July 1, 2050, to encourage further discussion; and
- (5) Makes other technical, nonsubstantive amendments for the purpose of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1267, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1267, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 315 Water & Land on H.B. No. 525

The purpose of this measure is to prohibit smoking and the use of tobacco products within the state park system.

The Department of Health, the Outdoor Circle, Coalition for Tobacco-Free Hawaii, Beach Environmental Awareness Campaign Hawaii, Conservation Council for Hawaii, Surfrider Foundation, and several individuals provided testimony in support of this measure. Many individuals provided testimony in opposition. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by including the term electronic smoking device under the definition of smoking.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 525, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.B. No. 525, H.D. 2.

Signed by all members of the Committee.

SCRep. 316 Water & Land on H.B. No. 1099

The purpose of this measure is to support the University of Hawaii's Rainbow Wahine soccer team by authorizing the display of outdoor advertising devices at county parks and recreational facilities and at high schools, subject to appropriate approval; provided that the signs face the interior of the school or facility.

Outrigger Enterprises Group provided testimony in support of this measure. The Outdoor Circle provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Adding a preamble that explains the need to expand the statute's exceptions in order for the University of Hawaii's Rainbow Wahine soccer team to remain compliant with National Collegiate Athletic Association requirements;
- (2) Limiting the authorization for an outdoor advertising device to scoreboard structures within the Waipio Soccer Complex, as long as the outdoor advertising device is not visible from any thoroughfare; and
- (3) Removing the exception for any outdoor advertising devices at high schools.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1099, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1099, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 317 Water & Land on H.B. No. 822

The purpose of this measure is to appropriate moneys to the Hawaii Association of Conservation Districts to assist with its staffing and operating costs as a temporary measure while the districts develop sustainable funding mechanisms in response to recent funding complications.

The Department of Land and Natural Resources, Hawaii Association of Conservation Districts, Hawaii Cattlemen's Council, Inc., Hawaii Farm Bureau and several individuals provided testimony in support of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2050, in order to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 822, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 822, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 318 Public Safety on H.B. No. 1344

The purpose of this measure is to protect public health and safety by requiring the Director of the Hawaii Emergency Management Agency to hire personnel to oversee the mitigation of hazardous situations program in the Department of Defense and appropriating funding for those positions.

The Adjutant General and the Hawaii Emergency Management Agency of the Department of Defense supported this measure.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating a total of \$89,124 for each year of the fiscal biennium 2015-2017 for both a coordinator position and a contracting specialist position.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1344 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 319 Public Safety on H.B. No. 1343

The purpose of this measure is to provide state matching funds required to access federal grant funds that have already been awarded to establish a business recovery center within the Department of Defense.

The Adjutant General, Hawaii Emergency Management Agency of the Department of Defense, and a concerned individual supported this measure.

Your Committee finds that the Department of Defense was recently awarded \$1,159,000 in federal funds from the United States Department of Commerce to be used for the establishment of a business recovery center. In order to access these federal funds, State matching funds of \$328,000 must also be provided. Your Committee notes that this represents a three-fold return on the State's contribution.

Your Committee has amended this measure by deleting the appropriation amount.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating the \$328,000 for fiscal year 2015-2016 for the purpose of matching and accessing \$1,159,000 in federal funds to establish a business recovery center.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1343, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1343, H.D. 1.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 320 Public Safety on H.B. No. 456

The purpose of this measure is to provide a safe mechanism for reporting citizen complaints regarding officer-involved domestic violence by ensuring that reports to the police commission of allegations of officer-involved abuse against a family or household member do not have to be in writing or be a sworn statement.

The Hawaii State Commission on the Status of Women, Hawaii State Coalition Against Domestic Violence, Hawaii State Democratic Women's Caucus, and the Domestic Violence Action Center supported this measure. A concerned individual opposed this measure. The Department of the Attorney General offered comments.

Your Committee acknowledges the concerns of the Department of the Attorney General regarding the Hawaii State Constitution's delegation of self-governance authority to the counties. However, your Committee finds that the issue of officer-involved domestic violence is a matter of statewide concern and recommends that this measure proceed through the legislative process to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 456 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 321 Public Safety on H.B. No. 365

The purpose of this measure is to appropriate funds as a grant-in-aid to the City and County of Honolulu to purchase body cameras for its police officers.

The Honolulu Police Department, American Civil Liberties Union of Hawaii, Domestic Violence Action Center, and a concerned individual supported this measure. The State of Hawaii Organization of Police Officers offered comments.

Your Committee has amended this measure by:

- (1) Requiring the Honolulu Police Department to establish a Honolulu Police Department Body Camera Pilot Program for 100 officers; and
- (2) Requiring the City and County of Honolulu to provide matching funds on a dollar-for-dollar basis.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$50,000 for each year of fiscal biennium 2015-2017 for the grant-in-aid proposed in this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 365, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 365, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 322 Judiciary on H.B. No. 639

The purpose of this measure is to:

- (1) Increase the civil fine a county may assess from \$1,000 to \$1,500 for property damage caused by graffiti; and
- (2) Authorize a \$1,500 fine for criminal offenses in which damage is caused by graffiti.

The Department of the Attorney General provided comments.

Your Committee has amended this measure by deleting the provision that authorized a \$1,500 fine for criminal offenses in which damage is caused by graffiti.

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 H.B. No. 639, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 639, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 323 Judiciary on H.B. No. 826

The purpose of this measure is to appropriate funds to the State Ethics Commission for the design and development of a new system that would allow legislators, certain state officials and employees, and candidates for state elective office to more conveniently and effectively electronically file financial disclosure statements and other reports with the Commission.

The State Ethics Commission and Common Cause Hawaii testified in support of this measure.

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 H.B. No. 826 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami and Thielen.

SCRep. 324 Education on H.B. No. 831

The purpose of this measure is to provide for an orderly process in the event that closure of a charter school becomes necessary by:

- (1) Providing that a charter school's charter shall be deemed to be voluntarily surrendered in the event of financial insolvency;
- (2) Authorizing school closure as an available action to address serious health and safety concerns at a charter school; and

- (3) Granting the authorizer sole discretion to determine whether to keep a charter school closed due to insolvency or health and safety reasons open for a set period of time as part of closure protocols.

The Hawaii State Teachers Association testified in support. The State Public Charter School Commission testified in support of this measure and proposed amendments. One concerned individual testified in opposition. One concerned individual provided comments.

Your Committee has amended this measure by deleting the word "voluntarily" from language relating to the surrender of the school's charter for insolvency.

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 H.B. No. 831, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 831, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito and Matsumoto.

SCRep. 325 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 564

The purpose of this measure is to honor the 50th anniversary of the Vietnam War by appropriating an unspecified sum for programs, ceremonies, and activities to commemorate the 50th anniversary of the Vietnam War.

The Department of Defense, Office of Veterans Services, and a concerned individual supported this measure.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating the sum of \$218,500 for each year of fiscal biennium 2015-2017 for programs, ceremonies, and activities to commemorate the 50th anniversary of the Vietnam War.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 564 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 326 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 878

The purpose of this measure is to alleviate the burden of requiring citizen-soldiers who choose to run for elected office to file nomination papers and take their oaths in person by allowing members of the reserves or national guard called to active service to fulfill the requirements relating thereto by registered or certified mail, return receipt requested.

The Office of Veterans' Services and Advisory Board on Veterans' Services supported this measure. The Department of Defense and the Office of Elections submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 878 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 327 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1256

The purpose of this measure is to improve the management of the State Foundation on Culture and the Arts (Foundation) to ensure accountability, accessibility, and protection of its art and cultural resources by establishing and funding four full-time equivalent positions in the Foundation.

The Art Alliance supported this measure. The Department of Accounting and General Services opposed this measure. The Foundation and the Office of the Auditor provided comments on this measure.

Your Committee has amended this measure by changing the appropriation to unspecified sums for the Foundation's four new full-time positions.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it:

- (1) Consider appropriating \$170,000 for fiscal year 2015-2016 and \$260,000 for fiscal year 2016-2017 which, among other things, would provide adequate staffing to address the concerns raised in the November 2014 audit by the Office of the Auditor; and
- (2) Evaluate and determine whether the four new positions should be funded by general funds or the Works of Art Special Fund.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1256, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1256, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 328 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1368

The purpose of this measure is to change the membership composition and residency requirements of the members of the King Kamehameha Celebration Commission (Commission) and the source of funding for specified staff of the Commission. Specifically, the measure:

- (1) Clarifies that the Commission includes a member from the Waimanalo Hawaiian Homestead Association and adds a member from the Daughters of Hawaii;
- (2) Requires the Governor's appointees be residents of the counties of Kauai, Maui, and Hawaii, rather than the islands of Kauai, Maui, Molokai, and Hawaii;
- (3) Specifies that the funding source of the salaries for the Commission's arts program specialist and part-time clerk be state funds, rather than fees, public contributions, and private donations, and
- (4) Appropriates funds for the Commission's operating costs.

The Democratic Party of Hawaii, Hawaiian Affairs Caucus; Mamo Hawaii, Royal Order of Kamehameha I, Chapter 1; Royal Order of Kamehameha Ekahi; Waimanalo Hawaiian Homes Association; and several concerned individuals supported this measure. The Department of Accounting and General Services opposed this measure. The King Kamehameha Celebration Commission submitted comments.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that in determining the appropriation amount for each year of fiscal biennium 2015-2017, that it consider an annual salary of \$21,000 for the Commission's part-time clerk typist.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1368 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola and Matsumoto.

SCRep. 329 Labor & Public Employment on H.B. No. 684

The purpose of this measure is to apply standards of federal law relating to discrimination and harassment in the workplace to Hawaii's workplace discrimination cases by:

- (1) Establishing employer liability for adverse tangible employment actions resulting from a supervisor's discriminatory actions; and
- (2) Providing for an affirmative defense to liability for an employer that acts with reasonable care to prevent or correct the supervisor's action and where the employee did not act sufficiently to avoid the adverse action.

The Department of the Attorney General; Chamber of Commerce Hawaii; Society for Human Resource Management; and a concerned individual testified in support of this measure. The Department of Labor and Industrial Relations; Hawaii State Commission on the Status of Women; Hawaii Civil Rights Commission; University of Hawaii Professional Assembly; Hawaii Women's Coalition; ILWU Local 142; Hawaii State Democratic Women's Caucus; National Employment Lawyers Association Hawaii Chapter; Americans for Democratic Action Hawaii; American Civil Liberties Union of Hawaii; and several concerned individuals testified in opposition to this measure.

Your Committee finds that the federal standard regarding workplace discrimination and harassment is less protective than the existing State standard and notes the concerns raised in testimony regarding the employer's affirmative defense in this measure. Your Committee finds that employers should implement policies and procedures that prohibit and prevent unlawful discriminatory practices in the workplace. However, your Committee also finds that your Committee on Judiciary is the more appropriate body to examine incentives to employers to adopt appropriate procedures. Should your Committee on Judiciary deliberate on this measure, your Committee respectfully requests that it further examine the issue of incentives to employers, through penalties or otherwise, to implement these policies.

Accordingly, your Committee has amended this measure by:

- (1) Removing the provisions that establish employer liability for adverse tangible employment action resulting from a supervisor's discriminatory actions;
- (2) Removing the provisions that establish an employer's affirmative defense for an adverse tangible employment action;
- (3) Inserting new language requiring that employers implement workplace policies and procedures to prevent unlawful discrimination and harassment in the workplace and submit those policies to the Department of Labor and Industrial Relations for review and approval; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 684, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 684, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 330 Labor & Public Employment/Public Safety on H.B. No. 746

The purpose of this measure is to strengthen the State's cybersecurity by:

- (1) Exempting the Hawaii Cybersecurity, Economic, Education, and Infrastructure Security Coordinator position from civil service requirements under Chapter 76, Hawaii Revised Statutes;
- (2) Authorizing the coordinator to hire one non-civil service secretary; and

- (3) Appropriating funds for the coordinator and secretary positions.

The State Department of Defense testified in support of this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in opposition to this measure.

Your Committees have amended this measure by removing the civil service exemption from the secretary position authorized by the measure. 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 Labor & Public Employment and Public Safety that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 746, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 746, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Nakashima and Takumi.

SCRep. 331 Labor & Public Employment on H.B. No. 916

The purpose of this measure is to:

- (1) Remove certain restrictions on investments that can be made by the Hawaii Employer-Union Health Benefits Trust Fund (EUTF); and
- (2) Make housekeeping amendments to the EUTF statute.

The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees testified in support of this measure. The Department of Budget and Finance commented on this measure.

Your Committee finds that the viability of the EUTF is of great concern to the State and that there should be an enhancement of benefits moratorium to control the State's liability. Accordingly, your Committee has amended this measure by:

- (1) Providing for a moratorium on benefit enhancements that increase other post-employment benefits liability within the EUTF statute; 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 H.B. No. 916, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 916, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 332 Labor & Public Employment on H.B. No. 922

The purpose of this measure is to ensure that the Employer-Union Health Benefits Trust Fund (EUTF) is in conformance with the Federal Patient Protection and Affordable Care Act by amending the definition of "dependent-beneficiary" regarding the eligibility of children for participation in EUTF's benefit plans.

The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees testified in support of this measure.

Your Committee finds that the viability of the EUTF is of great concern to the State and that there should be an enhancement of benefits moratorium to protect the State's liability. Accordingly, your Committee has amended this measure by:

- (1) Providing for a moratorium on benefit enhancements that increase other post-employment benefits liability within the EUTF statute; 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 H.B. No. 922, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 922, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 333 Labor & Public Employment on H.B. No. 932

The purpose of this measure is to extend the exemption from civil service of persons hired or contracted to perform repair or maintenance work on the Hawaii Public Housing Authority's vacant public housing units.

The Hawaii Public Housing Authority testified in support of this measure. The United Public Workers Hawaii testified in opposition to this measure.

Your Committee urges the Hawaii Public Housing Authority to move forward and create civil service positions for the repair or maintenance work of their vacant public housing units. Accordingly, your Committee has amended this measure by:

- (1) Specifying that Act 159, Session Laws of Hawaii 2012, which created the civil service exemption, shall be repealed on July 1, 2017; and making conforming amendments to later Acts; 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 H.B. No. 932, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 932, H.D. 2.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 334 Labor & Public Employment on H.B. No. 951

The purpose of this measure is to allow the Labor and Industrial Relations Appeals Board (LIRAB) the option to provide a notice of hearing by online posting on LIRAB's webpage if service by first class mail is returned as undeliverable.

The Department of Labor and Industrial Relations and the Labor and Industrial Relations Appeals Board testified in support of this measure. One concerned individual testified in opposition to this measure.

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 H.B. No. 951 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 335 Labor & Public Employment on H.B. No. 952

The purpose of this measure is to facilitate investigations of public contractor violations of the prevailing wage law by:

- (1) Providing for confidentiality of complainants and witnesses interviewed in investigations; and
- (2) Requiring the filing of administrative complaints of violations within one year from the date wages were due and limiting investigations to a one-year period.

The Department of Labor and Industrial Relations testified in support of this measure. The Hawaii Building and Construction Trades Council, AFL-CIO submitted testimony in opposition to this measure.

Your Committee has amended this measure by:

- (1) Removing the provision providing for confidentiality of witnesses; 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 H.B. No. 952, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 952, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 336 Labor & Public Employment on H.B. No. 1186

The purpose of this measure is to allocate premiums from general obligation bonds to fund eligible capital expenditures, the other post-employment benefits trust fund, and accrued liability contributions to the pension accumulation fund instead of the general fund.

The Hawaii State Teachers Association testified in support of this measure. The Department of Budget and Finance commented on this measure.

Based on the recommendations made by the Department of Budget and Finance, your Committee amended this measure by allowing premiums received from the sale of any general obligation bonds to be used for the purpose of Section 39-2, Hawaii Revised Statutes, in addition to being deposited into the general fund.

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 H.B. No. 1186, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1186, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 337 Health on H.B. No. 847

The purpose of this measure is to address the shortage of primary care providers in the State by appropriating funds for the Interdisciplinary Hawaii Health Systems Corporation Primary Care Training Program at Hilo medical center.

The Council member from District 3, Hawaii County Council; Council member from District 4, Hawaii County Council; member of the Kauai County Council; Hawaii Fire Department; Hawaii Health Systems Corporation; Hawaii Health Systems Corporation Corporate Board; Hawaii Health Systems Corporation, West Hawaii Region; Hilo Medical Center Foundation; Community First; Ka'u Hospital; Zonta Club of Hilo; Hawaii Island Chamber of Commerce; Hawaii Island Family Medicare Residency; Queen's Health Systems; Hawaii Primary Care Association; and numerous individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts for the Interdisciplinary Hawaii Health Systems Corporation Primary Care Training Program at Hilo Medical Center for each year of fiscal biennium 2015-2017 to unspecified amounts; and
- (2) Changing the effective date of this measure to July 1, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$3,600,000 for fiscal year 2015-2016 and \$3,700,000 for fiscal year 2016-2017 for the Interdisciplinary Hawaii Health Systems Corporation Primary Care Training Program at Hilo Medical Center.

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 H.B. No. 847, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 847, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 338 Health on H.B. No. 939

The purpose of this measure is to clarify that amendments to birth certificates to change or establish the identity of a registrant's parents can be made by the Department of Health only pursuant to a court order or legal establishment of parenthood in accordance with the Uniform Parentage Act and not as a correction to a personal record under the Uniform Information Practices Act.

The Department of Health, Department of the Attorney General, and Office of Information Practices 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 is in accord with the intent and purpose of H.B. No. 939 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Oshiro and Tupola.

SCRep. 339 Health on H.B. No. 942

The purpose of this measure is to authorize the Director of Health to transfer funds between the Drinking Water Treatment Revolving Loan Fund and the Water Pollution Control Revolving Fund to provide the necessary flexibility to disburse these annually allotted federal funds in a timely manner for the construction of drinking water and wastewater treatment infrastructure projects in the State.

The Department of Health testified in support of this measure. The City and County of Honolulu Board of Water Supply supported the intent 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 is in accord with the intent and purpose of H.B. No. 942 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Oshiro and Tupola.

SCRep. 340 Health on H.B. No. 943

The purpose of this measure is to establish the Civil Monetary Penalty Special Fund to retain moneys collected by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services as federally-imposed civil monetary penalty funds when health care facilities or agencies do not meet Medicare certification requirements as determined by the Department of Health when it conducts Medicare certification surveys and complaint investigations on health care facilities or agencies in the State.

The Department of Health 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 is in accord with the intent and purpose of H.B. No. 943 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Oshiro and Tupola.

SCRep. 341 Health on H.B. No. 253

The purpose of this measure is to authorize pharmacists to administer vaccines to persons between 14 and 17 years of age who have a valid prescription issued by the person's primary care physician or by a collaborating physician.

Walgreen Co., Foodland Supermarkets Ltd., CVS Health/Longs Drugs, and three individuals supported this measure. The Department of Commerce and Consumer Affairs opposed this measure. The Department of Health, Board of Pharmacy, Hawaii State Center for Nursing, and Hawaii Academy of Pediatrics commented on this measure.

Your Committee has amended this measure by:

- (1) Expanding authority of advanced practice registered nurses to perform certain health care services and procedures; and
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion.

Should this measure proceed further in the legislative process, your Committee respectfully requests the Committee on Consumer Protection and Commerce to consider the need to retain in the measure, reference to a patient's "medical home," which is defined in section 461-11.4(e), Hawaii Revised Statutes.

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 H.B. No. 253, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 253, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 342 Health on H.B. No. 1377

The purpose of this measure is to appropriate funds to support a well-functioning early intervention system of services for children by:

- (1) Appropriating funds to develop the specifications and pricing, as well as an implementation plan, for a web-based data system in the Early Intervention Section of the Department of Health; and
- (2) Appropriating funds for operating expenses and the establishment of a statewide coordinator in the Department of Health to improve social-emotional and behavioral outcomes for children.

Project Vision Hawaii, Hawaii Early Intervention Coordinating Council, Waikiki Health, Family Voices of Hawaii, and two individuals submitted testimony in support of this measure. The State Council on Developmental Disabilities supported the intent of this measure. An individual opposed this measure. The Department of Health provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency and clarity.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1377, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1377, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hashem and Oshiro.

SCRep. 343 Health on H.B. No. 1440

The purpose of this measure is to appropriate funds to the Hawaii Keiki: Healthy and Ready to Learn program to build and enhance school-based health services, and to require matching funds by federal and private entities.

The Department of Education, School of Nursing & Dental Hygiene at the University of Hawaii at Manoa, Department of Education Farrington-Kaiser-Kalani Complex Area, Department of Education Nanakuli-Waianae Complex Area, Department of Education Kailua-Kalaheo Complex Area, Nanaikapono Elementary School, and Olomana School provided testimony in support of this measure.

Your Committee has amended the measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$3,408,609 for each year of fiscal biennium 2015-2017 for supporting the Hawaii Keiki: Healthy and Ready to Learn program.

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 H.B. No. 1440, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1440, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Hashem and Oshiro.

SCRep. 344 Health on H.B. No. 851

The purpose of this measure is to support the emergency medical service needs of the Puna community by appropriating funds to establish an advanced life support ambulance based in Puna on the island of Hawaii, including acquisition of a vehicle and equipment and personnel costs for state-certified emergency medical services personnel.

The Council Member of District 4, County of Hawaii; Hawaii Fire Department; Hawaii Fire Fighters Association; United Public Workers; and an individual supported this measure. The Department of Health commented on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate further discussion.

Should this measure be deliberated further in the legislative process, your Committee respectfully requests that the Committee on Finance consider specifying that the advanced life support ambulance be used to support daily peak hours.

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 H.B. No. 851, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 851, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 345 Health on H.B. No. 582

The purpose of this measure is to extend the Nursing Facility Sustainability Program for one year to allow public and private nursing facilities to continue to maximize federal Medicaid reimbursements for care provided to Medicaid and MedQUEST patients.

The Department of Human Services, Hawaii Health Systems Corporation, Healthcare Association of Hawaii, The Queen's Health Systems, Chamber of Commerce of Hawaii, and Hawaii Primary Care Association testified in support of this measure. The Department of the Attorney General provided comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying language included in prior measures relating to the Nursing Facility Sustainability Program Special Fund to avoid confusion about permissible allocation of Fund proceeds;
- (2) Changing the effective date of this measure to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 582, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 582, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 346 Agriculture on H.B. No. 503

The purpose of this measure is to assist counties in implementing their respective drought mitigation strategies, as incorporated in the Hawaii Drought Plan, by appropriating funds to the Department of Land and Natural Resources for drought mitigation projects and measures in each county.

A member of the Maui County Council, Hawai'i Farm Bureau Federation, Hawaii Cattlemen's Council, Land Use Research Foundation of Hawaii, Maui County Farm Bureau, and a concerned individual supported this measure. The Department of Agriculture supported the intent of this measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriated amount to an unspecified sum; and
- (2) Changing its effective date to January 20, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$4,000,000 for county drought mitigation projects and measures to address the local needs and concerns of each county.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 503, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 503, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 347 Agriculture on H.B. No. 507

The purpose of this measure is to control the spread of the macadamia felted coccid to areas free of its infestation by appropriating funds to the Department of Agriculture, in cooperation with the University of Hawaii College of Tropical Agriculture and Human Resources (CTAHR), to research and develop methods for the prevention and treatment of macadamia felted coccid.

The Department of Agriculture, CTAHR, Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, Land Use Research Foundation of Hawaii, Maui County Farm Bureau, Hawaii Macadamia Nut Association, and two concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriated amount to an unspecified sum;
- (2) Changing its effective date to January 20, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for style, consistency, and clarity.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating the sum of \$1,000,000 for each year of fiscal biennium 2015-2017 to protect macadamia nut crops, among the top five highest grossing agricultural commodities in Hawaii, from the macadamia felted coccid that can cause severe damage to macadamia nut trees.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 507, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 507, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 348 Agriculture on H.B. No. 505

The purpose of this measure is to improve food security and self-sufficiency in the State by:

- (1) Establishing state planning and policy objectives for the increased production of locally grown foods and improved consumer access, and establishing and funding an Agricultural Development and Food Security Program within the Department of Agriculture to achieve those objectives; and
- (2) Appropriating funds for various programs to promote locally grown foods in the marketplace, engage the Department of Education in purchasing and food education programs, fund positions in the Department of Agriculture essential for successful local food production, and assist with agricultural planning.

The Hawaii Farm Bureau Federation and a few concerned individuals supported this measure. The Department of Agriculture supported the intent of this measure. The Land Use Research Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Deleting the specific reference in amendments to the State Planning Act to the soil amendments industry as an industry that should be developed and expanded on the neighbor islands; and
- (2) Changing its effective date to January 20, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider the recommendation of the Land Use Research Foundation of Hawaii that the State Planning Act be further amended by adding new language that establishes support for agricultural industries related to soil amendments, pest and disease prevention and control, and livestock as an objective of the State.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 505, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 505, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 349 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 483

The purpose of this measure is to provide conservation officers of the Department of Land and Natural Resources with the means to administratively enforce conservation and resource extraction requirements in the West Hawaii Regional Fishery Management Area. This measure grants the Department the authority to conduct administrative inspections of commercial licensees' and wholesale dealers' records, permitting documents, catch, equipment, and premises and to administratively suspend or revoke commercial licenses for noncompliance.

The Office of Hawaiian Affairs, a member of the Kauai County Council, South Kohala Reef Alliance, Conservation Council for Hawaii, and several individuals submitted testimony in support of this measure. Several individuals submitted testimony in opposition to this measure. The Department of Land and Natural Resources submitted comments.

Your Committee finds that monitoring extraction activities and enforcing compliance with management regulations in the West Hawaii Regional Fishery Management Area have proven difficult. Despite the Department's current enforcement and monitoring activities, reliable data on the Management Area is still lacking and illegal activities continue. Your Committee finds that an administrative inspection program will increase the Department's ability to enforce existing requirements for the Management Area and to collect data on activities and resources within the Management Area.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 483 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 350 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 511

The purpose of this measure is to include individuals engaged in ocean fishing in the same protections from harassment that are currently applicable to individuals fishing for freshwater game fish. This measure also clarifies the Division of Conservation and Resource Enforcement's duty to enforce anti-harassment statutes.

Your Committee received testimony in support of this measure from Hawaii Goes Fishing; Ornamental Aquatic Trade Association, LTD; Pet Industry Joint Advisory Council; Tropical Marine Center; Oshima Company CPA, LLC; Quality Marine; Pohina, Inc.; and numerous individuals. Your Committee received testimony in opposition to this measure from Hanalei Watershed Hui and numerous individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and several individuals.

Your Committee received more than five hundred pieces of testimony from both the proponents of and those opposed to this measure. It is clear that this issue is of the highest importance to conservation activists and the fishing community. Both sides of this issue expressed strong feelings and

sincere, deeply-held convictions. Although differences may appear between proponents and opponents of this measure, it is undeniable that both sides recognize the importance of the reef ecosystem as a natural resource and the value of mutual accountability among members of the diverse ocean community. It is in accordance with that spirit of respect and accountability that your Committee recommends the continued progression of this measure through the legislative process so that voices on all sides may continue to be heard as the Legislature continues its deliberations.

Your Committee has amended this measure by:

- (1) Adding the elements of purposeful conduct and the intent to prevent the taking of aquatic life to the elements of the offense of harassment of fishermen;
- (2) Establishing exemptions to the offense of harassment of fisherman for otherwise lawful citizen conservation enforcement activities;
- (3) Changing its effective date to December 24, 2088, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 511, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 351 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 873

The purpose of this measure is to prohibit the sale for aquarium purposes of aquatic life taken within the State.

Your Committee received testimony in support of this measure from the member of the Kauai County Council representing District 14, Conservation Council for Hawai'i, Hanalei Watershed Hui, Animal Rights Hawaii, The Humane Society of the United States, Reef Rescue Alliance, and several hundred individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Pet Industry Joint Advisory Council, Tropical Marine Center, Ornamental Fish International, Drs. Foster and Smith's Live Aquaria, Quality Marine, Pohina Inc., Ornamental Aquatic Trade Association, LTD, and Route 66 Marine, LLC, and several hundred individuals. Petco Animal Supplies and several individuals submitted comments.

Your Committee finds that the aquarium fish trade is an important source of income for many Hawaii residents, including for those who collect fish and other aquatic species, and those who sell aquatic life and aquarium supplies. However, if left unregulated, the trade has the potential to cause serious environmental harm to coral reef ecosystems. Overfishing or taking inappropriately sized or aged specimens can decimate natural species populations. Careless practices such as anchoring boats to reefs can destroy coral. These actions, which upset the ecological balance necessary to maintain healthy reef ecosystems, have far-ranging impacts on the overall condition of the ocean and the natural resources within it, upon which Hawaii's people and economy depend. The Department of Land and Natural Resources has stated that the State's fisheries are sustainable under current conditions. It is the intention of your Committee to ensure that they remain so.

Your Committee finds that, while most aquarium collectors do follow sound resource management and ocean stewardship practices, including maintaining a one percent catch fatality rate, the Division of Aquatic Resources has too few resources for meaningful enforcement against those few who do not. Those who violate laws and eschew sound practices contribute to not only environmental degradation but also ocean user conflicts, which endangers the safety of all ocean users and prevents Hawaii residents and visitors from enjoying the State's unique and irreplaceable natural resources.

Your Committee finds that regulating the aquarium trade in Hawaii involves balancing the interests and concerns of the diverse ocean user community with the need to protect the ocean's ecology. Your Committee received testimony on this measure from over 1,200 individuals: investment in this issue is vast, strong, and sincere on all sides. It is not your Committee's intention to deprive fishers and those in the aquarium trade of their livelihood. Rather, it is your Committee's intention to prevent environmental harm caused by overfishing, wasted catch, and damaged reefs and to stop user conflicts that threaten the safety of Hawaii's true greatest natural resource, it's people.

Your Committee has amended this measure by:

- (1) Deleting the ban on the sale of aquarium fish;
- (2) Inserting new language establishing an aquarium fish conservation program in the Division of Aquatic Resources of the Department of Land and Natural Resources and charging the Division with adopting rules for program administration, including by designating limited-entry areas, implementing certification and monitoring requirements for aquarium fish permits, limiting the number of permits available annually, imposing bag and catch limits, and enhancing enforcement actions and penalties for violations;
- (3) Changing its effective date to December 24, 2088 to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

Your Committee finds the requirements of this amended measure, including maintenance of a one percent catch fatality rate, are already followed by most members of the aquarium trade and are achievable for any well-intentioned members of the trade who are not currently in compliance.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 873, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 873, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 352 Agriculture on H.B. No. 871

The purpose of this measure is to address the spread of invasive species that threatens Hawaii's economy, natural environment, and the health and lifestyle of its residents by:

- (1) Reaffirming that the Department of Agriculture's Biosecurity Program is vital to the State;
- (2) Clarifying access to and distribution of information provided to the Department's Plant Quarantine Branch for purposes of inspection, permitting, enforcement, and other regulatory functions;
- (3) Authorizing the Department to establish or participate in private-public partnerships to enhance the Biosecurity Program and quarantine inspection process; provided that Department employees perform the actual inspections;
- (4) Requiring the Department to adopt rules to establish parameters and construction requirements for biosecurity facilities, including cold storage facilities established by private-public partnerships; and
- (5) Appropriating funds to enable the Department to complete the implementation of its Biosecurity Program, including an integrated computer manifest system.

The Hawaii Farm Bureau Federation, Able Freight, Coordinating Group on Alien Pest Species, Maui County Farm Bureau, The Nature Conservancy, Hawaii Aquaculture & Aquaponics Association, Hawaii Floriculture and Nursery Association, and a concerned individual supported this measure. A few concerned individuals opposed this measure. The Department of Agriculture, Department of Land and Natural Resources, Office of Information Practices, and Commodity Forwarders Inc. provided comments.

Your Committee has amended this measure by:

- (1) Deleting all provisions relating to access to and distribution of information of the Department of Agriculture's Plant Quarantine Branch;
- (2) Changing its effective date to January 20, 2050; and
- (3) Making technical, nonsubstantive amendments for style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 871, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 871, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 353 Agriculture on H.B. No. 508

The purpose of this measure is to:

- (1) Establish and fund a grant program within the Department of Agriculture for Qualified Feed Developers based on their feed development costs;
- (2) Appropriate funds to reimburse Qualified Producers of certain products for their cost of feed; and
- (3) Appropriate funds to reimburse Qualified Feed Developers for their cost of development of feed for sale to Qualified Producers.

The Hawaii Farm Bureau Federation, Ulupono Initiative, Hawaii Cattlemen's Council, Inc., and Land Use Research Foundation of Hawaii supported this measure. The Department of Agriculture supported the intent of this measure. Animal Rights Hawaii opposed this measure.

Your Committee has amended this measure by:

- (1) Adding a purpose and findings section to provide context to the need for locally developed livestock feed;
- (2) Requiring that the amount of grant funds disbursed to a Qualified Feed Developer be based on cost of goods sold, as verified by a certified public accountant, rather than the feed development costs incurred by the Developer;
- (3) Deleting the condition that feed development costs be limited to feed developed for Qualifying Producers and not for feed developed for resale or gift or the cost of transportation to Hawaii;
- (4) Requiring the Department of Agriculture to aggregate the total grant applications and divide and distribute the available grant funds on a pro rata basis;
- (5) Allowing qualified feed developer businesses to manufacture feed, rather than only cultivating feed, for Qualified Producers;
- (6) Requiring and funding the Department of Agriculture to conduct a survey to identify, assess, and validate locally sourced feed ingredients that are available to Qualified Feed Developers; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 508, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 508, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 354 Higher Education on H.B. No. 544

The purpose of this measure is to take steps to address the fiscal problems faced by the University of Hawaii by requiring the Board of Regents of the University of Hawaii to study the feasibility of selling or leasing the physical structure that houses the University of Hawaii Cancer Center.

Two concerned individuals supported this measure. The University of Hawaii, Department of Budget and Finance, and Hawaii Strategic Development Corporation submitted 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 is in accord with the intent and purpose of H.B. No. 544 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 355 Higher Education on H.B. No. 547

The purpose of this measure is to assist students within the University of Hawaii system:

- (1) Receive appropriate guidance and options to complete a major course of study;
- (2) Graduate within a reasonable period of time; and
- (3) Understand the dynamics of the local employment market,

by requiring the University to develop the Ana Hoohalike Guidance Program.

The Ana Hoohalike Guidance Program would include structured, default pathways to graduation; meta-majors; academic maps; cornerstone classes; an intrusive advising model; and highly-structured options.

The University of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Changing the name of the Ana Hoohalike Guidance Program to the Graduation Pathway System;
- (2) Changing the effective date to July 1, 2525, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee requests that in the University of Hawaii's report to the Legislature, it provide the date by which the Graduation Pathway System will be fully implemented.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 547, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 547, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 356 Judiciary on H.B. No. 158

The purpose of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the County of Maui for the prosecution of cases under the Drug Court and Mental Health Court Programs.

The Office of the Prosecuting Attorney of the County of Kauai, the Office of the Prosecuting Attorney of the County of Hawaii, the Department of the Prosecuting Attorney of the City and County of Honolulu, the Department of the Prosecuting Attorney of the County of Maui, and the Maui Police Department provided testimony in support of this measure.

Should the Committee on Finance deliberate this measure further, your Committee on Judiciary respectfully requests that it consider appropriating the following grants-in-aid to the Department of the Prosecuting Attorney of the County of Maui:

- (1) \$277,065.66 for each year of the fiscal biennium 2015-2017 for the prosecution of cases in Drug Court, including the hiring of staff; and
- (2) \$277,065.66 for each year of the fiscal biennium 2015-2017 for the prosecution of cases in Mental Health Courts, including the hiring of staff.

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 H.B. No. 158 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower and Thielen.

SCRep. 357 Judiciary on H.B. No. 903

The purpose of this measure is to provide an emergency appropriation of \$1,100,000 to the Department of the Attorney General for the purpose of retaining expert witnesses and expert counsel for major litigation involving the State.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 164 to the Legislature, requested immediate consideration and passage of this bill by the Legislature to retain expert witnesses and expert counsel for major litigation involving the State.

The Department of the Attorney General testified in support of this measure.

Your Committee is concerned about the repeated requests for emergency appropriations to cover long-term litigation costs. Your Committee requests that the Executive Branch, together with the Department of the Attorney General, consider requesting additional attorneys and in-house support staff to handle the long-term cases and provide for litigation needs through the regular budget process. Your Committee recommends that the Attorney General review its strategy in the *Kalima v. State of Hawaii* case in order to efficiently plan, budget, and resolve the outstanding claims on behalf of beneficiaries and the State. Your Committee respectfully requests the Committee on Finance to consider these issues in the review of this measure and the overall State budget.

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 H.B. No. 903 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 358 Judiciary on H.B. No. 612

The purpose of this measure is to prohibit the public disclosure of voting results for any ballot contest or question from precincts affected by an election postponement.

The League of Women Voters of Hawaii and Common Cause Hawaii testified in support of this measure and proposed amendments. American Civil Liberties Union of Hawaii provided comments.

Your Committee has amended this measure to:

- (1) Specify that prohibited disclosures include counting center computer printouts or other means of disclosing vote count information;
- (2) Give the Chief Election Officer and County Clerk discretionary authority to withhold disclosure of vote count information that is not affected by a postponed election;
- (3) Specify that an election can be postponed for no more than seven days and amend notification requirements accordingly;
- (4) Specify that the Chief Election Officer or County Clerk may postpone the election prior to its start due to a natural disaster and the Governor may postpone the election once it has commenced due to any declared state of emergency; and
- (5) Make 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 H.B. No. 612, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 612, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 359 Judiciary on H.B. No. 791

The purpose of this measure is to restore parity with respect to age and service requirements for judges who are members of the Employees' Retirement System with requirements for other contributory plan members who became members of the System at the same time.

The Judiciary and Employees' Retirement System Board of Trustees provided testimony in support of this measure.

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 H.B. No. 791 and recommends that it be referred to the Committee on Finance.

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

SCRep. 360 Judiciary on H.B. No. 827

The purpose of this measure is to authorize the issuance of general obligation bonds and the appropriation of funds to finance the plans, design, and construction of a mixed-use residential project including a juvenile services center that would be integrated with an affordable rental housing program for working families at 902 Alder Street.

The Judiciary, Hawaii Housing Finance and Development Corporation, and Catholic Charities Hawaii testified in support of the measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure to clarify that the issuance of general obligation bonds and the appropriation of funds is for the financing of the Judiciary's juvenile services center. The affordable rental housing program will be financed with existing housing finance resources.

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 H.B. No. 827, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 827, H.D. 2.

Signed by all members of the Committee except Representative Belatti.

SCRep. 361 Water & Land on H.B. No. 1156

The purpose of this measure is to appropriate moneys, as matching funds, to fund the operational costs of conducting a journey through the Pacific Remote Islands Marine National Monument and the production of related educational materials.

The Department of Land and Natural Resources and several individuals provided testimony in support of this measure.

Your Committee has amended this measure by:

- (1) Specifying the various agencies and entities required to provide matching funds in order to secure general fund appropriations for the journey through the Pacific Island Marine National Monument project;
- (2) Requiring that the specified agencies and entities enter into a memorandum of agreement detailing their financial obligations and payment schedules;
- (3) Changing the effective date to July 1, 2050, 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1156, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1156, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 362 Transportation on H.B. No. 562

The purpose of this measure is to improve pedestrian safety by requiring that any plan or design for a newly constructed, reconstructed, resurfaced, or renovated intersection of two crossing arterial streets shall include a marked crosswalk at each border of the intersection.

The Department of Transportation testified in opposition to this measure.

Pedestrian fatalities in Hawaii remain at an unacceptably high level. While the provision of marked crosswalks across intersections all newly constructed, reconstructed, resurfaced, or renovated intersection of two crossing arterial streets would appear to promote pedestrian safety, your Committee notes the concerns raised by the Department of Transportation that requiring crosswalks to be placed on all sides of an intersection may actually decrease pedestrian safety. According to the Department, adding crosswalks to all sides of an intersection between arterial streets may create new pedestrian and vehicle conflicts, especially where there are significant amounts of turning vehicles.

Your Committee has amended this measure by requiring that one marked crosswalk be included in any plan or design for an intersection rather than requiring a marked crosswalk at each border of the intersection.

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 is in accord with the intent and purpose of H.B. No. 562, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 562, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 363 Transportation on H.B. No. 1007

The purpose of this measure is to improve highway and public safety by enabling Hawaii residents who meet the qualifications for a driver's license or instructional permit, other than the minimum documentary requirements under the REAL ID Act, to obtain uniquely identified limited purpose driver's licenses, provisional driver's licenses, and instruction permits as long as the resident provides satisfactory proof of identity and state residency.

The American Civil Liberties Union, Hawaii Coalition for Immigration Reform, Catholic Charities Hawaii, Hawaii Conference of the United Church of Christ, Planned Parenthood of Hawaii, Filipino American Citizens League, Hawaii Friends for Civil Rights, Filipino Coalition for Solidarity, PHOCUSED, National Federation of Filipino American Associations Region 12, American Immigration Lawyers Association-Hawaii Chapter, HealthyPacific.org, Nursing Advocates & Mentors, Inc., and numerous concerned individuals testified in support of this measure. The Department of Transportation supported the intent of this measure. The Hawaii Insurers Council provided comments.

Under the federal REAL ID Act of 2005, Pub. L. No. 109-13, states are required to comply with federally mandated eligibility criteria in issuing driver's licenses, including requiring proof of lawful presence in the United States. As a consequence, an individual who does not submit satisfactory evidence of lawful presence cannot legally operate a motor vehicle. These heightened documentary requirements unduly burden elderly individuals, houseless individuals, undocumented immigrants, lawfully-present nonimmigrants, and survivors of gender-based violence. Furthermore, the lack of access to licensure hinders the ability of these residents, regardless of their status, to drive safely, legally, and with mandatory motor vehicle insurance while engaging in everyday activities such as going to work or to church, running errands, or dropping-off children at school.

Your Committee finds, however, that the REAL ID Act does allow states to issue specialized driver's licenses that are not subject to the minimum documentary requirements for limited non-federal purposes and that the issuance of such licenses will assist all residents of Hawaii and improve public safety.

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 H.B. No. 1007 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 364 Energy & Environmental Protection on H.B. No. 139

The purpose of this measure is to support the development of renewable and efficient energy systems in the State by supporting two projects to be built, owned, and operated by Anaergia, Inc. through the issuance of special purpose revenue bonds.

Anaergia Services, LLC; Ulupono Initiative; Hale Mahaolu; and several concerned individuals testified in support of the measure. The Department of Budget and Finance provided comments.

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 is in accord with the intent and purpose of H.B. No. 139 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 365 Energy & Environmental Protection on H.B. No. 1393

The purpose of this measure is to amend the net energy metering law by expanding the types of facilities that may be used by an eligible customer-generator.

Your Committee received testimony in support of this measure from two individuals. Testimony in opposition to this measure was received from the Hawaiian Electric Company and its subsidiary utilities. Comments on this measure were received from the Public Utilities Commission.

Your Committee finds that this measure will enable use of emerging technologies in the net energy metering program.

Your Committee has amended this measure by expanding the definition of "renewable energy generation and distribution device" to include "any other technology approved by the public utilities commission."

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 is in accord with the intent and purpose of H.B. No. 1393, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1393, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 366 Energy & Environmental Protection/Water & Land on H.B. No. 1453

The purpose of this measure is to support agriculture on Kauai by appropriating funds for land acquisition, plans, design, and construction for the new well at Moloa'a on the island of Kauai and:

- (1) Alternative energy development to power the well to supplement the existing water resources at Moloa'a; and
- (2) An onsite, state-of-the-art post-harvest facility at Moloa'a to meet the new standards established by the Food Safety Modernization Act.

Three members of the Kauai County Council, Moloa'a Irrigation Cooperative, Kauai Chamber of Commerce, Hawaii Farm Bureau, Kauai County Farm Bureau, Wootens Produce of Kauai, Kakimoto Farms, Three Roads Farm, Hawaii Farmers Union United, Hawaii Farmers Union – Kauai, Hula Daze Farm, Counter Culture Food + Ferments, and numerous concerned individuals supported this measure. The Department of Land and Natural Resources opposed this measure. The Department of Agriculture and a concerned individual submitted comments.

Your Committees have amended this measure by:

- (1) Changing the appropriations to unspecified sums to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committees respectfully request that it consider appropriating \$3,050,000 for the Moloa'a well project as follows:

- | | | |
|-----|------------------|----------------|
| (1) | Land acquisition | \$500,000; |
| (2) | Plans | \$600,000; |
| (3) | Design | \$200,000; and |
| (4) | Construction | \$1,750,000. |

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1453, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1453, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 367 Judiciary on H.B. No. 823

The purpose of this measure is to establish a two-year Agricultural Theft Pilot Project in the Department of Agriculture to focus on investigating and prosecuting agricultural theft or agricultural vandalism in the County of Hawaii.

The Department of Agriculture and Hawaii Farm Bureau Federation submitted testimony in support of this measure.

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 H.B. No. 823, H.D. 1, and recommends that it be referred to the Committee on Finance.

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

SCRep. 368 Judiciary on H.B. No. 1185

The purpose of this measure is to amend the State Constitution to require that the first installment of principal of general obligation bonds and reimbursable general obligation bonds shall mature not later than one year from the date of issuance.

The Department of Budget and Finance provided comments on this measure.

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 H.B. No. 1185 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 369 Higher Education on H.B. No. 775

The purpose of this measure is to appropriate funds for the marketing, travel, and other related recruitment expenses necessary to market Hawaii and Hawaii's institutions of higher education to international students.

The Department of Business, Economic Development, and Tourism; the University of Hawaii; Hawaii Community College International Education Committee; Hawaii Pacific University; Hawaii Preparatory Academy; Chamber of Commerce Hawaii; ELS Language Centers Honolulu; and many individuals provided testimony 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 is in accord with the intent and purpose of H.B. No. 775, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 370 Higher Education on H.B. No. 1029

The purpose of this measure is to amend the composition of the Endangered Species Recovery Committee by replacing the Director of the University of Hawaii Environmental Center or the Director's designee with the Dean of the University of Hawaii at Manoa College of Natural Sciences, or the Dean's designee.

The Department of Land and Natural Resources and a concerned individual 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 is in accord with the intent and purpose of H.B. No. 1029 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Say and Tupola.

SCRep. 371 Higher Education on H.B. No. 1039

The purpose of this measure is to support the growth and sustainability of the local agriculture industry by appropriating funds for the Local and Immigrant Farmer Education Program of the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources Cooperative Extension Service.

The University of Hawaii at Manoa College of Tropical Agriculture and Human Resources, Hawaii Farm Bureau Federation, and several concerned individuals supported this measure. The Department of Agriculture 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 is in accord with the intent and purpose of H.B. No. 1039 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 372 Housing on H.B. No. 345

The purpose of this measure is to impose a conveyance tax on the conveyance or transfer of a controlling interest in an entity that has interest in real property located within the State.

The Nature Conservancy, Catholic Charities Hawaii, and IMUAlliance supported this measure. The Department of Land and Natural Resources supported the intent of this measure. The Land Use Research Foundation of Hawaii and Chamber of Commerce Hawaii opposed this measure. The Department of Taxation and Tax Foundation of Hawaii commented on the measure.

Your Committee has amended this measure by:

- (1) Clarifying that the entity holding the interest in real property shall have no more than ten persons with ownership interests immediately prior to the transfer of interest where the transfer consists solely of a change in controlling interest to qualify for the exemption from the conveyance tax;
- (2) Requiring a spouse to be considered a separate person when determining ownership for tax exemption purposes;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 345, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 345, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 373 Higher Education on H.B. No. 556

The purpose of this measure is to require the Legislative Reference Bureau to conduct a study on the appropriateness of including individuals employed by the Research Corporation of the University of Hawaii in the State civil service law and collective bargaining, particularly in relation to the Corporation's recruitment and personnel concerns.

The University of Hawai'i, Research Corporation of the University of Hawaii, and several concerned individuals opposed this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO commented on 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 is in accord with the intent and purpose of H.B. No. 556, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 374 Judiciary on H.B. No. 1005

The purpose of this measure is to appropriate funds to support the Veterans Treatment Court.

The State of Hawaii Department of Defense, Department of the Prosecuting Attorney of the City and County of Honolulu, and a concerned individual provided testimony in support of this measure. The Judiciary provided comments on this measure.

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 H.B. No. 1005, H.D. 1, and recommends that it be referred to the Committee on Finance.

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

SCRep. 375 Legislative Management on H.B. No. 1214

The purpose of this measure is to appropriate funds to the Office of the Auditor to carry out the purposes of the State-County Functions Working Group.

The State-County Functions Working Group was established by Act 174, Session Laws of Hawaii 2014, to evaluate the division of duties and responsibilities between the State and counties relating to the provision of public services.

The State-County Functions Working Group testified in support of this measure. One concerned individual testified in opposition to this measure.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1214 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 376 Energy & Environmental Protection on H.B. No. 1513

The purpose of this measure is to support local companies in Hawaii that conduct renewable energy research and development through existing contracts with the principal research division of the United States Department of Defense, Office of Naval Research, by establishing a matching grant program.

Specifically, the measure:

- (1) Establishes a two-year alternative energy research and development pilot program under the Department of Business, Economic Development, and Tourism to provide grants to qualified businesses that conduct research and development on alternative energy;
- (2) Establishes the alternative energy research and development revolving fund; and
- (3) Appropriates \$5,000,000 from the general fund to the revolving fund in fiscal years 2015-2016 and 2016-2017 to be used for providing grants during the two-year pilot program.

The High Technology Development Corporation, HSI Mechanical, Inc., Pacific Shipyards International, Navatek, Ltd., and twelve individuals submitted testimony in support of this measure. The Department of Budget and Finance submitted comments on this measure.

Your Committee finds that the establishment of a two-year alternative energy research and development pilot program and an alternative energy research and development revolving fund will promote alternative energy research and development in Hawaii and strengthen Hawaii's economy. Your Committee further finds that providing matching grants to Hawaii's local qualified businesses will encourage development of clean energy technologies.

Your Committee has amended this measure by:

- (1) Changing the appropriation from the general fund to the alternative energy research and development revolving fund to an unspecified amount; and
- (2) Changing the appropriation from the alternative energy research and development revolving fund for the purpose of providing matching grants to qualifying local businesses to an unspecified amount.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider providing an appropriation of \$5,000,000 to adequately fund the pilot program established in 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 is in accord with the intent and purpose of H.B. No. 1513, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1513, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 377 Energy & Environmental Protection on H.B. No. 801

The purpose of this measure is to authorize the issuance of not more than \$50,000,000 in special purpose revenue bonds to assist SunStrong LLC, with renewable energy projects in the State.

Kitahata and Company and SunStrong LLC, submitted testimony in support of this measure. The Department of the Attorney General and the Department of Budget and Finance submitted comments.

Your Committee finds that this measure would help an experienced renewable energy company to finance important projects that advance the State's priorities regarding clean energy by reducing dependence on fossil fuels that pollute the environment and are subject to price volatility.

Your Committee has amended this measure by changing the amount of the authorized special purpose revenue bonds to an unspecified sum.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider authorizing the issuance of not more than \$50,000,000 in special purpose revenue bonds for the purposes 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 is in accord with the intent and purpose of H.B. No. 801, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 801, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 378 Labor & Public Employment on H.B. No. 141

The purpose of this measure is to amend the civil service exemption for building, custodial, and grounds maintenance services with qualified community rehabilitation programs lasting for no more than a year and at a cost of no more than \$850,000 by specifying that the \$850,000 maximum applies per contract.

Ka Lima O Maui supported this measure. The United Public Workers, AFSCME, Local 646, AFL-CIO commented on this measure.

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 H.B. No. 141 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 379 Labor & Public Employment on H.B. No. 683

The purpose of this measure is to:

- (1) Authorize the Executive Director of the Hawaii Civil Rights Commission to dismiss a discrimination complaint and issue a notice to the complainant of the right to sue, after a determination of reasonable cause of discrimination is made and conciliation fails; and
- (2) Provide that the Executive Director's determination that a complaint is to be dismissed and a notice of right to sue issued is not subject to reconsideration by the Hawaii Civil Rights Commission or judicial review.

The Department of Labor and Industrial Relations and the Hawaii Civil Rights Commission supported this measure. An individual commented on this measure.

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 H.B. No. 683 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 380 Labor & Public Employment on H.B. No. 697

The purpose of this measure is to amend the Department of Accounting and General Services' (DAGS) statutory duty to undertake centralized engineering and office leasing services for state departments to establish the Department as the lead department for negotiating and processing real property leases for State departments and agencies.

The Building Industry Association Hawaii supported this measure. The Department of Land and Natural Resources; Department of Transportation; Department of Accounting and General Services; and the University of Hawaii opposed this measure. A concerned individual commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the provisions that establish DAGS as the lead department for negotiating and processing real property leases for State departments and agencies;
- (2) Requiring the Auditor to conduct a study of various departmental engineering sections that manage general fund capital improvement projects to determine if it is in the public interest to continue to operate duplicative engineering operations among various departments throughout State government projects in light of DAGS' statutory duty to undertake centralized engineering for state departments;
- (3) Changing the effective date to July 1, 2050, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 697, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 697, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 381 Labor & Public Employment on H.B. No. 854

The purpose of this measure is to require hotels to distribute portage service charges to employees in full or disclose to customers that the charges are being used for other purposes.

The ILWU Local 142; Unite Here! Local 5 Hawaii; and three concerned individuals testified in support of this measure. The Chamber of Commerce Hawaii commented on this measure.

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 H.B. No. 854, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 382 Labor & Public Employment on H.B. No. 1208

The purpose of this measure is to appropriate matching state funds for the Senior Farmers' Market Nutrition Program (Program) to expand the Program to Kauai and Maui through the voucher system model used under federal law.

The Hawaii Farm Bureau Federation testified in support of this measure. The Office of Community Services in the Department of Labor and Industrial Relations commented on this measure.

Based on the recommendations of the Office of Community Services, your Committee has amended this measure by:

- (1) Allowing for vouchers or any other distribution model that is allowed by federal law to be used in administering the Program; and
- (2) Providing for a maximum of ten per cent of the appropriated funds to be used for administrative purposes.

In addition, your Committee changed the appropriation to an unspecified amount to facilitate further discussion.

Should your Committee on Finance deliberate on this measure, your Committee respectfully requests that an appropriation amount of \$500,000 be inserted for the Program.

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 H.B. No. 1208, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1208, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har and Takumi.

SCRep. 383 Labor & Public Employment on H.B. No. 1268

The purpose of this measure is to facilitate Hawaii workers' compensation law by:

- (1) Requiring the Department of Labor and Industrial Relations to determine if the positions of state employees receiving workers' compensation benefits should remain vacant for one year or longer;
- (2) Providing for the filling and funding of temporary vacant positions to fill the State employee's position while the employee is incapacitated; and
- (3) Establishing the Workers' Compensation Temporary Vacancy Special Fund.

The Department of Budget and Finance and the Department of Human Resources Development commented on this measure. The Department of Labor and Industrial Relations testified in opposition.

Your Committee has amended this measure by replacing its contents with provisions that help coordinate the efficient use of public employer return to work programs in accordance with the workers' compensation law by requiring eligible injured public employees to take part in an employer's return to work program as a prerequisite to vocational rehabilitation benefits.

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 H.B. No. 1268, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1268, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 384 Tourism on H.B. No. 1258

The purpose of this measure is to clarify the qualification and term limit requirements and appointment process for the Board of Directors of the Hawaii Tourism Authority.

The Hawaii Tourism Authority supported this measure. The Office of Hawaiian Affairs offered comments.

Your Committee has amended this measure by:

- (1) Restoring the current statutory language requiring that at least one member on the Board shall have knowledge, experience, and expertise in the area of Hawaiian cultural practices; and
- (2) Changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1258, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1258, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Choy and Ito.

SCRep. 385 Tourism on H.B. No. 1259

The purpose of this measure is to enhance the operational effectiveness and efficiency of the Hawaii Tourism Authority (HTA) by making permanent certain statutory provisions, originally enacted in 2004, that grant the HTA independent management and oversight authority over its own financial operations.

The Hawaii Tourism Authority supported this measure with amendments.

Your Committee has amended this measure by:

- (1) Adding a provision to increase the portion of the Tourism Special Fund that may be used for HTA's administrative expenses; and
- (2) Changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1259, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1259, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Choy and Ito.

SCRep. 386 Tourism on H.B. No. 1327

The purpose of this measure is to permit a taxpayer that provides transient accommodations on real property leased from a related entity to claim a general excise tax deduction from the amount of gross proceeds or gross income received from providing the transient accommodations.

Host Hotels & Resorts, L.P., supported this measure. The Department of Taxation and Tax Foundation of Hawaii offered comments.

Your Committee notes the concerns of the Department of Taxation which stated that the proposed general excise tax deduction for specific taxpayers would be difficult to administer, run the risk of violating consumer protection law, and create an uneven playing field for similarly situated taxpayers who engage in the business of furnishing transient accommodations. Although your Committee acknowledges these concerns, your Committee recommends that this measure proceed through the legislative process to facilitate further discussion.

Your Committee has amended this measure by changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1327, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1327, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Choy and Ito.

SCRep. 387 Tourism on H.B. No. 169

The purpose of this measure is to increase the transient accommodations tax rate imposed on resort time share vacation units from 7.25 percent to 9.25 percent of the fair market rental value.

A concerned individual supported this measure. The American Resort Development Association opposed this measure. The Department of Taxation, Hawaii Lodging & Tourism Association, Tax Foundation of Hawaii, and Wyndham Vacation Ownership offered comments.

Your Committee has amended this measure by:

- (1) Amending the definition of fair market rental value by deleting the requirement that the taxpayer use gross daily maintenance fees, unless it can be proved that the gross daily maintenance fees do not fairly represent fair market rental value;
- (2) Increasing each year by 1 percent the transient accommodations tax imposed on resort time share vacation units to gradually achieve a rate of 9.25 percent of the fair market rental value; and
- (3) Changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 169, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 169, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Choy and Ito.
(Representatives Kong and Ward voted no.)

SCRep. 388 Public Safety/Labor & Public Employment on H.B. No. 449

The purpose of this measure is to ensure transparency and accountability of county police departments in their handling of domestic violence cases by requiring each county police department to post its policies relating to domestic violence, officer-involved domestic violence, and standards of conduct on its official website.

The Hawaii State Commission on the Status of Women, Hawaii State Coalition Against Domestic Violence, and two concerned individuals supported this measure.

As affirmed by the records of votes of the members of your Committees on Public Safety and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 449 and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, Nakashima and Takumi.

SCRep. 389 Labor & Public Employment on H.B. No. 1075

The purpose of this measure is to ensure continued access to health care services in the County of Maui by authorizing the Hawaii Health Systems Corporation (HHSC) Maui Regional System, in collaboration with a private entity, to transition one or more of its facilities, which include Maui Memorial Medical Center, Kula Hospital and Clinic, and Lanai Community Hospital, into a new private nonprofit corporation operated by the private entity and subject to HHSC oversight.

The Department of Budget and Finance; the Mayor of the County of Maui; Department of Management of the County of Maui; Hawaii Health Systems Corporation; Hawaii Health Systems Corporation Maui Region; Maui Memorial Medical Center; Hawaii Health Systems Corporation Kauai Regional Board; Healthcare Association of Hawaii; Hawaii Health Systems Corporation Maui Regional Board; Hawaii Pacific Health; Chamber of Commerce Hawaii; Kula Community Association; Hale Makua Health Services; Realtors Association of Maui; Goodfellow Bros., Inc.; and numerous

individuals supported this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and numerous individuals opposed this measure. The Department of the Attorney General; Office of Hawaiian Affairs; and two concerned individuals commented on this measure.

Your Committee notes the concerns raised by the Department of the Attorney General regarding the shift in liabilities between the State, HHSC, and HHSC Maui region through the lease and has amended this measure by:

- (1) Clarifying that transition shall occur upon the approval of the lease and management plan by the Governor and the Maui Regional System Board before it is subject to legal and financial review respectively;
- (2) Specifying that the assumption of various liabilities in regards to the transition shall be assumed as of the effective date of the lease;
- (3) Requesting the Governor, HHSC, and respective unions representing employees involved to meet and negotiate the transfer of employees and to submit recommendations, if any, to the Legislature; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1075, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1075, H.D. 2.

Signed by all members of the Committee.

SCRep. 390 Economic Development & Business on H.B. No. 657

The purpose of this measure is to help Hawaii residents plan and prepare for natural and manmade disasters by establishing a residential backup generator tax credit.

The Department of Taxation and Tax Foundation of Hawaii commented on this measure.

Hawaii residents often face storms and other events that can have disastrous effects. Oftentimes, residents face issues resulting from a loss of electrical power due to these events. Your Committee finds that providing a tax credit for the purchase of residential back-up generators would assist residents in addressing some of these issues.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 657, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Woodson and Ward.

SCRep. 391 Economic Development & Business on H.B. No. 654

The purpose of this measure is to enable Hawaii to collaborate with China toward mutual economic development by establishing a China-Hawaii Economic Council.

The Department of Business, Economic Development, and Tourism testified in support of the intent of this measure.

As an island state in the middle of the Pacific Ocean, Hawaii often serves as the Asian gateway to the United States. Hawaii's geographical proximity and past associations with its Asian neighbors create a unique opportunity to encourage stronger cultural and business connections between Hawaii and Asian countries. Your Committee finds that establishing stronger relations with China through a China-Hawaii Economic Council would be an effective way to promote, support, and increase investment and trade with China, similar to what was realized through the establishment of a Japan-Hawaii Economic Council.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 654 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Woodson and Ward.

SCRep. 392 Economic Development & Business on H.B. No. 648

The purpose of this measure is to further economic relations between China and Hawaii by establishing the China-Hawaii Economic Council and appropriating funds for the Council.

The Department of Business, Economic Development, and Tourism testified in support of the intent of this measure.

As an island state in the middle of the Pacific Ocean, Hawaii often serves as the Asian gateway to the United States. Hawaii's geographical proximity and past associations with its Asian neighbors create a unique opportunity to encourage stronger cultural and business connections between Hawaii and Asian countries. Your Committee finds that establishing stronger relations with China through a China-Hawaii Economic Council would be an effective way to promote, support, and increase investment and trade with China, similar to what was realized through the establishment of a Japan-Hawaii Economic Council.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 648 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Woodson and Ward.

SCRep. 393 Economic Development & Business on H.B. No. 1090

The purpose of this measure is to stimulate economic development in Hawaii's technology business sector by prohibiting the use of non-compete agreements or restrictive covenants that forbid post-employment competition for employees of a technology business.

The Department of Education, Radical Synergies LLC, Lunasoft LLC, TechMana LLC, O & A Consulting LLC, and several concerned individuals testified in support of this measure. The Chamber of Commerce of Hawaii, KHON2, iHeartMEDIA Hawaii, Hawaiian Telcom, and KITV testified in opposition to this measure. The Department of the Attorney General and Hawaii Technology Development Corporation provided comments.

Employment restrictive covenants such as non-compete agreements or non-solicit clauses are often contained in employment-related contracts, particularly in the technology sector. These restrictive covenants effectively prevent an individual from working at an organization with which a former employer competes or does business. Your Committee finds that these restrictive covenants impede the development of businesses within the State by limiting skilled workers' mobility within the State, forcing many of these workers to seek employment in other jurisdictions, and requiring local businesses to solicit skilled workers from outside of the State. Eliminating these covenants for employees of the technology business sector will stimulate Hawaii's economy by preserving and providing jobs for employees in this sector and by providing opportunities for these employees to establish new companies and new job opportunities in the State.

However, your Committee understands the concerns raised about the broad application this measure may have and has amended this measure by:

- (1) Narrowing the scope of the prohibition on non-compete and non-solicit clauses relating to an employee of a technology business to employment contracts only;
- (2) Deleting language applying the prohibition on non-compete and non-solicit clauses to amendments made to agreements entered into prior to July 1, 2015; and
- (3) Specifying that a technology business is one that derives a majority of its revenue from the sale or license of products or services resulting from its own software or information technology development and does not include any entity that uses but does not produce software or information technology that can be protected by any intellectual property law.

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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1090, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1090, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Brower and Woodson.

SCRep. 394 Economic Development & Business on H.B. No. 1292

The purpose of this measure is to increase transparency and accountability in state contracts by requiring procurement officers to obtain and consider all available, recent, and relevant performance by a contractor as part of the due diligence requirement for contractor responsibility determination prior to awarding a contract under Hawaii's procurement code.

The Community Alliance on Prisons testified in support of this measure. The State Procurement Office testified in support of the intent of this measure. The Building Industry Association of Hawaii testified in opposition to this measure. The Department of Design of the City and County of Honolulu and Construction and General Contractors Association of Hawaii provided comments.

Your Committee finds that comprehensive due diligence is vital when public taxpayer dollars are used to purchase government services. However, according to the State Procurement Office, there is confusion among jurisdictions as to whether or not past performance should be considered when evaluating a contractor competing for a contract to provide such services. This confusion creates inefficiency in the procurement process. Instituting a clear mandate requiring the consideration of past performance as part of the responsibility determination when evaluating a contractor, would enhance accountability on the part of contractors and transparency on the part of the State.

However, your Committee finds that, as currently drafted, this measure does not provide clear direction for procurement officers to follow with regard to subjective factors such as the relative weight of one past instance of performance over another. Your Committee finds that a need for the review of past performance exists in the procurement of services. However, additional work must be done to further define "past performance" to ensure fairness and impartiality.

Accordingly, your Committee has amended this measure by deleting its contents and inserting language establishing a task force to examine the issue and establish the factors that should be considered when evaluating a construction industry contractor's past performance for the purposes of awarding a construction contract under Hawaii's procurement code.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1292, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1292, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 395 Judiciary on H.B. No. 58

The purpose of this measure is to establish and fund a Hope Card program within the Department of the Attorney General to assist domestic violence victims and others covered by long-term protective orders. The program enables the Attorney General to provide eligible persons with a card that contains the pertinent relevant information about their long-term protective order.

The Department of the Attorney General and Hawaii Family Law Clinic, also known as Ala Kuola, testified in support and provided comments. The Department of Budget and Finance testified in opposition to the creation of a special fund.

Your Committee finds that this program is appropriately established within the Department of the Attorney General as part of that Department's law enforcement functions and its role in recording restraining orders received from the Judiciary into the Hawaii Criminal Justice Data Center and the National Crime Information Center – Protective Order File databases.

Your Committee finds that the Hope Card will allow an easy and durable means for a protected person to carry information on a protective order and enable victims of violence to enlist the assistance of law enforcement when protective orders are violated.

Your Committee has amended this measure by:

- (1) Removing the requirement that the Department hire certain, specified personnel;
- (2) Providing that holders of protective orders issued by state, federal, and certain foreign courts may request a card;
- (3) Removing the creation of a special fund;
- (4) Setting a fee of not more than \$20 for each card after the first card and depositing the fee into the general fund; and
- (5) 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 H.B. No. 58, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 58, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 396 Judiciary on H.B. No. 968

The purpose of this measure is to create a conclusive presumption that the taxpayer is liable for any amounts passed on to the consumers as payment for any Title 14, Hawaii Revised Statutes, tax.

The Department of Taxation, and the Office of Consumer Protection testified in support of this measure. Several concerned individuals testified in opposition. Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure to:

- (1) Clarify that for all transactions where an amount is passed on as shown on an invoice, receipt, or other evidence, as the tax owed by the taxpayer, the taxpayer is conclusively presumed liable for the amounts charged;
- (2) Require that any tax liability be reduced by the amount the taxpayer returned to the source from which it was collected;
- (3) Require the Department of Taxation to adopt rules that state the maximum rates at which taxes may be passed on to the consumer;
- (4) Assess civil penalties against violators who pass on taxes at rates higher than the maximum rate;
- (5) Require the Department of Taxation to notify the Office of Consumer Affairs of violations; and
- (6) Add a findings and purpose section explaining the need for this measure.

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 H.B. No. 968, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 968, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 397 Judiciary on H.B. No. 148

The purpose of this measure is to establish a process for innocently convicted and incarcerated individuals to be compensated by the State. It also provides for immediate services to be available for qualifying individuals.

The Hawaii Innocence Project, Community Alliance on Prisons, the Innocence Project, and several dedicated individuals testified in support. The Department of the Attorney General and the Hawaii Paroling Authority testified in opposition. The Judiciary, State of Hawaii, and the Hawaii Employer-Union Health Benefits Trust Fund provided comments on the measure.

Your Committee finds that the proposal to compensate wrongfully incarcerated individuals generates many viewpoints on the State's responsibility in these unique circumstances. Your Committee further finds that wrongful convictions and the subsequent incarceration may be the result of many causes, including eyewitness misidentification, false confessions, improper forensic science, and government misconduct. The aim of any means of compensation is to discern those individuals who can be deemed innocent of a crime from those who are not. It is, therefore, critical to precisely craft the requirements for how an individual would demonstrate true innocence.

Your Committee has, accordingly, amended this measure by:

- (1) Conforming the language to better fit with Hawaii laws, such as how the claim is presented;

- (2) Changing the innocence requirement from "grounds not inconsistent with innocence" to "grounds consistent with innocence and supported by findings that clearly state such consistency";
- (3) Allowing a claim for compensation to be presented by authorized representative if claimant is incapacitated;
- (4) Inserting claim award amounts of \$50,000 minimum for each year of imprisonment and \$25,000 minimum for each year of parole, probation, or registration as sex offender;
- (5) Capping reasonable attorneys' fees at \$75,000, exclusive of expenses;
- (6) For expungement purposes, requiring the Judiciary to issue an order which then the department of the Attorney General will process, instead of requiring the successful claimant to separately apply to the Attorney General;
- (7) Clarifying the written notice requirements to wrongfully imprisoned persons including adopting the Judiciary's recommendation that the Governor provide the notice in pardon situations;
- (8) Clarifying the intent of the measure in preamble; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 148, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 148, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Lee, Nakashima and Woodson.

SCRep. 398 Judiciary on H.B. No. 896

The purpose of this measure is to satisfy claims against the State, its officers, or its employees, including claims for legislative relief, judgments against the State, settlements, and miscellaneous claims by appropriating funds.

The Department of the Attorney General testified in support of this measure.

Your Committee has amended this measure by incorporating the testimony of the Attorney General, which outlined six new claims that have been resolved since the introduction of this measure and corrected the amount of one claim already included in this measure in its original draft.

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 H.B. No. 896, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 896, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 399 Judiciary on H.B. No. 189

The purpose of this measure is to require the Comptroller to annually adjust for inflation the maximum amounts that claims against the State may be arbitrated, compromised, or settled by the Comptroller or Attorney General.

The Department of Accounting and General Services, Department of the Attorney General, and a concerned individual testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Adding provisions to clarify the Comptroller's authority to annually adjust for inflation the maximum amount for which the Attorney General and Comptroller may settle claims against the State and the process for doing so;
- (2) Specifying that the Comptroller shall notify the Legislature and Attorney General of the adjusted maximum amount by June 15 of each year;
- (3) Clarifying that the adjustment shall be based on the Consumer Price Index for the second half of the previous year; and
- (4) Making technical, nonsubstantive amendments for 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 H.B. No. 189, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 189, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 400 Judiciary on H.B. No. 536

The purpose of this measure is to promote gender equality in the workplace by encouraging improvements in pay equity between women and men. This measure requires certain state government contractors to pay employees equal wages for equal work; comply with reporting requirements; and be subject to penalties for violations of the equal pay requirement.

The Hawaii State Commission on the Status of Women, Hawaii Civil Rights Commission, and Planned Parenthood of Hawaii testified in support of this measure. The Department of Accounting and General Services and a concerned individual testified in opposition. General Contracting Association of Hawaii provided comments.

Your Committee has amended this measure to have Department of Labor and Industrial Relations receive contractors' reports, then transfer the reports to the governmental contracting agency.

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 H.B. No. 536, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 536, H.D. 2.

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

SCRep. 401 Judiciary on H.B. No. 768

The purpose of this measure is to expand the Hawaii Public Housing Authority's power to dispose of property abandoned, seized, or remaining from an eviction in or around a federal, elder or elderly, or state low-income housing project.

The Hawaii Public Housing Authority ("Authority") testified in support of this measure and proposed amendments.

Your Committee has amended this measure to:

- (1) Specify that the Authority shall provide public notice no fewer than 10 days prior to the disposition of the abandoned or seized property;
- (2) Reduce the storage fee from \$25 to \$5 per day;
- (3) Specify that the balance of the sales proceeds less authorized charges shall be deposited into the Authority's special fund; and
- (4) Make 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 H.B. No. 768, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 768, H.D. 2.

Signed by all members of the Committee except Representative Belatti.

SCRep. 402 Energy & Environmental Protection on H.B. No. 872

The purpose of this measure is to protect Hawaii's beaches by amending the State's water pollution law to permit the use of naturally occurring and locally sourced beach sand for beach restoration and erosion mitigation purposes.

The Hawaii Shore and Beach Preservation Association submitted testimony supporting this measure. The Department of Health opposed this measure. The Department of Land and Natural Resources submitted comments.

Your Committee finds that Hawaii's beaches are being lost at an alarming rate due to natural erosion and human impacts. However, beach loss mitigation activities have been hampered by state water quality laws under Chapter 342D, Hawaii Revised Statutes, that treat clean, locally sourced beach sand as a water pollutant. This measure excludes natural and local beach sand used in beach restoration and erosion mitigation efforts from the definition of "water pollutant".

Your Committee respectfully requests the Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land to consider the concerns raised by the Department of Health and consult with the Attorney General to assess the legal viability of this measure's implementation, given the potential conflict with the requirements of the Federal Clean Water Act.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion on the 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 is in accord with the intent and purpose of H.B. No. 872, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 872, H.D. 1, and be referred to the Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 403 Energy & Environmental Protection on H.B. No. 101

The purpose of this measure is to promote recycling by requiring state and county agencies to provide and maintain onsite deposit beverage container recycling methods at their public buildings and facilities.

Zero Waste Kauai and one individual submitted testimony in support of this measure. The Department of the Attorney General and Department of Land and Natural Resources submitted comments.

Your Committee finds that requiring state and county agencies to facilitate recycling efforts will help remove more material from the solid waste stream and protect the environment from pollution.

Your Committee has amended this measure by:

- (1) Requiring the Department of Accounting and General Services to coordinate with and provide assistance to each county in implementing the measure's requirements; and
- (2) Clarifying that state and county agencies shall reasonably provide and maintain onsite methods for collecting and recycling deposit beverage containers and for solid waste disposal.

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 is in accord with the intent and purpose of H.B. No. 101, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 101, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 404 Energy & Environmental Protection on H.B. No. 1286

The purpose of this measure is to amend the State's objectives and policies relating to energy facility systems.

Specifically, the measure amends the Hawaii State Planning Act to include the following objectives and policies:

- (1) Eliminating dependence on imported fuels for electrical generation and ground transportation;
- (2) Utility models that place the social and financial interests of Hawaii's ratepayers first;
- (3) Increasing energy efficiency and decreasing energy use in public infrastructure; and
- (4) Ensuring that fossil fuels such as liquefied natural gas be used only as a transitional, limited-term, and cleaner replacement of petroleum for electricity generation and not impede the development and use of renewable energy sources.

Your Committee received testimony in support of this measure from the Blue Planet Foundation and three individuals. One individual testified in opposition to the measure. The Department of Business, Economic Development, and Tourism and the Hawaii Renewable Energy Alliance provided comments on the measure.

Your Committee finds that the State must find sustainable, environmentally responsible alternatives to fossil fuel power generation. Your Committee believes that by promoting the development and use of renewable energy sources, this measure furthers the State's efforts to achieve energy independence.

Your Committee has amended this measure by:

- (1) Reinserting language that was being repealed in section 226-18(a)(2), Hawaii Revised Statutes, referencing an increased ratio of indigenous to imported energy use; and
- (2) Deleting reference to "cleaner" in regards to fossil fuels such as liquefied natural gas being used as a replacement of petroleum for electricity generation.

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 is in accord with the intent and purpose of H.B. No. 1286, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1286, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 405 Energy & Environmental Protection on H.B. No. 1515

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Pelatron Q, LLC, in the development of waste-to-energy power plants.

Your Committee received testimony in support of this measure from Pacific Resource Partnership, PVT Land Company, Hawaii Construction Alliance, Pelatron Q, LLC, and one individual. Your Committee received testimony in opposition of this measure from Zero Waste Kauai and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that because of Hawaii's geographic isolation from traditional energy sources, it is in the public interest to seek out and support renewable and efficient energy systems in the State. Additionally, your Committee finds that the patented plasma gasification and vitrification process used by Pelatron Q, LLC, is a sustainable and effective means of providing energy to Hawaii by converting waste to energy. This process will not only provide additional energy, but will also help Hawaii reduce the amount of waste diverted into our landfills.

Your Committee has amended this measure by:

- (1) Changing the total amount of special purpose revenue bonds authorized to an unspecified amount; and
- (2) Changing the effective date to June 30, 2020, to facilitate further discussion on the measure.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider authorizing the issuance of up to \$44,000,000 in special purpose revenue bonds for the purposes 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 is in accord with the intent and purpose of H.B. No. 1515, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1515, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 406 Energy & Environmental Protection on H.B. No. 1507

The purpose of this measure is to mitigate the negative impact of plastic bags on Hawaii's environment by establishing a uniform minimum standard statewide on the use of plastic bags by retailers and establishing a working group to study methods to reduce the use of all disposable bags.

The Office of Hawaiian Affairs; Rise Above Plastics Coalition; Surfrider Foundation, Oahu Chapter; Surfrider Foundation; The Nature Conservancy of Hawaii; Conservation Council for Hawaii; Worldcentric; and several concerned individuals supported this measure. The Department of Health, a council member of the Maui County Council, Beach Environmental Awareness Campaign Hawaii, and a concerned individual opposed this measure. Zero Waste Kauai and Consumer Healthcare Products Association offered comments.

Your Committee has amended this measure by:

- (1) Deleting the establishment of a uniform minimum standard statewide on the use of plastic bags by retailers; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1507, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1507, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 407 Energy & Environmental Protection on H.B. No. 1468

The purpose of this measure is to remove the authorization granted to the Public Utilities Commission to establish a regulatory structure for the installation and implementation of an interisland high-voltage electric transmission cable system by repealing chapter 269, part VIII, Hawaii Revised Statutes, and making conforming amendments.

Life of the Land, Puna Pono Alliance, Friends of Lanai, and numerous concerned individuals supported this measure. Blue Planet Foundation and NextEra Energy Hawaii opposed this measure. The Division of Consumer Advocacy, Department of Commerce and Consumer Affairs; Public Utilities Commission; and the Department of Business, Economic Development, and Tourism offered comments.

Your Committee has amended this measure by changing its effective date to January 1, 2902, to promote further discussion.

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 is in accord with the intent and purpose of H.B. No. 1468, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1468, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee.

SCRep. 408 Energy & Environmental Protection on H.B. No. 1040

The purpose of this measure is to help address the threat of invasive species in Hawaii by:

- (1) Directing the Hawaii Invasive Species Council to contract with the University of Hawaii Economic Research Organization to establish an economic model formula that establishes the impact and cost of mitigating invasive species in the State, and appropriating funds for this purpose; and
- (2) Directing the Legislative Reference Bureau to update its 2002 study on invasive species and submit the updated component to the Legislature no later than 20 days prior to the Regular Session of 2016.

The Oahu Invasive Species Committee, Nature Conservancy of Hawaii, and Hawaii Farm Bureau supported this measure. The Department of Land and Natural Resources, University of Hawaii, and Legislative Reference Bureau submitted comments.

Your Committee has amended this measure by:

- (1) Adding to the scope of the economic model formula on the impact and cost of mitigating the most significant invasive species in the State;
- (2) Requiring the Legislative Reference Bureau to update its 2002 study in coordination with the Hawaii Invasive Species Council; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1040, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1040, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 409 Energy & Environmental Protection on H.B. No. 212

The purpose of this measure is to provide an incentive for the building of sustainable energy systems in Hawaii by establishing a nonrefundable income tax credit for taxpayers who install and place in service a battery backup system for the storage of solar-generated energy.

Blue Planet Foundation, Hawaii Solar Energy Association, Maui Solar Project, Hawaii PV Coalition, Life of the Land, and two concerned individuals supported this measure. The Department of Taxation and Hawaiian Electric Company supported the measure's intent. The Department of Business, Economic Development, and Tourism; Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Tax Foundation of Hawaii; the Alliance for Solar Choice; and one individual submitted comments.

Your Committee has amended this measure by:

- (1) Specifying that a battery backup system or system shall consist of batteries with a collective capacity of no more than five kilowatt hours per property; and
- (2) Specifying that the new tax credit shall apply to taxable years beginning after December 31, 2015.

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 is in accord with the intent and purpose of H.B. No. 212, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 212, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 410 Energy & Environmental Protection on H.B. No. 992

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist local energy companies in the continuation of multi-project capital improvement programs.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Inc., Maui Electric Company, Limited, Hawaii Electric Light Company, Inc., and one individual. Your Committee received testimony in opposition of this measure from five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaiian Electric Company, Inc., Maui Electric Company, Limited, and Hawaii Electric Light Company, Inc. provide most of the State's electric energy. Your Committee believes that providing financial assistance to these companies to continue multi-project capital improvement programs that benefit the State is in the public interest and for the public health, safety, and general welfare. Your Committee further finds that all projects to be financed by the proceeds from special purpose revenue bonds in this measure must first be approved by the Public Utilities Commission.

Your Committee has amended this measure by replacing all amounts of authorized special purpose revenue bonds with unspecified amounts to facilitate further discussion.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider authorizing the issuance of up to \$800,000,000 in special purpose revenue bonds for the purposes of this measure. More specifically, your Committee requests that if special purpose revenue bonds are authorized for issuance, that the bonds are distributed as follows:

- (1) \$700,000,000 for Hawaiian Electric Company, Inc.;
- (2) \$75,000,000 for Maui Electric Company, Limited; and
- (3) \$25,000,000 for Hawaii Electric Light Company, Inc.

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 is in accord with the intent and purpose of H.B. No. 992, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 992, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 411 Energy & Environmental Protection on H.B. No. 1087

The purpose of this measure is to address the potential leaks of underground storage tanks and the risk of contamination to freshwater supplies.

Specifically, this measure:

- (1) Increases the barrel tax allocation to the environmental response revolving fund to 15 cents of the tax on each barrel of petroleum product sold;
- (2) Requires the Director of Health to establish a task force to:
 - (A) Establish a time frame to assess the condition of all field-constructed underground storage tanks in Hawaii that are older than seventy years in age; and
 - (B) Take steps to protect freshwater supplies from those storage tanks; and
- (3) Requires the Director of Health to submit a report to the Legislature on the task force's findings and recommendations by November 30, 2015.

Your Committee received testimony in support of this measure from the Department of Health, City and County of Honolulu Board of Water Supply, The Nature Conservancy, Hawaii Green Growth, and Conservation Council for Hawaii. The Navy Region Hawaii and Tax Foundation of Hawaii submitted comments on this measure.

Your Committee finds that the current per barrel allocation to the environmental response revolving fund is insufficient to fund all forty-one environmental response positions, including positions for oil spill responses, research, and hazardous waste management. Increasing the appropriation will to help to provide the Department of Health with funds necessary for proper regulatory oversight and protection of groundwater aquifers.

Your Committee further finds that establishing a task force to assess the condition of underground storage tanks will help to prevent incidents such as the 2014 fuel leak at the Red Hill Underground Storage Facility.

Your Committee has amended this measure by:

- (1) Replacing the amount of the allocation to the environmental response revolving fund with an unspecified amount;
- (2) Extending the deadline for the task force to submit its report to the Legislature to no later than twenty days prior to the convening of the Regular Session of 2016; and
- (3) Making technical nonsubstantive changes for purposes of clarity and style.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider allocating 15 cents of the tax on each barrel of petroleum product into the environmental response revolving fund established under section 128D-2, Hawaii Revised Statutes.

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 is in accord with the intent and purpose of H.B. No. 1087, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1087, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 412 Energy & Environmental Protection on H.B. No. 1243

The purpose of this measure is to maintain the viability of naphtha as fuel for power-generating facilities by making permanent the one-cent per gallon tax on naphtha sold for use in a power-generating facility to produce electricity.

The Kauai Island Utility Cooperative testified in support of this measure. The Department of Taxation and Tax Foundation provided comments.

Your Committee notes that legal concerns were raised by the Department of Taxation regarding possible conflicts with regard to the naphtha fuel tax contained in the current law. According to the Department, the naphtha fuel tax was increased from one cent per gallon to two cents per gallon in 2009 by Act 198, Session Laws of Hawaii, 2009. However, Act 198, did not accomplish this through amendments to Act 103, Session Laws of Hawaii, 2007, which established the one cent fuel tax on naphtha. Therefore, the Department is unsure whether the two cents per gallon tax enacted in 2009 actually has a sunset date.

While your Committee understands these concerns, it has not had the ability to examine this issue more closely. Should the Committee on Finance deliberate further on this measure, your Committee on Energy and Environmental Protection respectfully requests it to consider this issue as part of its deliberations.

Your Committee has amended this measure by extending the sunset provision on the one-cent per gallon tax on naphtha sold for use in a power-generating facility to produce electricity for an additional three years rather than making the tax permanent.

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 is in accord with the intent and purpose of H.B. No. 1243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1243, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 413 Higher Education on H.B. No. 96

The purpose of this measure is to establish statutorily the Office of the Ombuds at the University of Hawaii at Manoa.

The University of Hawaii at Manoa Graduate Student Organization, University of Hawaii Student Caucus, Hawaii Educational Policy Center, and numerous concerned individuals supported this measure. The University of Hawaii and a concerned individual submitted comments.

Your Committee has amended this measure by changing its effective date to July 1, 2525, to facilitate further discussion.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$130,000 for the position of the ombuds and \$80,000 for two support positions.

Your Committee also notes that it is worthwhile to consider having the functions of the Office of the Ombuds at the University of Hawaii at Manoa be undertaken by the Office of the Ombudsman of the Legislature.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 96, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 96, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 414 Higher Education on H.B. No. 504

The purpose of this measure is to enhance the ability of the Department of Agriculture and the University of Hawaii College of Tropical Agriculture and Human Resources to respond to questions about pesticide use and make recommendations for the protection of public safety and the environment.

The University of Hawaii; Chamber of Commerce Hawaii; Maui Chamber of Commerce; Hawaii Agricultural Research Center; Hawaii Cattlemen's Council; Hawaii Coffee Growers Association; Hawaii Farm Bureau Federation; The Nature Conservancy; Western Plant Health Association; Hawaii Crop Improvement Association; Alexander & Baldwin, Inc.; Monsanto Hawaii; Tedeschi Vineyards, Ltd.; Larry Jefts Farms, LLC; and many concerned individuals supported this measure. BASF Corporation, CropLife America, Hawaii Pest Control Association, Syngenta Hawaii, and DuPont Pioneer supported the intent of this measure. A concerned individual opposed this measure. A concerned individual commented on this measure.

Your Committee notes that full consideration was given to the recommendations provided by the Department of Agriculture as reiterated in House Standing Committee Report No. 74, Regular Session of 2015, but none of the recommendations was adopted into the 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 is in accord with the intent and purpose of H.B. No. 504, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Say and Tupola.

SCRep. 415 Higher Education on H.B. No. 540

The purpose of this measure is to improve the accounting and fiscal management system at the University of Hawaii by, among other things:

- (1) Requiring the Board of Regents of the University of Hawaii to submit to the Legislature before the end of each fiscal quarter a program performance report showing a comparison of actual revenues and expenditures versus budgeted revenues and expenditures; and
- (2) Making permanent the University of Hawaii's existing exemption from complete account control and direct financial management by the comptroller, which includes the University's authorization to use a separate accounting system that is tailored to University operations.

The University of Hawaii supported this measure.

Your Committee has amended this measure by:

- (1) Specifying that the issues addressed by this measure are matters of statewide concern, within the purview of the Legislature pursuant to Article X, Section 6, of the Hawaii State Constitution;
- (2) Instead of making permanent the University's statutory exemption from account control and financial management by the comptroller, extending their sunset dates by a year;
- (3) Requiring the Auditor to examine whether the University's statutory exemption from account control and financial management by the comptroller should be made permanent and to submit a report to the Legislature; 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 540, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 540, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 416 Higher Education on H.B. No. 52

The purpose of this measure is to require compliance with the Military Selective Service Act to be eligible for enrollment in a state-supported post-secondary institution, qualify for state financial assistance for post-secondary education, or be eligible for state or county employment or service.

The Selective Service System - Hawaii Headquarters supported this measure. The University of Hawaii and Department of the Attorney General submitted comments.

Your Committee has amended this measure by clarifying that the issues addressed by the measure are a matter of statewide concern and fall within the purview of the Legislature pursuant to Article X, section 6, of the Hawaii State Constitution.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 52, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 52, H.D. 1.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 417 Higher Education on H.B. No. 870

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for the design and construction of a food innovation center to be operated by Kapiolani Community College to produce prepared meals using locally grown food for organizations that need large quantities of meals on a daily basis.

The University of Hawaii System, Hawaii Farm Bureau, and numerous individuals supported this measure. The High Technology Development Corporation supported the intent of this measure. The Department of Budget and Finance 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 is in accord with the intent and purpose of H.B. No. 870, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 418 Higher Education on H.B. No. 541

The purpose of this measure is to strengthen fiscal accountability at the University of Hawaii by requiring:

- (1) That at the end of any fiscal year in which the balance in the University of Hawaii Tuition and Fees Special Fund exceeds a certain sum, the funds in excess of that amount must lapse to the credit of the general fund; and
- (2) During the next regular session following a fiscal year in which the University of Hawaii Tuition and Fees Special Fund incurs a lapse of funds, the Legislature to appropriate funds to the University for the following fiscal year in a sum that is not less than the amount of the lapsed funds.

The University of Hawaii and several concerned individuals opposed this measure. The Department of Budget and Finance and a concerned individual submitted comments.

Your Committee has amended this measure by:

- (1) Directing each campus of the University of Hawaii, in estimating its quarterly budget requirements, to prepare an operations plan for the fiscal year for each of the programs that it is responsible for administering;
- (2) Providing that at the end of each fiscal year, the moneys in the University of Hawaii Tuition and Fees Special Fund for each campus must lapse to the credit of Program Identification Number UH900 (University of Hawaii, system wide support);
- (3) Requiring the President and Vice President for Budget and Finance and Chief Financial Officer of the University of Hawaii to review the operations plan for each campus to:
 - (A) Determine if the operations plan meets certain criteria; and
 - (B) Approve the operations plan, or modify or withhold the planned expenditures, depending on whether the criteria are met; and
- (4) Deleting the requirement that the Legislature appropriate funds in the following fiscal year that are not less than the amount of lapsed funds.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 541, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 541, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 419 Higher Education on H.B. No. 545

The purpose of this measure is to improve fiscal accountability at the University of Hawaii by:

- (1) Repealing the:
 - (A) University of Hawaii Community Services Special Fund;
 - (B) Hawaii Educator Loan Program Special Fund;
 - (C) Community Colleges Special Fund;
 - (D) Hawaii Medical Education Special Fund;
 - (E) Discoveries and Inventions Special Fund;
 - (F) University of Hawaii Alumni Special Fund;
 - (G) Animal Research Farm, Waialeale, Oahu Special Fund;
 - (H) Professional Student Exchange Program Special Fund;

- (I) Center for Labor Education and Research Revolving Fund;
 - (J) Career and Technical Training Projects Revolving Fund;
 - (K) Conference Center Revolving Fund;
 - (L) Senator Hiram L. Fong Scholarship Program Endowment Trust Fund;
 - (M) Senator Oren E. Long Scholarship Program Endowment Trust Fund; and
 - (N) Hawaii Health Corps Revolving Fund; and
- (2) Abolishing the:
- (A) Hurricane Iniki Insurance Proceeds Special Fund;
 - (B) Agency Fund Trust Account;
 - (C) University of Hawaii Okinawa Program Trust Fund; and
 - (D) Unrestricted Quasi-endowment Income and Scholarship Revolving Fund.

The Office of the Auditor supported this measure. Several concerned individuals opposed the measure. The University of Hawaii, ILWU Local 142, International Brotherhood of Electrical Workers Local Union 1260, Labor Education Advisory Council, and Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Renaming the University of Hawaii Quasi-endowment Trust Fund and codifying it in statute;
- (2) Reclassifying the Hawaii Educator Loan Program Special Fund as the Hawaii Educator Loan Program Revolving Fund;
- (3) Reclassifying the Community Colleges Special Fund as the Community Colleges Revolving Fund;
- (4) Reclassifying the Professional Student Exchange Program Special Fund as the Professional Student Exchange Program Revolving Fund; and
- (5) Retaining the Center for Labor Education and Research Revolving Fund.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 545, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 545, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 420 Higher Education on H.B. No. 546

The purpose of this measure is to require the University of Hawaii to provide nonsupervisory employees in blue collar positions and similarly situated officers and employees who are excluded from collective bargaining with the same educational benefits provided to faculty of the University of Hawaii and the community college system.

United Public Workers supported this measure. The Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO supported the intent of this measure. The University of Hawaii'i opposed 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 is in accord with the intent and purpose of H.B. No. 546 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 421 Housing on H.B. No. 1242

The purpose of this measure is to encourage the installation of fire sprinkler systems in residences by establishing a refundable tax credit for individual taxpayers equal to 25 percent of actual costs, including installation, of automatic fire sprinklers or systems in new residential one- or two-family residential dwelling units.

The State Fire Council, Honolulu Fire Department, Hawaii County Fire Department, Kauai Fire Department, and the Contractors Association of Kauai supported this measure. The Department of Taxation, Building Industry Association Hawaii, the Tax Foundation of Hawaii, and the General Contractors Association of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Establishing a maximum tax credit of \$5,000 that may be claimed by an individual;
- (2) Allowing only one tax credit to be claimed per tax map key number;

- (3) Permitting only owners of existing property or newly constructed residential property to claim the tax credit;
- (4) Making the tax credit nonrefundable;
- (5) Clarifying that if the tax credit is claimed by an individual, depreciation cannot be taken;
- (6) Changing the effective date to July 1, 2050, to further encourage discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee received testimony from the Department of Taxation stating that establishing the tax credit for over 5,000 residential units with a maximum tax credit that may be claimed per unit at \$5,000 would cost the State up to \$25,000,000 per year.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider the appropriate maximum amount of tax credit and how to award a tax credit to multiple households living on property within one tax map key number, while avoiding awarding multiple tax credits to one household.

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 H.B. No. 1242, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1242, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 422 Health/Consumer Protection & Commerce on H.B. No. 261

The purpose of this measure is to ensure transparency of prescription drug benefits and assist consumers with making more informed choices about health care coverage by requiring health insurers, mutual benefit societies, and health maintenance organizations to post and update information on drug formularies on their websites.

The Hawaii Medical Association; American Cancer Society Cancer Action Network; and the Pharmaceutical Research and Manufacturers of America supported this measure. The Hawaii Medical Service Association and American Council of Life Insurers opposed this measure. The Department of Commerce and Consumer Affairs and Kaiser Permanente commented on this measure.

Your Committees have amended this measure by:

- (1) Excluding limited benefit health insurance providers from this measure;
- (2) Specifying that updated formularies shall be posted on the insurer's website no later than seventy-two hours after making a change to a formulary;
- (3) Removing the insurers' attestation requirement;
- (4) Clarifying that the list of drugs included on a formulary shall be defined by the health care service plans;
- (5) Changing the effective date to July 1, 2112, to encourage further discussion; 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 Health and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 261, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 261, H.D. 2, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Creagan, Jordan, Kawakami, Morikawa, Yamane, McDermott and Tupola.

SCRep. 423 Health on H.B. No. 393

The purpose of this measure is to streamline the permitting process for restoration, repair, maintenance, and operation of na loko i'a (Hawaiian fishponds) by waiving the Department of Health requirement to obtain water quality certification for any person who has already received notice of authorization to proceed from the Department of Land and Natural Resources Office of Conservation and Coastal Lands under the Statewide General Programmatic General Permit with regard to the loko i'a.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, Honua Consulting, Pana'ewa Hawaiian Home Lands Community Association, and many individuals provided testimony in support of this measure. The Department of Health, Loko I'a Consulting, and the Land Use Research Foundation of Hawaii provided comments.

Your Committee respectfully requests the Department of the Attorney General to evaluate the sufficiency of whether the proposed language from the Department of Land and Natural Resources, as reflected in this bill, helps streamline the process and to provide this information to the Committee on Finance.

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 H.B. No. 393, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 424 Health on H.B. No. 10

The purpose of this measure is to support student health by:

- (1) Permitting Department of Education (DOE) employees and agents, in an emergency situation, to volunteer to administer:
 - (A) Insulin, or assist a student in administering insulin via the insulin delivery system that the student uses, in addition to glucagon; and
 - (B) Auto-injectable epinephrine to students with anaphylaxis;
- (2) Allowing students to perform required diabetes self-monitoring and self-treatment activities pursuant to the student's medical management plan; and
- (3) Allowing advanced practice registered nurses to provide certain written certifications regarding the administration of medication to students.

The Department of Health; Times Supermarkets; Seven-Eleven Hawaii, Inc.; American Diabetes Association; Walgreens; Special Education Advisory Council; and numerous individuals provided testimony in support of this measure. The Department of Education supported the intent 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 is in accord with the intent and purpose of H.B. No. 10, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 425 Health/Human Services on H.B. No. 1195

The purpose of this measure is to increase the capacity of expanded adult residential care homes in Hawaii by allowing Type I Expanded Adult Residential Care Homes to accept one additional nursing facility level resident.

The Alliance of Residential Care Administrators, Arzaga's Adult Foster Care, and several concerned individuals testified in support of this measure. The Department of Health commented on this measure.

Your Committees have amended this measure by changing its effective date to July 1, 2050, to encourage 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 H.B. No. 1195, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1195, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 426 Tourism on H.B. No. 197

The purpose of this measure is to assist the counties financially so they can better support tourism and tourism-related services by removing the current dollar amount cap on transient accommodations tax revenues to be distributed to the counties and establishing the distribution of these revenues as a percentage of transient accommodations tax collected.

Three council members from the County of Maui, a council member from the County of Hawaii, and two council members from the County of Kauai supported this measure. The Department of Budget and Finance, Hawaii Tourism Authority, State-County Functions Working Group, and the Tax Foundation of Hawaii offered comments.

Your Committee has amended this measure by clarifying that the transient accommodations tax revenues to be distributed to the counties shall be used to address the impact of the visitor industry on county services and tourism-related infrastructure.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 197, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 427 Tourism on H.B. No. 444

The purpose of this measure is to conserve and restore Hawaii's beaches by expanding the Department of Land and Natural Resources' Beach Restoration Plans to include beach conservation, and allocating funds from the Transient Accommodations Tax to be used in accordance with the Hawaii Tourism Strategic Plan and for beach restoration and conservation.

The Department of Land and Natural Resources, Hawaii Tourism Authority, Hawaii Lodging and Tourism Association, Outrigger Enterprises Group, Maui Hotel and Lodging Association, and Hawaii Shore and Beach Preservation Association supported this measure. The Department of the Attorney General opposed this measure. The Department of Budget and Finance, State-County Functions Working Group, and the Tax Foundation of Hawaii offered comments.

Your Committee respectfully notes that the Attorney General suggested the removal of the proposed amendment to section 237D-6.5(b)(5), Hawaii Revised Statutes, to comply with the Hawaii State Constitution requirement that a measure embrace one subject expressed in its title. Although your

Committee acknowledges this concern, your Committee recommends that this measure proceed through the legislative process to facilitate further discussion.

Your Committee has 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 Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 444, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 444, H.D. 2.

Signed by all members of the Committee.

SCRep. 428 Tourism on H.B. No. 133

The purpose of this measure is to provide incentives for investment in tourism infrastructure through an income tax credit for costs incurred in new hotel construction.

The Hawai'i Lodging and Tourism Association, Maui Hotel and Lodging Association, Subcontractors Association of Hawaii, Napili Kai Beach Resort, and Outrigger Enterprises Group supported this measure. The Department of Taxation and Tax Foundation of Hawaii offered comments.

Your Committee has amended this measure by:

- (1) Expanding the income tax credit to include costs incurred in hotel renovation;
- (2) Clarifying the income tax credit availability for taxable years beginning after December 31, 2015, through taxable years beginning on or before December 31, 2021; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider looking into whether eligibility for the tax credit should be predicated on taxpayer liability for both income tax and transient accommodations tax, since this requirement may limit the number of taxpayers eligible for the credit. For example, many hotels are large operations with multiple subsidiaries, and it is possible that the entity incurring construction or renovation costs is not the same entity that operates the hotel as a transient accommodation.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 133, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 133, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 429 Education on H.B. No. 232

The purpose of this measure is to support the State Public Charter School Commission's Facilities Pilot Project, which provides funds to various charter schools for small-scale facilities projects, while maintaining accountability by:

- (1) Appropriating funds for the Pilot Project based, in part, on the need and performance of the charter school; and
- (2) Requiring the Commission to submit a report to the Legislature on the use of the funds and the Commission's findings, conclusions, and recommendations regarding the Facilities Pilot Project.

The State Public Charter School Commission; the Administration of the Office of Hawaiian Affairs; Kamehameha Schools; Hawaii Public Charter Schools Network; Council for Native Hawaiian Advancement; Hawaii Island School Garden Network; Hawaii State Teachers Association; and a concerned individual testified in support of the measure.

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 H.B. No. 232 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ichiyama, Ing, Ito, Kong and Matsumoto.

SCRep. 430 Education on H.B. No. 874

The purpose of this measure is to require the Department of Education, in collaboration with stakeholders in the Hawaiian language community, to plan for, develop, and implement appropriate annual assessments in the Hawaiian language for Ka Papahana Kaiapuni students.

The Aha Moku Advisory Committee, Office of Hawaiian Affairs, Hawaii State Teachers Association, Association of Hawaiian Civic Clubs, Hawaii Public Charter Schools Network, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, and many individuals submitted testimony in support of this measure. The 'Aha Pūnana Leo and an individual submitted testimony in support of the intent of this measure. The Department of Education submitted comments.

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 H.B. No. 874, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, LoPresti, Say and Tupola.

SCRep. 431 Education on H.B. No. 613

The purpose of this measure is to protect the data and privacy of students in the public schools by limiting the purposes for which computer service providers can process student data and prohibiting the sale, disclosure, and processing of student data for commercial purposes.

The Hawaii State PTSA supported this measure. The Department of Education and Microsoft, Inc., submitted comments.

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 H.B. No. 613 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Ichiyama and Ito.

SCRep. 432 Education on H.B. No. 487

The purpose of this measure is to establish a state-funded college grant program for eligible high school students called the Aloha Grant Program to be developed and administered by the Department of Education, and to appropriate funds for the development and administration of the Program.

The Department of Education, Associated Students of the University of Hawaii Committee on External Affairs, Americans for Democratic Action, Iolani Political Activism Club, and several concerned individuals supported 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 is in accord with the intent and purpose of H.B. No. 487 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, LoPresti, Say and Tupola.

SCRep. 433 Education on H.B. No. 820

The purpose of this measure is to establish the Executive Office on Early Learning (the Office) Prekindergarten Program, aimed at continuing the fulfillment of state early education goals. This measure, among other things:

- (1) Establishes a state voluntary prekindergarten program, with priority given to underserved or at-risk children;
- (2) Directs the Office to establish research-based, developmentally-appropriate high-quality standards associated with better educational outcomes to set program policies; and
- (3) Allows the Office to coordinate with other agencies and programs to facilitate the program, including the use of available classrooms for program activities.

The Hawaii State Teachers Association, Americans for Democratic Action Hawaii, Kamehameha Schools, Chamber of Commerce Hawaii, Aloha United Way, Good Beginnings Alliance, Hui for Excellence in Education Coalition, IMUAlliance, Phocused, and a few individuals testified in support of this measure. An individual testified in opposition. The Department of Education, Department of Human Services, and State Public Charter School Commission provided comments.

Your Committee has amended this measure by clarifying that:

- (1) All prekindergarten programs established under this measure are to be administered through the Office, rather than directly through the Department of Education;
- (2) The Office, rather than the Department of Education and public charter schools, shall give priority to public charter schools serving high populations of underserved or at-risk children; 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 H.B. No. 820, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 820, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 434 Education on H.B. No. 1412

The purpose of this measure is to make permanent the Department of Education's authority to supervise its own fiscal management and accounting and make required housekeeping amendments.

The Department of Education supported 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 is in accord with the intent and purpose of H.B. No. 1412, H.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 Ito, Say and Tupola.

SCRep. 435 Education on H.B. No. 819

The purpose of this measure is to protect youth in Hawaii from bullying by:

- (1) Requiring all youth-serving agencies of the State, public schools, public charter schools, and entities or contractors of entities that receive state funding to adopt, maintain, monitor, and enforce anti-bullying policies and procedures;
- (2) Prohibiting a public charter school from discriminating against a student or limiting admission to a student based on gender identity or expression; and
- (3) Establishing a Bullying Prevention Task Force within the Department of Education.

The Honolulu Police Department; Hawaii State Teachers Association; Hawaii Youth Services Network; Community Children's Council of Hawaii; Hawaii Women's Coalition; Hawaii State Democratic Women's Caucus; IMUAlliance; Honolulu Pride; Gay, Lesbian, Bisexual, and Transgender Caucus of the Democratic Party of Hawaii; Equality Hawaii; Human Rights Campaign; Rainbow Family 808; and numerous concerned individuals supported the measure. The State Council on Developmental Disabilities and Special Education Advisory Council supported the intent of the measure. The Department of Education, State Public Charter School Commission, and American Civil Liberties Union of Hawaii submitted comments.

Your Committee has amended the measure by:

- (1) Also requiring that all youth-serving agencies of the counties and all entities or contractors of entities that receive county funding to adopt, maintain, monitor, and enforce anti-bullying policies and procedures;
- (2) Deleting all references to age in the definition of "youth";
- (3) Requiring that all annual bullying prevention programs for youth--not only the ones in public schools--must align with established health education standards;
- (4) Adding an unspecified appropriation for resources and staff support for the Bullying Prevention Task Force; 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 819, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 819, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Ichiyama and Ito.

SCRep. 436 Education on H.B. No. 1349

The purpose of this measure is to align the probationary requirements that are applicable to non-tenured licensed charter school teachers entering or returning to the Department of Education, with the probationary requirements that are applicable to all licensed Department of Education teachers. Accordingly, this measure specifies that probationary periods will be determined pursuant to policies and practices established by the Department of Education, the Board of Education, and applicable collective bargaining agreements.

The Department of Education and The Hawaii Public Charter Schools Network supported the measure with amendments. A concerned individual testified in opposition. The State Public Charter School Commission and a concerned individual submitted comments.

Your Committee has amended the measure by providing that tenured teachers licensed by the Department of Education who transfer to charter schools are subject to the appropriate collective bargaining agreement, rather than exempt from serving a probationary period.

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 H.B. No. 1349, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1349, H.D. 1.

Signed by all members of the Committee except Representatives Ing, Ito, LoPresti, Say and Tupola.

SCRep. 437 Education on H.B. No. 1230

The purpose of this measure is to strengthen public education in Hawaii by re-establishing and funding an interagency working group, based on Act 51, Session Laws of Hawaii 2004, to create a comprehensive plan to transfer all personnel and functions of the Department of Accounting and General Services, related to neighbor island public schools, to the Department of Education.

The Department of Education supported this measure. The Department of Accounting and General Services testified in opposition.

Your Committee has amended the measure by:

- (1) Removing the chairpersons of the Senate Committee on Education and the House of Representatives Committee on Education as members of the working group;
- (2) Adding as members of the working group the Director of Human Resources Development, Director of Human Services, Director of Finance, Attorney General, exclusive representatives of the bargaining units of affected employees, and any other persons the Superintendent of Education appoints; 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 H.B. No. 1230, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1230, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ichiyama and Ito.

SCRep. 438 Education on H.B. No. 578

The purpose of this measure is to require all children, prior to attending seventh grade, to provide school officials with written documentation of a physical examination performed within 12 months prior to the date of initial attendance. This requirement shall begin with the 2016-2017 school year.

The Department of Education, Department of Health, University of Hawai‘i, Waianae Coast Comprehensive Health Center, American Academy of Pediatrics, and a concerned individual supported this measure. The Hawaii Primary Care Association supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Inserting an appropriation for an unspecified amount; and
- (2) Making technical, nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 578, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 578, H.D. 2.

Signed by all members of the Committee except Representatives Aquino, Ichiyama and Ito.

SCRep. 439 Education on H.B. No. 698

The purpose of this measure is to improve the delivery of school health services by establishing an interagency working group, jointly convened by the Department of Education and Department of Health, to create a comprehensive school health program.

The Hawaii Primary Care Association and Hawaii Public Health Institute supported this measure. The Department of Education and University of Hawaii School of Nursing and Dental Hygiene supported the intent of the measure. The Office of Hawaiian Affairs supported the measure with amendments. The Department of Health submitted comments.

Your Committee has amended the measure by:

- (1) Removing the chairperson of the Senate standing Committee on Education, chairperson of the House of Representatives standing Committee on Education, chairperson of the Senate standing Committee on Health, chairperson of the House of Representatives standing committee on Health, or their designees from membership on the interagency working group; 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 H.B. No. 698, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 698, H.D. 1, and be referred to the Committee on Health.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito and Matsumoto.

SCRep. 440 Education on H.B. No. 397

The purpose of this measure is to better prepare Hawaii's youth for future success by establishing a standardized framework and funding mechanism for afterschool programs in public middle schools. Specifically, this measure:

- (1) Statutorily establishes the Resources for Enrichment, Athletics, Culture, and Health (R.E.A.C.H.) Program within the Office of Youth Services;
- (2) Stipulates the powers and duties of the Office of Youth Services with regard to the R.E.A.C.H. Program including the provision of funds for the Program; and
- (3) Establishes the R.E.A.C.H. Program Revolving Fund to receive fees and other moneys to assist in the administration and operation of the R.E.A.C.H. Program.

The Office of the Lieutenant Governor, Hawaii Youth Services Network, REACH Out Hawaii, and Office of Hawaiian Affairs testified in support of this measure. The State Public Charter School Commission provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the R.E.A.C.H. Program serves public middle schools, including charter schools; 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 H.B. No. 397, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 397, H.D. 2.

Signed by all members of the Committee except Representatives Aquino, Ichiyama and Ito.

SCRep. 441 Education on H.B. No. 607

The purpose of this measure is to amend the composition of the Early Learning Advisory Board (Board) to ensure that the counties of Hawaii, Kauai, and Maui are adequately represented.

A concerned individual testified in support of this measure.

Your Committee has amended this measure by:

- (1) Inserting an unspecified appropriation for the travel costs of the neighbor island members of the Board; and
- (2) Making technical, nonsubstantive changes for the purposes of 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 H.B. No. 607, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 607, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ichiyama and Ito.

SCRep. 442 Education on H.B. No. 231

The purpose of this measure is to allow the Department of Education to continue to use its resources in a more cost-effective and flexible manner by extending until June 30, 2020, the Department of Education's exception from the Comptroller's authority to have complete supervision of all accounts and to preaudit all proposed payments of \$10,000 or more.

The Department of Education and Hawaii State Teachers Association supported this measure. A concerned individual submitted comments.

Your Committee has amended this measure by making permanent the Department of Education's exception from the Comptroller's supervisory authority and to preaudit all proposed payments of \$10,000 or more.

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 H.B. No. 231, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 231, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 443 Consumer Protection & Commerce on H.B. No. 18

The purpose of this measure is to establish a nonrefundable long-term care income tax credit for qualified individual taxpayers based on the cost of long-term care insurance premium payments.

The American Council of Life Insurers, ILWU Local 142, and an individual testified in support of this measure. The National Association of Insurance and Financial Advisors testified in support of the intent of this measure. The Policy Advisory Board for Elder Affairs testified in opposition to this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Allowing qualified corporate taxpayers who are employers to claim the tax credit for long-term care insurance premiums paid on behalf of employees; and
- (2) Further clarifying that the long-term care income tax credit is nonrefundable.

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 H.B. No. 18, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 18, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 444 Consumer Protection & Commerce on H.B. No. 272

The purpose of this measure is to:

- (1) Clarify the document disclosure requirements for sellers of residential real property to include all documentation relating to any restrictions or conditions within the seller's knowledge or control; and
- (2) Repeal the requirement that the seller disclose any unrecorded rules or guidelines that may have been issued by any entity responsible for enforcing those restrictions or guidelines.

The Hawaii Association of REALTORS testified in support of this measure.

Your Committee finds that existing law requires sellers to provide buyers with all documentation relating to any restrictions or conditions associated with the seller's property, including unrecorded rules or guidelines. While recognizing that this requirement may create an unreasonable burden for sellers as this information may be outside the knowledge or control of the seller, your Committee also recognizes that sellers are required to act in good faith and disclose all material facts to the buyer. Accordingly, the seller should be required to disclose unrecorded rules or guidelines if this information is within the seller's knowledge or control.

Your Committee has amended this measure to clarify that sellers are required to disclose all documentation relating to any restrictions or conditions within the seller's knowledge or control, including any unrecorded rules or guidelines.

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 H.B. No. 272, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 272, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Creagan, Har and Oshiro.

SCRep. 445 Consumer Protection & Commerce on H.B. No. 643

The purpose of this measure is to create a general excise tax exemption for amounts arising from the sale and installation of a wind restrictive device beginning January 1, 2016, and expiring on December 31, 2017.

The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the general excise tax exemption shall apply to gross proceeds received on or after January 1, 2016, and on or before December 31, 2017, from the sale and installation of a wind resistive device;
- (2) Changing its effective date to July 1, 2050, 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 643, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 643, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 446 Consumer Protection & Commerce on H.B. No. 858

The purpose of this measure is to assist victims of domestic violence by:

- (1) Allowing the early termination of residential rental agreements in certain cases where the tenant or an immediate family household member is a victim of domestic violence; and
- (2) Specifying the procedures and rights of the landlord and tenants under the Residential Landlord-Tenant Code for such instances of domestic abuse.

Ala Kuola, Hawaii State Coalition Against Domestic Violence, Phocused, Catholic Charities Hawaii, and a few individuals testified in support of this measure. The Domestic Violence Action Center testified in support of the intent of this measure. The Hawaii Association of REALTORS provided comments on this measure.

Your Committee has amended this measure by:

- (1) Allowing the landlord to terminate the rental agreement, under certain conditions, if the landlord finds that the remaining tenants do not demonstrate the ability to pay rent; and
- (2) Changing the effective date to November 1, 2112, to encourage further discussion.

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 H.B. No. 858, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 858, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Hashem and Nakashima.

SCRep. 447 Consumer Protection & Commerce on H.B. No. 1098

The purpose of this measure is to raise the target balance for the mortgage loan recovery fund and require the commissioner of financial institutions to:

- (1) Cease collections of mortgage loan recovery fund fees from license renewals once the target balance is reached; and

- (2) Adjust and recommence collection of the mortgage loan recovery fund fees from license renewals when the fund balance falls below a certain threshold.

The Hawaii Association of Mortgage Brokers testified in support of this measure and provided amendments. The Commissioner of Financial Institutions provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing language raising the target balance of the mortgage loan recovery fund and criteria for ceasing and recommencing the collection of fees;
- (2) Specifying that the commissioner of financial institutions may cease, adjust the rate of, and recommence collection of fees, without regard to Chapter 91, Hawaii Revised Statutes, to attain the target balance for the mortgage loan recovery fund; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1098, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1098, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 448 Consumer Protection & Commerce on H.B. No. 228

The purpose of this measure is to reduce the allowable maximum fee of a payday loan from 15 per cent to 7 per cent of the face amount of the deferred check.

The Office of Hawaiian Affairs, CHOW project, and Catholic Charities Hawaii testified in support of this measure. The Office of Consumer Protection and Hawaii Appleseed Center for Law and Economic Justice testified in support of the intent of this measure. Phocused testified in support with amendments to this measure. Money Mart; Dollar Financial Group; Maui Loan Inc.; Money Service Centers of Hawaii, Inc.; Cash in Advance, Inc.; Hawaii Check Cashing; and an individual testified in opposition to this measure. The Office of the Auditor provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the maximum fee for a deferred deposit agreement to an unspecified percentage; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee notes that the use of an annual percentage rate (APR) as a measurement of interest in deferred deposits of checks is misleading. Therefore, your Committee respectfully requests that your Committee on Finance further examine this issue.

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

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 449 Consumer Protection & Commerce on H.B. No. 770

The purpose of this measure is to amend the State's liquor laws to:

- (1) Allow restaurants and retail dealers with a liquor license to sell beer, malt beverages, wine, or cider for off-premises consumption, under certain circumstances; and
- (2) Authorize brewpubs and small craft producer pubs with a liquor license to sell for off-premises consumption malt beverages purchased from another liquor licensee.

The Hawaii Food Industry Association and Whole Foods Market testified in support of this measure. The Wine Institute testified in opposition to this measure. The Liquor Commission of the City and County of Honolulu provided comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that a Class 2, restaurant licensee, must hold the appropriate license to sell beer, malt beverages, or cider for off-premises consumption;
- (2) Removing wine from the types of liquor that a restaurant or retail dealer with a liquor license, or a class 10 special license holder, can sell for off-premises consumption;
- (3) Clarifying that retail dealers with a liquor license may sell beer, malt beverages, or cider in non-original packages, under certain circumstances; and
- (4) Changing its effective date to July 1, 2112, to encourage further discussion.

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 H.B. No. 770, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 770, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Hashem and Nakashima.

SCRep. 450 Consumer Protection & Commerce on H.B. No. 375

The purpose of this measure is to amend state law regarding attachment or execution for real and personal property by:

- (1) Changing the attachment or execution exemption amounts for:
 - (A) Real property from \$30,000 to the most recent real property tax assessment value of the property; and
 - (B) Various pieces of personal property, including vehicles, to adjusted fair market value; and
- (2) Exempting from the attachment or execution of personal property, child support, tax refunds that result from a federal earned income tax credit, and tax refunds that result from federal or state child tax credits.

An individual testified in support of this measure. The Department of the Attorney General, Hawaii Bankers Association, Hawaii Financial Services Association, and Hawaii Credit Union League testified in opposition to this measure. The Department of Taxation and Hawaii State Bar Association Collection Law Section provided comments.

Your Committee has amended this measure by changing the attachment or execution exemption amount for real property to an unspecified amount.

Should the Committee on Judiciary deliberate this measure further, your Committee on Consumer Protection and Commerce respectfully requests that it further explore an appropriate attachment or execution exemption amount for real property.

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 H.B. No. 375, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 375, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 451 Consumer Protection & Commerce on H.B. No. 538

The purpose of this measure is to provide assistance to persons victimized by domestic violence by requiring telecommunication service providers (Wireless Providers) to release an individual from a shared or family wireless plan and arrange for alternate service, without any charges or fees, if the individual submits a written request and documentation of instances of domestic violence.

The Office of the Prosecuting Attorney, County of Kauai; Office of the Prosecuting Attorney, County of Hawaii; Hawaii State Commission on the Status of Women; Hawaii Women's Coalition; PHOCUSED; and an individual testified in support of this measure. CTIA-The Wireless Association provided comments on this measure.

Your Committee has amended this measure by deleting its substance and inserting provisions allowing victims of domestic abuse to retain use of an existing wireless telephone number even when the victim is not an account holder by:

- (1) Allowing a victim of domestic abuse to keep the victim's existing telephone number upon the issuance of a court order to the Wireless Provider, even if the victim is not currently the telephone's account holder;
- (2) Ensuring the interest of all parties are protected by providing that Wireless Providers only be required to break an otherwise valid contract upon issuance of a court order;
- (3) Specifying that the court order list the name and billing telephone number of the account holder, the name of the person to whom the telephone number or numbers will be transferred, and each telephone number to be transferred;
- (4) Defining the terms "domestic abuse," "wireless communications service," and "wireless telecommunications service provider" for greater clarity; and
- (5) Ensuring that the Wireless Provider is not held liable for breaking a contract or other actions taken in accordance with the terms of a court order.

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 H.B. No. 538, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.B. No. 538, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 452 Consumer Protection & Commerce on H.B. No. 104

The purpose of this measure is to limit the use of the alternative power of sale foreclosure process for planned community and condominium associations to the recovery of unpaid unit owner assessments that exceed the total amount the association owes to the unit owner.

Your Committee received testimony in support of this measure from one individual. The Community Associations Institute, Hawaii Chapter, and Associa, Inc., opposed this measure.

Your Committee finds that homeowner associations collect assessments from unit owners for the payment of common expenses. Among other options, an association may recover unpaid assessments by foreclosing upon the unit owner using the alternative nonjudicial process established specifically for associations under part VI of Chapter 667, Hawaii Revised Statutes. This measure requires associations seeking to use that process to first offset all amounts the association owes to the unit owner.

Your Committee has amended this measure by changing the effective date to January 1, 2112, to encourage further discussion on the measure.

Should the Committee on Judiciary decide to hear this measure, your Committee respectfully requests that it review whether a homeowner association has the authority to proceed with the alternative power of sale foreclosure process when the association owes money to the unit owner being foreclosed upon.

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 H.B. No. 104, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 104, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 453 Health on H.B. No. 385

The purpose of this measure is to reduce smoking and other tobacco product use by young persons by, among other things:

- (1) Increasing the minimum age in which one can purchase any tobacco product or electronic smoking device from 18 to 21 years of age; and
- (2) Prohibiting the sale or furnishing of tobacco, tobacco products, and electronic smoking devices to persons under 21 years of age,

but exempting, from July 1, 2016, to June 30, 2019, persons born after June 30, 1998, from the increased age requirements.

The Honolulu Police Department, University of Hawaii Cancer Center, University of Hawaii Student Health Advisory Council, American Lung Association of the Mountain Pacific, American Heart Association, Coalition for a Tobacco Free Hawaii, Hawaii Community Pharmacy Association, American Cancer Society Cancer Action Network, Hawaii COPD Coalition, and numerous individuals supported this measure. VOLCANO Fine Electronic Cigarettes and two individuals opposed this measure. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting all references to exempting, from July 1, 2016, to June 30, 2019, persons born after June 30, 1998, from the requirements established by this measure;
- (2) Changing the effective date to January 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 385, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 385, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Oshiro and Tupola.

SCRep. 454 Health on H.B. No. 34

The purpose of this measure is to protect tenants and other individuals in condominiums and cooperative housing corporations from exposure to secondhand smoke by authorizing the condominiums and cooperative housing corporations to adopt rules prohibiting smoking, including electronic cigarettes, in all units, common elements, or limited common elements.

The Department of Health, Coalition for a Tobacco-Free Hawaii, and an individual supported this measure. VOLCANO Fine Electronic Cigarettes, Hawaii Smokers Alliance, and several individuals opposed this measure. The Hawaii Chapter of Communities Association Institute Legislative Action Committee and three individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Replacing references to "electronic cigarette" with "electronic smoking device"; and
- (2) Changing the effective date to July 1, 2050, to facilitate 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 H.B. No. 34, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 34, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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

SCRep. 455 Health on H.B. No. 581

The purpose of this measure is to:

- (1) Extend the Hospital Sustainability Program for one year to continue maximizing the amount of federal funds private hospitals receive and federal matching funds public hospitals receive to help preserve access to health care for Medicaid recipients and sustain the State's health care system;
- (2) Revise the funding amounts for the Hospital Sustainability Program Special Fund for Fiscal Year 2015-2016; and
- (3) Make other changes to the Hospital Sustainability Program.

The Hawaii Health Systems Corporation, Healthcare Association of Hawaii, The Queen's Health Systems, The Chamber of Commerce of Hawaii, and Hawaii Primary Care Association testified in support of this measure. The Department of Human Services and Department of the Attorney General commented on this measure.

Your Committee has amended this measure by:

- (1) Preserving the exemptions from the administrative expenses assessment under section 36-30, Hawaii Revised Statutes, and the central services expenses assessment under section 36-27, Hawaii Revised Statutes, through December 31, 2016;
- (2) Changing the effective date to July 1, 2050, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 581, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 581, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 456 Health on H.B. No. 763

The purpose of this measure is to improve and maintain the health of the elderly population by establishing a three-year senior playground pilot program. Your Committee finds that designing these playgrounds as fitness parks would enable seniors to stay active and improve their dexterity and balance, resulting in a reduced propensity to suffer a fall.

The Maui County Office on Aging and several concerned individuals testified in support of this measure. The Executive Office on Aging opposed the measure.

Your Committee has amended this measure by:

- (1) Establishing at least one senior playground in a single county, but allowing for the expansion of senior playgrounds to other counties; and
- (2) Changing its effective date to July 1, 2050, to facilitate 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 H.B. No. 763, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 763, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 457 Health on H.B. No. 796

The purpose of this measure is to protect health care providers from recoupment inquiries initiated by accident and health or sickness insurance providers (Entities) by clarifying insurance recoupment standards in Hawaii. Specifically this measure:

- (1) Requires Entities initiating recoupment or offset demand efforts for the reimbursement of insurance to send written notice to a health care provider at least 30 calendar days prior to initiating the demand efforts; and
- (2) Prohibits, subject to certain exceptions, an Entity from initiating any recoupment or offset efforts more than 12 months after an initial claim payment was received by a health care provider.

The Hawaii Medical Association, Hawaii Primary Care Association, and Hawaii Psychological Association testified in support of this measure. The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association provided comments.

Your Committee has amended this measure by:

- (1) Changing its 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 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 H.B. No. 796, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 796, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 458 Health on H.B. No. 1063

The purpose of this measure is to assist the City and County of Honolulu Emergency Medical Services Division with expanding emergency medical services and ambulance services in the Moanalua, Aliamanu, Salt Lake, and Foster Village communities by appropriating funds to operate an additional emergency medical service unit.

The Honolulu Emergency Services Department, Emergency Medical Service Division, and an individual supported this measure. The Department of Health commented on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate further discussion.

Should this measure be deliberated further in the legislative process, your Committee respectfully requests that the Committee on Finance consider specifying that the emergency medical service unit be used to support daily peak hours.

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 H.B. No. 1063, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1063, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 459 Health on H.B. No. 464

The purpose of this measure is to support the emergency medical service needs of the Kakaako area by appropriating funds for the purchase of an ambulance vehicle and the operational costs for one ambulance unit, including equipment, supplies, and personnel costs for state-certified emergency medical service personnel to service the Kakaako area on Oahu.

The City and County of Honolulu and the United Public Workers supported this measure. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should this measure be deliberated further in the legislative process, your Committee respectfully requests that the Committee on Finance consider specifying that the ambulance vehicle, ambulance unit, and related resources be used to support daily peak hours.

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 H.B. No. 464, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 464, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 460 Judiciary on H.B. No. 515

The purpose of this measure is to ensure that the disposition of remnants of public land complies with the State's constitutional mandate under the public land trust by:

- (1) Clarifying the definition of the term "remnant" for purposes relating to the disposition of public lands; and
- (2) Placing conditions on the alienation of remnants that would violate the State's public land trust obligation or when such remnants contain resources necessary for the exercise of native Hawaiian subsistence, cultural, or religious practices.

The Office of Hawaiian Affairs submitted testimony in support of this measure. The Department of Land and Natural Resources provided comments in opposition to this measure.

Your Committee has amended this measure by:

- (1) Deleting the requirement for an attorney general's determination of whether the parcel poses a significant and unavoidable risk of liability; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 515, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 515, H.D. 2.

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

SCRep. 461 Judiciary on H.B. No. 897

The purpose of this measure to update the Uniform Interstate Family Support Act to reflect the requirements of the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance. This measure provides procedures for recognition, modification, and enforcement of interstate and international child and spousal support orders and determinations of parentage as required by federal law.

The Department of the Attorney General, Commission to Promote Uniform Legislation, and an individual testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to take effect upon approval; and
- (2) Making a technical, nonsubstantive amendment to correct a typographical error.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 897, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 897, H.D. 2.

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

SCRep. 462 Education on H.B. No. 1251

The purpose of this measure is to improve public charter schools' access to facilities by, among other things:

- (1) Requiring state departments, when considering whether to close a particular facility, to give reasonable consideration to making all or portions of the facility available to public charter schools and pre-plus programs;
- (2) Requiring state departments to identify and inventory suitable facilities for public charter schools and pre-plus programs;
- (3) Requiring the Board of Education, in its annual report on public charter schools, to include information about facilities funding for public charter schools;
- (4) Providing that beginning with the 2016-2017 fiscal year, and each subsequent fiscal year, the Legislature must consider making an appropriation and bond authorization to the State Public Charter School Commission for facilities funding for public charter schools that is separate from, and in addition to, any appropriation already made to them pursuant to law;
- (5) Establishing a Charter School Facilities Funding Working Group within the State Public Charter School Commission;
- (6) Appropriating funds for the Charter School Facilities Funding Working Group to allocate to public charter schools for facilities based on criteria developed by the State Public Charter School Commission;
- (7) Authorizing the issuance of general obligation bonds to design, plan, construct, repair, and maintain public charter school facilities; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

The State Public Charter School Commission, Hawaii Public Charter Schools Network, and Kamehameha Schools supported the measure. The Hawaii State Teachers Association supported the intent of the measure. The Office of Hawaiian Affairs supported the measure with amendments. Rainbow Family 808 testified in opposition. The Department of Budget and Finance submitted comments.

Your Committee has amended the measure by:

- (1) Specifying that state departments must identify to the State Public Charter School Commission and Executive Office on Early Learning suitable unused facilities;
- (2) Requiring the State Public Charter School Commission to:
 - (A) Solicit applications from public charter schools that are interested in using and occupying all or portions of available facilities; and
 - (B) Submit a prioritized list of public charter schools to the Department of Education, which will make the final determination about which public charter schools, if any, will be allowed to use and occupy the facilities; and
- (3) Changing the membership of the Charter School Facilities Funding Working Group by:
 - (A) Removing the chairpersons of the Senate Committee on Ways and Means and House of Representatives Committee on Finance; and
 - (B) Adding the Comptroller; Superintendent of Education; a person with expertise in real estate, to be appointed by the chairperson of the State Public Charter School Commission; and a person with expertise in finance, to be appointed by the chairperson of the State Public Charter School Commission; 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 is in accord with the intent and purpose of H.B. No. 1251, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1251, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Ito.

SCRep. 463 Education on H.B. No. 627

The purpose of this measure is to create a Hawaii Farm to School Program in the Department of Agriculture and to provide funding for a Farm to School Coordinator position in each of the Departments of Agriculture and Education to work collaboratively in overseeing the Program.

The University of Hawaii College of Tropical Agriculture and Human Resources, two members of the Kauai County Council, The Hawaii State Teachers Association, Local Food Coalition, Hawaii Farm to School and School Garden Hui, Hawaii Farm Bureau Federation, Hawaii Green Growth, Hawaii Public Health Institute, The Kohala Center, PAN North America, and a number of concerned individuals supported this measure. The Department of Agriculture and Department of Education supported the intent of this measure. The Office of Hawaiian Affairs submitted comments.

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 H.B. No. 627, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, LoPresti, Say and Tupola.

SCRep. 464 Education on H.B. No. 853

The purpose of this measure is to implement the recommendations of the Hawaii Agriculture Workforce Advisory Board that the State create an agriculture workforce development pipeline by establishing, in the Department of Labor and Industrial Relations, a K-12 Agriculture Workforce Development Pipeline Initiative to conduct training sessions on all islands for teachers and school administrators regarding self-sufficiency and appropriating funds for the Initiative.

The Department of Labor and Industrial Relations, Department of Agriculture, University of Hawaii System, The Hawaii State Teachers' Association, The National FFA Organization, Hawaii Farm Bureau Federation, Hawaii Primary Care Association, and two concerned individuals supported this measure. The Department of Education supported the intent of this measure. The Hawaii Island School Garden Network commented on 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 is in accord with the intent and purpose of H.B. No. 853, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, LoPresti, Say and Tupola.

SCRep. 465 Education on H.B. No. 995

The purpose of this measure is to rebuild existing programs that educate, support, and encourage youth to pursue agriculture careers, specifically Future Farmers of America and the 4-H Programs by appropriating funds to the Department of Education for the Future Farmers of America Program and the University of Hawaii College of Tropical Agriculture and Human Resources for the 4-H Program.

The Department of Agriculture, The Hawaii State Teachers Association, Local Food Coalition, Hawaii Farm Bureau Federation, Hawaii Primary Care Association, and two concerned individuals supported this measure. The Department of Education supported the intent of this measure. The University of Hawaii supported this measure with amendments.

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 H.B. No. 995 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, LoPresti, Say and Tupola.

SCRep. 466 Education on H.B. No. 759

The purpose of this measure is to improve public school students' learning experience by:

- (1) Requiring and funding a comprehensive study, development of a master strategy, and report by the Department of Education and Department of Accounting and General Services, with the consultation of the State Energy Office of the Department of Business, Economic Development, and Tourism and the Hawaii Natural Energy Institute of the University of Hawaii, to implement cooling systems at all public school facilities; and
- (2) Authorizing the Director of Finance to issue general obligation bonds to fund projects that demonstrate efficient methods of cooling classrooms in public schools.

The Hawaii State Teachers Association, IMUAlliance, and many concerned individuals supported this measure. The Department of Education supported the intent of this measure. The Department of Accounting and General Services, Department of Business, Economic Development, and Tourism, and several concerned individuals commented on 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 is in accord with the intent and purpose of H.B. No. 759, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, LoPresti, Say and Tupola.

SCRep. 467 Labor & Public Employment on H.B. No. 496

The purpose of this measure is to ensure that employees in Hawaii are provided family leave insurance benefits during times when they need to provide care for their families by:

- (1) Establishing a family leave insurance program, which requires employees to make contributions into a trust fund to be used to provide employees with family leave insurance benefits to care for a designated person; and
- (2) Appropriating funds for the implementation of the program.

The Hawaii State Commission on the Status of Women; Office of Hawaiian Affairs; Planned Parenthood Young Leaders; Breastfeeding Hawaii; Planned Parenthood of Hawaii; National Association of Social Workers Hawaii Chapter; Filipino Law Students Association; Hawaii Association for Infant Mental Health; Healthy Mothers Healthy Babies Coalition of Hawaii; PHOCUSED; Hawaii State Democratic Women's Caucus; Good Beginnings Hawaii; Gay, Lesbian, Bisexual and Transgender Caucus of the Democratic Party of Hawaii; Inovi Technologies LLC; and numerous concerned individuals supported this measure. The Chamber of Commerce Hawaii and the National Federation of Independent Business opposed this measure. The Department of Labor and Industrial Relations; ILWU Local 142; and a concerned individual commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the provisions establishing a family leave insurance program and replacing them with provisions that establish a partial wage replacement for leave trust fund that is funded by employee wage withholdings to provide benefits for four weeks of paid leave to employees of private sector employers with at least one hundred employees;
- (2) Appropriating funds for the implementation of the trust fund and benefit 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 496, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 496, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 468 Labor & Public Employment on H.B. No. 520

The purpose of this measure, as received by your Committee, is to make a technical amendment to the Workforce Development Council's organizational relationship.

For the purposes of a public hearing on this bill, your Committee circulated a proposed H.B. No. 520 H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The Proposed Draft deletes the contents of this measure and instead allows the Director of Labor and Industrial Relations to establish workforce advisory boards to improve the State's workforce development system, while providing leadership and flexibility in implementing the Federal Workforce Innovation and Opportunity Act.

The Chamber of Commerce of Hawaii provided testimony in support of the Proposed Draft. The Department of Labor and Industrial Relations provided comments.

After carefully considering the merits of both H.B. No. 520, as received by your Committee, and the Proposed Draft, your Committee amended this measure to incorporate the contents of the Proposed Draft.

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 H.B. No. 520, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 520, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 469 Labor & Public Employment on H.B. No. 1112

The purpose of this measure is to restructure and facilitate the operations of the Hawaii Health Systems Corporation (HHSC) by:

- (1) Reconsolidating HHSC operational administration and oversight by eliminating regional system boards;
- (2) Repealing certain limitations on operational authority within HHSC; and
- (3) Creating new bargaining units for HHSC employees.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and two concerned individuals supported this measure. HHSC East Hawaii Region; HHSC Kauai Regional Board; United Public Workers, AFSCME, Local 646, AFL-CIO; and Maui Memorial Medical Center opposed this measure. The Department of the Attorney General; HHSC Corporate Board of Directors; HHSC Maui Region; Hawaii Pacific Health; and two concerned individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the provision allowing for HHSC to obtain legal services from the Department of the Attorney General;

- (2) Specifying that regional systems IV and V shall consolidate by July 1, 2017; provided that consolidation shall not affect respective representation on the HHSC board;
- (3) Replacing the provisions that create seven new bargaining units for HHSC employees with provisions that specify the voting and approval requirements for HHSC supplemental bargaining agreements for units (1), (2), (3), (4), (9), (10), and (13); and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that the amendments made to consolidate regional systems IV and V of the HHSC should not affect those regions' ability to appoint respective representatives on the corporate board.

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 H.B. No. 1112, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1112, H.D. 2.

Signed by all members of the Committee.

SCRep. 470 Transportation on H.B. No. 1328

The purpose of this measure is to diversify Hawaii's economy and work toward establishing a safe venue for motorsports activities in Hawaii. Specifically, this bill requires the Department of Business, Economic Development, and Tourism to study and analyze the feasibility of establishing a motorsports industry and developing a motorsports center in Hawaii.

Numerous concerned individuals testified in support of this measure. The Department of Business, Economic Development, and Tourism provided comments.

Motorsports, including racing, is a growing major worldwide industry. While numerous racing fans and motorsports enthusiasts reside in Hawaii, there currently is a lack of a full-fledged, operating motorsports center in the State, particularly on the island of Oahu. While Kauai, Maui, and the Island of Hawaii all have racing facilities, the closure of Hawaii Raceway Park and Kalaeloa Raceway Park has left Oahu without a dedicated venue at which motorsports and racing enthusiasts can perform and enjoy their hobby. Without this alternative, some motorsports enthusiasts have taken to illegal street racing - an activity that creates a public safety issue.

Your Committee finds that, according to the Department of Business, Economic Development, and Tourism, the cost for conducting a feasibility study would be approximately \$100,000. Accordingly, your Committee has amended this measure by:

- (1) Appropriating an unspecified amount of funds for the Department of Business, Economic Development and Tourism to conduct the feasibility study;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate further on this measure, your Committee respectfully requests that it appropriate \$100,000 for the feasibility study.

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 H.B. No. 1328, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1328, H.D. 1.

Signed by all members of the Committee except Representative Tupola.

SCRep. 471 Transportation on H.B. No. 715

The purpose of this measure is to increase the use of alternative means of transportation by including bicycles powered by an electric motor in the definition of "bicycle," thereby allowing the use of electric bicycles on Hawaii's streets, sidewalks, and multi-use paths.

The Hawaii Bicycling League, Ebikes Hawaii, Bicycle Product Suppliers Association, PeopleForBikes, and numerous concerned individuals testified in support of this measure. The Department of Transportation supported the intent of this measure.

Hawaii is very dependent on imported oil for its energy needs. Encouraging different modes of transportation that use alternative energy can help to reduce oil dependence. Although bicycles are currently allowed to be operated on various types of pathways such as roads, trails, and sidewalks, bicycles powered by means other than human power, such as by an electric motor, are currently not allowed to be similarly operated. Your Committee finds that allowing these types of vehicles to be operated on various types of pathways in Hawaii may result in increased usage of this alternative means of transportation.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 715 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 472 Transportation on H.B. No. 32

The purpose of this measure is to increase pedestrian safety by clarifying when a pedestrian is considered to be crossing a roadway under the Statewide Traffic Code. Specifically, this measure stipulates that a pedestrian is considered to be within an intersection or adjacent crosswalk when any part

or extension of the pedestrian, including the pedestrian's body, wheelchair, cane, crutch, or bicycle, is beyond the curb or the edge of the roadway while the pedestrian is intending to proceed across the intersection or roadway.

The Honolulu Police Department testified in support of this measure.

Although the Statewide Traffic Code contains provisions relating to a pedestrians' right-of-way in crosswalks, a number of pedestrians crossing the street continue to be injured or killed each year. While both inattentive drivers and pedestrians share some of the blame, drivers have the greater potential to cause injury with their vehicles. Your Committee finds that clarifying a driver's duty to stop and yield the right of way for a pedestrian by specifying when a pedestrian is considered to be crossing a roadway will help county police departments better enforce pedestrian safety laws and will make Hawaii's streets safer for everyone.

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 H.B. No. 32 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 473 Transportation on H.B. No. 969

The purpose of this measure is to improve government efficiency and modernize operations by establishing a standardized maintenance fee to be collected from all driver's license applicants to support computer and software maintenance and updates for the driver licensing program.

The Department of Transportation testified in support of this measure with requested amendments.

In 2005, the federal government enacted the REAL ID Act of 2005, which required states to comply with federally mandated eligibility criteria in issuing driver's licenses, including requiring proof of lawful presence in the United States. As such, outdated computers and program software within the driver's licensing program needed to be replaced. While federal funding was used for the acquisition of computers and initial maintenance and software update costs, the State must absorb continuing costs for the purchase, maintenance, and updating of computer equipment and software, which, according to the Department of Transportation, is approximately \$80,000 per year. Giving the Director of Transportation the ability to establish a minimal maintenance fee from all driver's license applicants will help to meet the needs and demands of the driver licensing program with regard to REAL ID Act requirements.

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 H.B. No. 969 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 474 Transportation/Public Safety on H.B. No. 436

The purpose of this measure is to promote highway safety for State Civil Defense and county emergency management personnel by amending the Statewide Traffic Code to include State Civil Defense and county emergency management vehicles in the definition of emergency vehicle, thereby requiring vehicles to slow and change lanes when approaching such emergency vehicles that are stopped to conduct official duties.

The Department of Defense, Hawaii Emergency Management Agency, Department of Public Safety, Department of Emergency Management of the City and County of Honolulu, Honolulu Police Department, and several concerned individuals testified in support of this measure. A concerned individual testified in opposition to this measure.

Public safety and emergency personnel are responsible for the protection and safety of the general public. This includes state civil defense and county emergency management personnel, especially during times of disaster or civil emergencies. These individuals often find themselves being placed in harm's way, especially when involved with incidents on the roadway. Requiring motorists to change lanes or slow down when approaching the vehicles of these emergency workers when they are stopped on a roadway conducting official business would increase the safety of these personnel on our highways.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 436 and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 475 Transportation on H.B. No. 1153

The purpose of this measure is to recognize the sacrifices made by members of the armed services by exempting certain totally and permanently disabled veterans from paying motor vehicle registration expenses.

The Advisory Board to the Office of Veterans' Services, Military Officers Association of America-Hawaii Chapter, and several concerned individuals testified in support of this measure. The Office of Veterans Services supported the intent of this measure. The Department of Transportation and Tax Foundation of Hawaii provided comments.

Your Committee finds that the men and women of our armed forces have served valiantly in support of the United States. Many of these veterans have sacrificed much, which has resulted in their becoming totally and permanently disabled. Oftentimes, these veterans are hindered in their pursuit of employment due to their disability and their fixed income generally falls short of their cost-of-living. Your Committee finds that exempting certain totally and permanently disabled veterans from paying motor vehicle registration expenses would improve the quality of life for these veterans and their dependents and is a small token of appreciation for their service to our country.

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 H.B. No. 1153 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 476 Transportation on H.B. No. 1489

The purpose of this measure is to acknowledge and observe the importance of the national parks in Hawaii by authorizing the issuance of special license plates recognizing Haleakala National Park and Hawaii Volcanoes National Park.

The Mayor of the County of Maui, Hawaii Volcanoes National Park, Maui Tomorrow Foundation, Inc. and several concerned individuals testified in support of this measure.

Hawaii is fortunate to have two national parks that preserve the unique environments of the Haleakala, Mauna Loa, and Kilauea volcanoes and their surroundings – Haleakala National Park and Hawaii Volcanoes National Park. Through the work of the National Park Service, millions of visitors from around the world have the opportunity to enjoy these parks and learn about the special natural resources and important cultural history of these places. As 2016 marks the 100th anniversary of the establishment of these national parks in Hawaii, your Committee finds that authorizing the issuance of special license plates recognizing Haleakala National Park and Hawaii Volcanoes National Park would be a fitting tribute to these locales.

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 H.B. No. 1489 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 477 Higher Education on H.B. No. 1509

The purpose of this measure is to lower energy consumption in Hawaii by, among other things:

- (1) Directing the University of Hawaii to establish a collective goal of becoming net-zero with respect to energy use by January 1, 2035;
- (2) Establishing the University of Hawaii Net-zero Special Fund for:
 - (A) Renewable energy and efficiency capital improvement projects; and
 - (B) Deferred maintenance capital improvement projects with a renewable energy or efficiency component,
 that advance the University's net-zero energy goal;
- (3) For each capital improvement project funded through the University of Hawaii Net-zero Special Fund, requiring the University to deposit into the Special Fund the current value of the energy saved or offset by the project during the preceding fiscal year, excluding debt service costs;
- (4) Authorizing the issuance of general obligation bonds for capital improvement projects to be funded through the University of Hawaii Net-zero Special Fund;
- (5) Appropriating funds for the retrofit of two buildings each at the University of Hawaii at Manoa and University of Hawaii at Hilo; and
- (6) Appropriating funds for two positions within the University of Hawaii system to provide necessary financial, technical, and other support to advance the University's net-zero energy goal.

The University of Hawaii, Democratic Party of Hawaii, and several concerned individuals supported this measure. The Department of Business, Economic Development, and Tourism supported the measure with amendments. The Department of Budget and Finance submitted comments.

Your Committee has amended the measure by, among other things:

- (1) Modifying a source of financing for capital improvement projects from the Green Energy Market Securitization Program of the State Energy Office of the Department of Business, Economic Development, and Tourism to a Green Infrastructure Loan Program order pursuant to section 269-171, Hawaii Revised Statutes;
- (2) Changing the source of financing for the retrofits of the buildings at the University of Hawaii at Manoa and University of Hawaii at Hilo from the Green Energy Market Securitization Program of the State Energy Office of the Department of Business, Economic Development, and Tourism to a Green Infrastructure Loan Program order pursuant to section 269-171, Hawaii Revised Statutes, or a comparably-priced energy-savings financing product; 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1509, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1509, H.D. 2.

Signed by all members of the Committee except Representatives Aquino, Say and Tupola.

SCRep. 478 Higher Education on H.B. No. 981

The purpose of this measure is to expand the college-credit equivalency program at the University of Hawaii by:

- (1) Requiring, rather than authorizing, the University to award credits for college-level learning gained from work or other life experiences, other than military service, which is already covered under current law; and
- (2) Requiring the University of Hawaii to report to the Legislature on its progress in awarding such college credits.

Three concerned individuals supported this measure. The University of Hawaii submitted comments.

Your Committee has amended the measure by changing its effective date to July 1, 2525, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 981, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 981, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 479 Higher Education on H.B. No. 850

The purpose of this measure is to address the budgetary shortfalls experienced by the University of Hawaii College of Tropical Agriculture and Human Resources' Cooperative Extension Service by appropriating moneys for critical unfunded positions.

The University of Hawaii College of Tropical Agriculture and Human Resources, Hawaii Floriculture and Nursery Association, Maui County Farm Bureau, Hawaii Farm Bureau Federation, Monsanto Hawaii, and many concerned individuals supported this measure. The Department of Agriculture 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 is in accord with the intent and purpose of H.B. No. 850, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 480 Higher Education on H.B. No. 553

The purpose of this measure is to create a new bargaining unit to allow graduate students employed by the University of Hawaii to collectively bargain.

The University of Hawaii Professional Assembly, University of Hawaii at Manoa Graduate Student Organization, Hawaii State AFL-CIO, Unite Here Local 5 Hawaii, and numerous individuals testified in support of this measure. The Office of Collective Bargaining, Department of Budget and Finance, and University of Hawaii System opposed this measure. The Hawaii Government Employees Association provided comments.

Your Committee respectfully recommends that should your Committee on Finance choose to consider this measure, particular attention should be given to whether it is appropriate to amend section 89-6(f), Hawaii Revised Statutes, to exempt graduate students from the list of individuals excluded from collective bargaining.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 553, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 481 Higher Education on H.B. No. 552

The purpose of this measure is to broaden the representation of the Board of Regents of the University of Hawaii by, among other things:

- (1) Increasing the number of members on the Board of Regents from fifteen to eighteen;
- (2) Requiring that at least one member of the Board of Regents must be an undergraduate student at any campus of the University of Hawaii system, including any community college;
- (3) Requiring that at least one member of the Board of Regents must be a graduate student at any campus of the University of Hawaii system;
- (4) Requiring that at least one member of the Board of Regents must be a faculty member for a graduate or research program at any campus of the University of Hawaii system; and
- (5) Requiring that at least one member of the Board of Regents must be a faculty member at any campus of the University of Hawaii system.

The University of Hawaii at Manoa Graduate Student Organization, University of Hawaii Student Caucus, Student Activities Council of Maui College, and numerous concerned individuals supported this measure. A concerned individual opposed the measure. The Hawaii Government Employees Association and several concerned individuals submitted 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 is in accord with the intent and purpose of H.B. No. 552 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Aquino.
(Representative Takumi voted no.)

SCRep. 482 Higher Education on H.B. No. 548

The purpose of this measure is to strengthen the fiscal sustainability of the College of Pharmacy at the University of Hawaii at Hilo by:

- (1) Establishing a Board of Governors to administer the University of Hawaii at Hilo College of Pharmacy Special Fund; and
- (2) Requiring the Board of Regents of the University of Hawaii, commencing not later than July 1, 2020, to perform a program evaluation to consider whether the College of Pharmacy should be continued.

The University of Hawaii opposed this measure. The Department of Budget and Finance submitted comments.

Your Committee has amended the measure by, among other things:

- (1) Deleting the provisions establishing the University of Hawaii at Hilo College of Pharmacy Board of Governors and the University of Hawaii at Hilo College of Pharmacy Special Fund;
- (2) Requiring the Board of Regents of the University of Hawaii, commencing not later than July 1, 2017, to perform a program evaluation every two years to consider whether the College of Pharmacy should be continued;
- (3) Changing the main criteria of the program evaluation identified in paragraph (2) from the ability of the College of Pharmacy to fiscally sustain its operations to a comparison of the funds received by the College of Pharmacy with the costs of operating the College of Pharmacy;
- (4) Also requiring the program evaluation to include a detailed accounting of existing revenue sources and a six-year projection of revenues, segregated by revenue source;
- (5) Providing that the education of students currently enrolled at the University of Hawaii at Hilo College of Pharmacy will not be disrupted, even if the Board of Regents of the University of Hawaii initiates proceedings to terminate the College of Pharmacy if it finds, as a result of its program evaluation, that the College of Pharmacy is not fiscally sustainable; 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 548, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 548, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino and Say.

SCRep. 483 Consumer Protection & Commerce on H.B. No. 1000

The purpose of this measure is to provide for efficient, cost effective, fair, and equitable resolution to franchise-related disputes by voiding any franchise provision that restricts jurisdiction or venue for the resolution of claims arising under or relating to a franchise or business dealings in Hawaii to a forum or venue outside of Hawaii.

The Chamber of Commerce Hawaii and an individual provided testimony in support of this measure. Another individual provided comments.

Your Committee has amended this measure by:

- (1) Making any franchise provision that restricts jurisdiction or venue for the resolution of claims arising under or relating to a franchise or business dealings in Hawaii to a forum or venue outside of Hawaii voidable at the option of the franchisee; and
- (2) Changing the effective date to July 1, 2112, to encourage further discussion.

Should the Committee on Judiciary deliberate this measure further, your Committee respectfully requests that it consider moving the effective date back two years, in order to give franchisees and franchisors time to adjust to the new 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 is in accord with the intent and purpose of H.B. No. 1000, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.B. No. 1000, H.D. 1.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 484 Consumer Protection & Commerce on H.B. No. 467

The purpose of this measure to promote children's health by requiring birthing facilities to screen for critical congenital heart defects in newborns prior to discharge.

Specifically, this measure requires birthing facilities to conduct a pulse oximetry test or another medically accepted test that measures blood oxygen saturation.

Your Committee received testimony in support of this measure from the American Heart Association, Kapiolani Medical Center for Women and Children, the March of Dimes Foundation, and one individual. Your Committee received written comments on this measure from the Department of Health.

Your Committee finds that critical congenital health defects are the most common birth defect in the United States and are the leading killer of infants with birth defects. Your Committee also finds that pulse oximetry tests are a simple, non-invasive, painless, inexpensive, and fast method of

detecting critical congenital health defects in newborns. Your Committee believes that with mandatory testing of newborns, approximately ten asymptomatic newborns a year could be diagnosed and begin receiving lifesaving treatment.

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 H.B. No. 467, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 485 Consumer Protection & Commerce on H.B. No. 145

The purpose of this measure is to amend the excise tax rate on the sale of large cigars.

Specifically, the measure amends the tax rate on sales of large cigars that occur on or after July 1, 2015, to the lesser of 50 cents for each large cigar or fifty per cent of the wholesale price of each large cigar.

ABC Stores, Cigar Association of America, Inc., Hawaii Cigar Association, Hawaii Farm Bureau, Hawaii Food Industry Association, Kauai Cigar Company, and three individuals submitted testimony in support of the measure. The Department of Health, University of Hawaii Cancer Center, American Cancer Society Cancer Action Network, American Heart Association, American Lung Association of the Mountain Pacific, Campaign for Tobacco-Free Kids, Coalition for a Tobacco-Free Hawaii, and Hawaii COPD Coalition submitted testimony in opposition to the measure. The Department of Taxation and the Tax Foundation of Hawaii submitted comments on the measure.

Your Committee finds that the excise tax rate imposed on the sale of large cigars makes it difficult for local producers of cigars to compete with mail-order suppliers that sell cigars in Hawaii without paying state taxes and whose customers do not file their tax liability under the State's use tax law. While this measure addresses this issue by setting a cap on the excise tax imposed on the sale of large cigars, your Committee believes that a more effective way to help local producers of cigars compete would be to provide an income tax credit to those producers.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and replacing it with provisions that establish an income tax credit for taxpayers who produce, in the State, cigars for sale; and
- (2) Changing the effective date to apply the tax credit to taxable years beginning after December 31, 2112, to facilitate further discussion.

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 H.B. No. 145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 145, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 486 Consumer Protection & Commerce on H.B. No. 1422

The purpose of this measure is to protect consumers by providing them with more information to make informed decisions regarding their service contracts.

Specifically, the measure:

- (1) Requires that extended warranty contract providers disclose that contract holders making a claim for the first time under an extended warranty will no longer be entitled to a refund of the full purchase price of the extended warranty; and
- (2) Includes extended warranties within the definition of "service contract," and thereby includes extended warranties within the scope of state laws regulating service contracts.

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

Your Committee believes that it is important for contract holders to be fully informed when making a claim under an extended warranty and finds that this measure provides for adequate disclosure of information to contract holders of their rights under an extended warranty. Your Committee further finds that it is appropriate to establish that extended warranties are service contracts to ensure that they are subject to state law on service contracts.

Your Committee has amended this measure by changing the effective date to June 30, 2112, to facilitate further discussion on the measure.

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 H.B. No. 1422, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1422, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 487 Consumer Protection & Commerce on H.B. No. 1028

The purpose of this measure is to authorize the chief procurement officer to establish a special innovative procurement process to provide the State with greater flexibility in the procurement of certain goods and services to meet unique or unusual needs or situations while maintaining the accountability and transparency afforded by the State Procurement Code.

The State Procurement Office, Department of Agriculture, and Ulupono Initiative testified in support of this measure. The Department of Transportation and American Council of Engineering Companies of Hawaii provided comments.

Your Committee has 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1028, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1028, H.D. 1.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 488 Consumer Protection & Commerce on H.B. No. 576

The purpose of this measure is to assist the State in developing a state innovation waiver in compliance with the federal Patient Protection and Affordable Care Act.

Specifically, this measure:

- (1) Focuses the scope of work of the state innovation waiver task force, established pursuant to Act 158, Session Laws of Hawaii 2014, in developing a health care reform plan that meets the requirements for obtaining a state innovation waiver by deleting the requirements that the task force:
 - (A) Examine alternatives, exemptions, or waivers from allowable premium rate variations based on age;
 - (B) Examine the feasibility of providing affordable insurance coverage for uninsured and underinsured persons through brokers and professional employer organizations that include innovations to the State's Medicaid program; and
 - (C) Provide a second interim report on a recommendation on the allocation of existing moneys available for health reform and innovation; and
- (2) Appropriates an unspecified amount to support development of a waiver to the federal Patient Protection and Affordable Care Act.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Primary Care Association, Healthcare Association of Hawaii, The Queen's Health Systems, and The Chamber of Commerce of Hawaii. The Hawaii Association of Health Plans, Hawaii Substance Abuse Coalition, and Hawaii Medical Service Association submitted comments on the measure.

Your Committee finds that appropriating funds for, and focusing the tasks of, the state innovation waiver task force will help to develop a state innovation waiver in compliance with the federal Patient Protection and Affordable Care Act that will best fit the needs of Hawaii residents.

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 H.B. No. 576, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 489 Consumer Protection & Commerce on H.B. No. 1219

The purpose of this measure is to prohibit agreements that include introductory free trial periods for the purchase of periodic delivery of goods, services, or internet access unless the consumer explicitly and affirmatively consents to being billed for automatic renewal, continuous delivery, or service beyond the last date of the free trial period.

The Department of Commerce and Consumer Affairs provided comments on this measure.

Your Committee would like to note that the intent of this measure is to continue legislative policies aimed at enhancing state protection of seniors, who are often the target of fraud and other unfair and deceptive business practices.

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

- (1) Moving the affirmative consent requirement from Chapter 481B, Hawaii Revised Statutes, regarding Unfair and Deceptive Practices, to Chapter 481, Hawaii Revised Statutes, regarding Fair Trade Regulations;
- (2) Expanding the scope of the affirmative consent provision to include all automatic renewal or continuous service agreements;
- (3) Specifying additional procedures for persons selling or offering automatic renewal or continuous services, including among other things:
 - (A) Required contact information for such persons;
 - (B) Conspicuous disclosure and customer knowledge requirements for acknowledgements presented by such persons in an agreement for the continuation of an offered renewal or continuous service; and
 - (C) Requirements for material changes made by such persons to an automatic renewal or continuous service agreement, including the method by which the customer may cancel the agreement; and
- (4) Changing its effective date to July 1, 2012, to encourage further discussion.

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 H.B. No. 1219, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1219, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 490 Consumer Protection & Commerce on H.B. No. 1051

The purpose of this measure is permit the Department of Agriculture to adopt rules regarding the declaration of Hawaii geographic origin for agricultural commodities.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Farm Bureau Federation, and one individual. Your Committee received testimony in opposition to this measure from the Kona Coffee Farmers Association.

Your Committee finds that Hawaii produces a large quantity and wide assortment of agricultural commodities. Commodities that are designated as being from Hawaii have a unique place in the market and often have a high market value. Your Committee believes that, occasionally, unethical businesses have falsely marketed their agricultural products as originating in Hawaii. Your Committee finds that this negatively affects the State's economy and reflects poorly on products that actually are produced in Hawaii. Your Committee believes that it is important to protect the State's economy, agricultural industry, and the unique products that are genuinely from Hawaii.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to facilitate further discussion on the measure.

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 H.B. No. 1051, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1051, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 491 Consumer Protection & Commerce on H.B. No. 150

The purpose of this measure is to create an exemption to the sunshine law to allow board members to disseminate government records to other board members for informational purposes.

The Council Chair of the Maui County Council, a member of the Maui County Council, and an individual testified in support of this measure. The Office of Information Practices, a member of the Maui County Council, and Civil Beat Law Center for Public Interest provided comments on this measure.

Your Committee has amended this measure by:

- (1) Inserting new language authorizing board members present by interactive conference technology to waive the termination of a meeting because of audio communication problems, except when such members are needed for quorum or when a vote is taken at the meeting;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and consistency.

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 H.B. No. 150, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 150, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 492 Consumer Protection & Commerce on H.B. No. 1012

The purpose of this measure is to prohibit the display or performance of live wild or exotic animals unless the animals physically reside in Hawaii for more than three hundred days before the display or performance.

The Humane Society of the United States, Born Free USA, Three Ring Ranch Exotic Animal Sanctuary, Conservation Council for Hawaii, Hawaiian Humane Society, and many individuals provided testimony in support of this measure. The City and County of Honolulu Department of Enterprise Services, Alliance of Marine Mammal Parks & Aquariums, Mirage, Dolphin Quest, EK Fernandez Shows, Circus Fans Association of America, Hawaii Cattlemen's Council, Inc., Hawaii's Agricultural Partnerships, Maui Fair Alliance, Field Entertainment, Inc., and numerous individuals submitted testimony in opposition to this measure. Zoological Association of America, Animal Rights Hawaii, and a few concerned individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the language that would have prohibited the display or performance of live wild or exotic animals, unless the animals physically reside in Hawaii for more than three hundred days before the display or performance; and
- (2) Inserting language that:
 - (A) Requires written notification of any prior federal Animal Welfare Act violations when applying to the Department of Agriculture for a permit to import exotic or wild animals into the State; and
 - (B) Establishes the offense of unlawful use of wild or exotic animal to prohibit the use of a wild or exotic animal as part of a travelling exhibit or show for compensation if the animal has been living or travelling in a mobile housing facility.

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 H.B. No. 1012, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1012, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 493 Energy & Environmental Protection on H.B. No. 264

The purpose of this measure is to promote the development and grid-integration of renewable energy in Hawaii by requiring the Public Utilities Commission to establish, by rules adopted pursuant to Chapter 91, Hawaii Revised Statutes, a process to establish integrated energy districts.

The Renewable Energy Action Coalition of Hawaii supported this measure. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs supported the intent of the measure. The Public Utilities Commission submitted comments.

Your Committee has amended the measure by:

- (1) Removing the requirement that the Public Utilities Commission adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, in order to establish integrated energy districts and replacing it with a directive to the Public Utilities Commission to open a proceeding by July 1, 2016, for that purpose; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 264, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 264, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 494 Energy & Environmental Protection on H.B. No. 642

The purpose of this measure is to help reduce waste in Hawaii by exempting from the general excise tax an amount up to \$500,000 received for, or for the disposal of, wet waste recyclables.

The Department of Taxation and Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Making the cap for the general excise tax exemption an unspecified sum;
- (2) Defining "clean garbage"; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider setting the cap for the general excise tax exemption at \$500,000.

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 is in accord with the intent and purpose of H.B. No. 642, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 642, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 495 Energy & Environmental Protection on H.B. No. 1141

The purpose of this measure is to protect the environment by prohibiting the issuance of a permit for the new installation of a cesspool or new construction of a structure, building, or residence to be served by a cesspool after December 31, 2016.

The Office of Hawaiian Affairs, Nature Conservancy of Hawaii, a member of the Hawaii County Council, and two concerned individuals supported this measure. The Department of Health submitted comments.

Your Committee has amended this measure by clarifying that no cesspool approvals, nor permits, will be issued after December 31, 2016.

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 is in accord with the intent and purpose of H.B. No. 1141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1141, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 496 Energy & Environmental Protection on H.B. No. 1086

The purpose of this measure is to improve the efficiency of environmental protection in Hawaii by:

- (1) Directing the Legislative Reference Bureau to update its 1985 study "The Feasibility of Environmental Reorganization for Hawaii" and to submit the updated study to the Legislature no later than 20 days prior to the Regular Session of 2016; and
- (2) Appropriating funds for this purpose.

The University of Hawaii and two concerned individuals supported this measure. The Office of Environmental Quality Control supported the intent of the measure. The Legislative Reference Bureau and State Procurement Office submitted comments.

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 is in accord with the intent and purpose of H.B. No. 1086 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 497 Energy & Environmental Protection on H.B. No. 1273

The purpose of this measure is to authorize construction of hydroelectric facilities on agricultural lands.

Specifically, the measure authorizes the construction and operation of such facilities on agricultural lands if the facilities:

- (1) Comply with instream flow standards established by the Commission on Water Resource Management;
- (2) Are accessory to agricultural activities; and
- (3) Do not adversely impact or impede the use of agricultural land or the availability of surface or groundwater for irrigation use on abutting parcels.

Your Committee received testimony in support of this measure from the Collaborative Leaders Network and one individual. Your Committee received comments on the measure from the Department of Agriculture; the Department of Business, Economic Development, and Tourism; the Land Use Commission; and the Hawaii Farm Bureau Federation.

Your Committee finds that the development of hydroelectric energy-generating facilities in Hawaii is vital to the energy security and energy independence of the State. Your Committee also finds that Hawaii's agricultural land is a fundamentally important and diminishing resource that is pivotal to the State's initiatives in food security. Your Committee believes that by authorizing hydroelectric facilities on agricultural lands, subject to certain conditions, this measure promotes both food and energy security.

Your Committee has amended this measure by:

- (1) Establishing an unspecified kilowatt power generation limit on hydroelectric facilities on agricultural lands;
- (2) Clarifying that hydroelectric facilities on agricultural lands shall not impact or impede the availability of surface or groundwater for all uses on all parcels that are served by the ground water sources or streams for which hydroelectric facilities are considered; and
- (3) Making conforming amendments to the final paragraph of the measure's purpose section.

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 is in accord with the intent and purpose of H.B. No. 1273, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.B. No. 1273, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 498 Energy & Environmental Protection/Water & Land on H.B. No. 1394

The purpose of this measure is to explore the sustainability and conservation potential of water scalping in Hawaii by requiring the Department of Accounting and General Services to:

- (1) Conduct a feasibility study on the use of water scalping technology in state facilities and submit a report to the Legislature no later than 20 days prior to the convening of the Regular Session of 2017; and
- (2) Establish a four-year water scalping pilot project to implement water scalping technology in state facilities.

The Surfrider Foundation Oahu Chapter, Kennedy/Jenks Consultants, and Mele Associates, Inc., supported this measure. The Department of Accounting and General Services opposed this measure. The Department of Land and Natural Resources and Department of Health submitted comments.

Your Committees have amended this measure by:

- (1) Removing the four-year water scalping pilot project;
- (2) Changing the date by which the Department of Accounting and General Services must submit its report to the Legislature to November 30, 2016; and
- (3) Making conforming amendments and technical, nonsubstantive amendments.

Your Committees suggest that the scope of the feasibility study to be conducted by the Department of Accounting and General Services be limited to the facilities of the Department of Accounting and General Services.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1394, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1394, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 499 Energy & Environmental Protection/Water & Land on H.B. No. 591

The purpose of this measure is to establish a Climate Change and Health Working Group to examine various potential health impacts of climate change and to assist Hawaii's health professions in effectively and efficiently preparing for and responding to those health impacts.

The measure also requires the Interagency Climate Adaptation Committee to include the Climate Change and Health Working Group's findings and recommendations in the Interagency Climate Adaptation Committee's sea level rise vulnerability and adaptation reports.

Your Committees received testimony in support of this measure from the Department of Health, the Office of Environmental Quality Control, the Hawaii Public Health Institute, the Hawaii Public Health Association, and one individual. The University of Hawaii and the Office of Planning provided comments on the measure.

Your Committees find that there is overwhelming evidence that human activities are altering the earth's climate and that climate change will have significant local and global health impacts. Your Committees further find that Hawaii is particularly vulnerable to the impacts of climate change due to its unique geographic location and isolation. Your Committees believe that this measure will improve the State's ability to prepare for and respond to various potential health impacts of climate change.

Your Committees have amended this measure by:

- (1) Deleting provisions relating to the Climate Change and Health Working Group and instead requiring the Interagency Climate Adaptation Committee to prepare public health vulnerability and adaptation reports that include substantially similar provisions;
- (2) Requiring the Interagency Climate Adaptation Committee to assist with coordinating the implementation of climate change policies developed by county, state, and federal agencies;
- (3) Reorganizing the provisions of section 225P-3, Hawaii Revised Statutes, relating to the general functions, duties, and powers of the Interagency Climate Adaptation Committee; and
- (4) Making conforming amendments to the final paragraph of the measure's purpose section to reflect the substantive provisions of the measure, as amended.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 591, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 591, H.D. 1, and be referred to the Committee on Health.

Signed by all members of the Committee.

SCRep. 500 Energy & Environmental Protection/Water & Land on H.B. No. 437

The purpose of this measure is to support the natural resource management goal of the Aloha+ Challenge by making appropriations for projects undertaken in accordance with watershed management plans and the Hawaii Invasive Species Council; for equipment for fire, natural disaster, and emergency response; and for forest and outdoor recreation improvement.

The Nature Conservancy of Hawaii, Oahu Invasive Species Committee, Hawaii Farm Bureau, the Friends of Hakalau Forest National Wildlife Refuge, Conservation Council of Hawaii, Hawaii Green Growth, and several concerned individuals supported this measure. The Department of Land and Natural Resources submitted comments.

Your Committees have amended this measure by:

- (1) Specifying that within the natural resource management goal of the Aloha+ Challenge, community-based marine management must also be scientifically justified; and
- (2) Deleting the amounts of all appropriations to facilitate further discussion.

Should your Committee on Finance deliberate this measure further, your Committees respectfully request that it consider appropriating the following sums for the following purposes:

- (1) \$4,000,000 for projects undertaken in accordance with watershed management plans;
- (2) \$6,000,000 for projects undertaken in accordance with the Hawaii Invasive Species Council;
- (3) \$1,500,000 for equipment for fire, natural disaster, and emergency response; and
- (4) \$1,000,000 for forest and outdoor recreation improvement.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 437, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 437, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 501 Human Services/Health on H.B. No. 583

The purpose of this measure is require the Department of Human Services to apply an annual cost increase to a long-term care facility's provider-specific prospective payment rate to Medicaid recipients by applying an inflation factor to the provider's historical costs or basic prospective payment system rates.

The Queen's Health Systems, Ann Pearl Nursing Facility and Adult Health Center, Hawaii Health Systems Corporation, One Kalakaua Senior Living, Hale Makua Health Services, Healthcare Association of Hawaii, Ohana Pacific Management Company, and a concerned individual supported this measure. The Department of Human Services commented on this measure.

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

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 H.B. No. 583, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 583, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Oshiro and Tupola.

SCRep. 502 Human Services/Health on H.B. No. 600

The purpose of this measure is to accommodate the need for private-pay individuals that share a long-term relationship to remain together in one community care foster family home by authorizing the Department of Health to allow two private-pay clients to be cared for within the same community care foster family home, provided that certain requirements are met by the home, home operator, and the two private-pay clients.

The Adult Foster Homecare Association of Hawaii and many concerned individuals supported this measure. Several individuals supported the intent of this measure. The Department of Health opposed this measure. The Department of Human Services commented on this measure.

Your Committees have amended this measure by:

- (1) Allowing two private-pay individuals to be cared for in the same community care foster family home only if they are a married couple;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 600, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 600, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 503 Human Services/Health on H.B. No. 1161

The purpose of this measure is to provide quality, cost-effective health care for qualified Hawaii residents by appropriating funds to be used for:

- (1) Restoring basic adult dental benefits to Medicaid enrollees;
- (2) Providing outreach and eligibility services for children, families, and individuals at federally qualified health centers; and
- (3) Establishing health care homes for Medicaid enrollees at federally qualified community health centers.

The State Council on Developmental Disabilities, Hawaii Substance Abuse Coalition, Hawaii Primary Care Association, and Waianae Coast Comprehensive Health Center supported this measure. The Department of Human Services supported the intent of this measure. The Department of Health and the Department of the Attorney General commented on this measure.

You Committees have amended this measure by:

- (1) Clarifying that the Department of Human Services will use money transferred by the Department of Health from the Community Health Centers Special Fund to establish health homes for medicaid enrollees;
- (2) Authorizing the Department of Health instead of the Department of Human Services to expend sums appropriated out of the Community Health Centers Special Fund;
- (3) Changing the amounts appropriated for the purposes of restoring basic adult dental benefits, providing outreach and eligibility services, and establishing health homes for Medicaid enrollees to unspecified amounts;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committees respectfully request that it consider appropriating:

- (1) \$4,800,000 to restore basic adult dental benefits to Medicaid enrollees;
- (2) \$800,000 to provide outreach and eligibility services at federally qualified health centers; and
- (3) \$1,000,000 to establish health homes for Medicaid enrollees at federally qualified community health centers.

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 H.B. No. 1161, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1161, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 504 Human Services/Health on H.B. No. 1239

The purpose of this measure is to ensure that qualified noncitizens who are lawfully present in the State, and who but for their citizenship status would be eligible for Medicaid, obtain affordable health care through the Hawaii Health Insurance Exchange (Exchange). Specifically, this measure:

- (1) Requires the Department of Human Services to pay health insurance costs assessed against the following individuals who would otherwise be eligible for Medicaid except for citizenship status:
 - (A) Any Hawaii resident who is present in the State under the respective Compacts of Free Association (COFA) that the United States has with the Federated States of Micronesia, Republic of the Marshall Islands, and Republic of Palau; and
 - (B) Any lawfully present legal permanent resident admitted to the United States for less than five years who is 19 years and older, provided that the resident is transferred to or enrolls in a health care plan through the Exchange;
- (2) Requires the Department of Human Services to engage in community outreach to assist noncitizen residents who transfer to or enroll in Exchange health insurance plans; and
- (3) Appropriates funds to the Department of Human Services for health insurance costs and community outreach efforts for qualified noncitizen residents.

The Filipino Law Students Association, Catholic Charities Hawaii, Hawaii Coalition for Immigration Reform, HealthyPacific.Org, Pacific Alliance to Stop Slavery, PHOCUSED, Hawaii Primary Care Association, Hawaii Appleseed Center for Law and Economic Justice, Kokua Kalihi Valley, The Queen's Health Systems, Niu Health Chiropractic, and many concerned individuals supported this measure. The Hawaii Medical Service Association supported the intent of this measure. The Consul General of the Federated States of Micronesia, Department of Human Services, Department of the Attorney General, and several individuals commented on this measure.

Your Committees have amended this measure by:

- (1) Adding an appropriation out of the Hospital Sustainability Program Special Fund for fiscal years 2015-2016 and 2016-2017 to be expended by the Department of Human Services for paying health insurance costs;
- (2) Changing the amounts appropriated for paying health insurance costs and funding community outreach efforts to unspecified amounts;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency and style.

Should the Committee on Finance deliberate this measure further, your Committees respectfully request that it consider:

- (1) Appropriating \$5,000,000 to pay for health insurance costs of COFA residents; and
- (2) Appropriating \$500,000 to provide for community outreach efforts.

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 H.B. No. 1239, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1239, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 505 Human Services on H.B. No. 1154

The purpose of this measure is to provide an additional source of funding for the Disabled Person Parking Program by increasing the annual vehicle registration fee by \$1, which will be deposited into the Disability and Communication Access Board Special Fund.

The Disability and Communication Access Board and a few concerned individuals supported this measure. The Department of Transportation opposed this measure.

Your Committee notes that the intent of this measure is not necessarily to increase fees individuals must pay for vehicle registration, but to provide funds for the Disabled Person Parking Program with revenues from a portion of the motor vehicle registration fee. Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider looking into the Department of Transportation's portion of funding from the annual motor vehicle registration fee and the possibility of adjusting the distribution of funding to the Department.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1154 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Oshiro and Fukumoto Chang.

SCRep. 506 Higher Education on H.B. No. 542

The purpose of this measure is to improve the fiscal operations of the State by:

- (1) Requiring the Director of Finance to submit to the Legislature at least once per fiscal year a master list of all non-general fund accounts and a clear and concise statement indicating whether each department or agency is complying with its statutory reporting requirements and requiring agencies to self-report compliance in agency operational plans;
- (2) Removing limitations on the scope of review of the University of Hawaii's fiscal operations plan by the Department of Budget and Finance; and
- (3) Applying generally applicable limitations on an agency's transfer of money and positions among programs, cost elements, and fiscal quarters to the University of Hawaii.

The University of Hawaii opposed this measure. The Department of Budget and Finance submitted comments.

Your Committee has amended this measure by:

- (1) Deleting language that would have:
 - (A) Required agency self-reporting of compliance with fiscal reporting requirements; and
 - (B) Removed exceptions for the University of Hawaii from limitations on fiscal review and the transfer of money and positions; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 542, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 542, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 507 Health/Human Services on H.B. No. 497

The purpose of this measure is to

- (1) Appropriate funds for:
 - (A) The Kupuna Care Program;
 - (B) The Aging and Disability Resource Center;
 - (C) An Alzheimer's Disease and Related Dementia Services Coordinator position;
 - (D) Fall prevention and early detection services for the elderly;
 - (E) Grants to various senior centers;
 - (F) The Healthy Aging Partnership Program; and
 - (G) An Alzheimer's disease and related dementia public awareness campaign; and
- (2) Remove the requirement that the Alzheimer's Disease and Related Dementia Services Coordinator be appointed in accordance with civil service and collective bargaining laws.

The Maui County Office on Aging; Big Island Adult Foster Home Operators; Hawaii Family Caregiver Coalition; Lanakila Pacific; Healthcare Association of Hawaii; The Queen's Health Systems, Moiliili Community Center; National Active and Retired Federal Employees Association; PHOCUSED; Zonta Club of Hilo; Democratic Party of Hawaii; Catholic Charities Hawaii; AARP Hawaii; Hawaii Primary Care Association; Hawaii Alliance for Retired Americans; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; ILWU Local 142; and numerous individuals provided testimony in support of this measure. The State Council on Developmental Disabilities supported the intent of this measure. The Executive Office on Aging provided comments on this measure.

Your Committees have amended this measure by:

- (1) Changing all appropriation amounts to unspecified amounts; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

Should your Committee on Finance deliberate this measure further, your Committees respectfully request that the Committee on Finance consider the following appropriation requests:

- (1) \$5,100,000 for each year of fiscal biennium 2015-2017 for the Kupuna Care Program;
- (2) \$1,710,000 for fiscal year 2015-2016 and \$1,651,300 for fiscal year 2016-2017 for the Aging and Disability Resource Center;
- (3) \$70,000 for each year of fiscal biennium 2015-2017 for the Alzheimer's Disease and Related Dementia Services Coordinator position;
- (4) \$32,000 for each year of fiscal biennium 2015-2017 for fall prevention and early detection services for the elderly;
- (5) \$388,000 for each year of fiscal biennium 2015-2017 to provide funding for grants for the senior centers specified in the measure;
- (6) \$476,722 for each year of fiscal biennium 2015-2017 for the Healthy Aging Partnership Program of the Department of Health's Executive Office on Aging; and
- (7) \$200,000 for each year of fiscal biennium 2015-2017 for an Alzheimer's disease and related dementia public awareness campaign.

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 H.B. No. 497, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 497, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 508 Health on H.B. No. 947

The purpose of this measure is to create an effective and safe treatment environment at the Hawaii State Hospital (Hospital) by requiring that the court provide a copy of the court examination report with the order of commitment or order for conditional release to the Hospital.

The Department of Health provided testimony in support of the measure.

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 H.B. No. 947 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 509 Health on H.B. No. 1291

The purpose of this measure is to provide immunity from liability to the Department of Health, its employees, agents, and volunteers for operating the clean and sober homes registry in good faith and in compliance with statutory requirements.

The Department of Health, Department of Public Safety, and Hawaii Substance Abuse Coalition submitted testimony 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 is in accord with the intent and purpose of H.B. No. 1291 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 510 Health on H.B. No. 864

The purpose of this measure is to expand health insurance coverage for in vitro fertilization by:

- (1) Removing the requirement that the patient's oocytes be fertilized with the sperm from the patient's spouse;
- (2) Requiring that the patient have a history of infertility of at least 12 months if 35 years or younger, or at least six months if over 35; and
- (3) Defining the term "infertility."

The Democratic Party of Hawaii Women's Caucus and several concerned individuals supported this measure. Hawaii Catholic Conference and the Chamber of Commerce Hawaii opposed this measure. The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the amendments detailing requirements of the patient's history of infertility and deleting the definition of "infertility";
- (2) Changing the effective date to July 1, 2050, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 864, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 864, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 511 Health on H.B. No. 448

The purpose of this measure is to amend the multidisciplinary and multiagency review process for domestic violence fatalities to include the review of near-deaths and suicides resulting from intimate partner violence and to provide for the use of information collected from the review process in system reform efforts to reduce fatal and near-fatal outcomes of domestic violence.

The Hawaii State Commission on the Status of Women, Hawaii Women's Coalition, Hawaii State Democratic Women's Caucus, PHOCUSED, and an individual supported this measure. The Hawaii State Coalition Against Domestic Violence and Community Safety & Support supported this bill with suggested amendments. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the domestic violence fatality review team shall develop procedures related to near-deaths resulting from intimate partner violence and authorizing, rather than requiring, the Department of Health to enter into memoranda of understanding for that purpose;
- (2) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 448, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 448, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 512 Health on H.B. No. 859

The purpose of this measure is to:

- (1) Expand the list of state-licensed care facilities for which the Department of Health is required to post electronic inspection reports of on its website;
- (2) Require the Department of Health to maintain a forum on its website where all state-licensed care facilities may post vacancy information to facilitate the placement of individuals in these facilities; and
- (3) Make an appropriation.

Hawaii Pacific Health, Big Island Adult Foster Home Operators, and numerous individuals supported this measure. The Department of Health testified in support of this measure with comments. The Alliance of Residential Care Administrators supported the intent of this measure. An individual commented on this measure.

Your Committee has amended this measure by:

- (1) Retaining, rather than expanding, the current number of state-licensed care facilities for which the Department of Health is required to post electronic inspection reports of on its website;
- (2) Authorizing, rather than requiring, the Department of Health to maintain a forum on its website where vacancy information of specified state-licensed care facilities are posted;
- (3) Requiring the Department of Health to convene a working group to discuss and provide feedback on the implementation and maintenance of the forum and the posting of vacancy information on its website;
- (4) Requiring the Department of Health to submit a report to the Legislature prior to the 2016 Regular Session on the implementation and maintenance of the forum and the posting of vacancy information on its website;
- (5) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 859, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 859, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 513 Health on H.B. No. 589

The purpose of this measure is to reduce death and disability from stroke by:

- (1) Establishing a stroke system of care to evaluate and improve stroke care throughout the State; and
- (2) Convening a Stroke Coalition to ensure sustainability of the stroke system.

The Queen's Medical Center, Healthcare Association of Hawaii, Hawaii Neurological Society, Medtronic, Inc., and two individuals supported this measure. The American Heart Association/American Stroke Association supported this measure with recommended amendments. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting:
 - (A) The requirement that the Director of Health serve as the Chairperson of the Stroke Coalition; and
 - (B) The provision allowing reimbursement of expenses for Stroke Coalition members in carrying out their duties;
- (2) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 589, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 589, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 514 Education on H.B. No. 1406

The purpose of this measure is to restore the integrity of standardized testing in the public schools of the State of Hawaii by establishing criteria and procedures for the use of testing in the context of proven educational systems and methods. Specifically, this measure requires the Board of Education to:

- (1) Establish conditions for standardized testing;
- (2) Allow educators, school leaders, school districts, and parents access to standardized test scores and data derived from standardized tests for use in improving student education;
- (3) Set guidelines for parents to appeal standardized test scores;
- (4) Provide suitable testing accommodations for students with disabilities;
- (5) Develop testing accommodation guidelines for English language learners;
- (6) Develop procedures to grant waivers for extenuating circumstances;
- (7) Provide for comprehensive, independent audits of standardized testing protocols once every four years;
- (8) Administer a one-year survey of school administrators and teachers; and
- (9) Notify students and their parents or guardians of the right to opt out of participating in statewide standardized testing.

The Hawaii State Teachers Association, Education Caucus of the Democratic Party of Hawaii, IMUAlliance, and many concerned individuals supported this measure. Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposed this measure. The Department of Education and a concerned individual commented on this measure.

Your Committee has amended this measure by:

- (1) Removing notification requirements of the right to opt out of participating in statewide standardized testing; and
- (2) Removing guidelines for parental appeal of standardized test scores; and

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 H.B. No. 1406, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1406, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, LoPresti, Say and Tupola.

SCRep. 515 Health on H.B. No. 1238

The purpose of this measure is to address the serious health and safety concerns of latex-sensitive and latex-allergic persons by prohibiting the use of latex gloves in dental health facilities, health care facilities, and food establishments, and by personnel providing ambulance services or emergency medical services.

The American Latex Allergy Association and numerous individuals supported this measure. The Department of Health opposed this measure. The Queen's Health Systems and three individuals commented on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate further discussion.

Your Committee notes the serious health risks that exposure to latex has on persons with latex allergies. The risks include symptoms ranging from mild to severe and life threatening. Your Committee is also mindful of the protocols, preferences, and policies regarding the use of latex in health care and dental facilities, and food establishments to create a latex-safe environment. Should your Committee on Judiciary deliberate on this measure, your Committee respectfully requests that it further examine how some degree of flexibility can be provided to health care facilities.

Your Committee acknowledges the work of its dear colleague and friend, the late State Representative Mele Carroll of District 13, for introducing this bill and for her service to address the needs of the community. It is with deep reflection and fond remembrance that your Committee honors Representative Carroll for her service in the State House.

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 H.B. No. 1238, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1238, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 516 Health on H.B. No. 119

The purpose of this measure is to encourage and assist individuals and families to save private funds to support individuals with a disability by:

- (1) Requiring the Director of Finance to establish the Hawaii ABLE Savings Program (Program) to provide for individual savings accounts to support an individual with a disability; and
- (2) Establishing the Hawaii ABLE Savings Program Trust Fund to support the Program.

The State Council on Developmental Disabilities, Autism Speaks, National Down Syndrome Society, Community Children's Councils, and Family Voices of Hawaii supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate 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 H.B. No. 119, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 119, H.D. 2, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 517 Health on H.B. No. 1109

The purpose of this measure is to establish a behavioral support review process for multi-disciplinary reviews of restraints or seclusion of persons with developmental or intellectual disabilities and to exempt those who participate in the reviews from liability for authorized information disclosures.

The State Council on Developmental Disabilities and Family Voices of Hawaii provided testimony in support of this measure. The Department of Health provided testimony in support of this measure and proposed amendments.

Your Committee has amended this measure by:

- (1) Broadening the scope of providers required to disclose information to include all providers of supports;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 1109, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1109, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 518 Health on H.B. No. 1241

The purpose of this measure is to keep Hawaii's children safe from lead hazards and lead poisoning by appropriating funds for Department of Health lead poisoning prevention activities that support comprehensive outreach by the Department to community agencies, health care providers, and families.

The Department of Health commented on this measure.

Your Committee has amended this bill by changing:

- (1) The appropriation amount to an unspecified amount; and
- (2) The effective date to July 1, 2050, to facilitate further discussion.

Your Committee notes that to support lead poisoning prevention activities, the Department of Health last received a Childhood Lead Poisoning Prevention Program grant in 2002 in the amount of \$200,000 from the Centers for Disease Control and Prevention. Your Committee conveys this funding amount for the Committee on Finance's consideration should this measure move further in the legislative process.

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 H.B. No. 1241, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1241, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Oshiro and Tupola.

SCRep. 519 Health on H.B. No. 460

The purpose of this measure is to provide limited immunity for individuals who seek medical assistance for victims of alcohol or substance overdose.

The Department of Health, Hawaii State Commission on the Status of Women, Hawaii Substance Abuse Coalition, Hawaii Medical Association, Community Health Outreach Work, Community Alliance on Prisons, the Drug Policy Action Group, Hawaii Women's Coalition, Drug Policy Forum of Hawaii, and numerous individuals submitted testimony in support of this measure.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

Should the Committee on Judiciary deliberate this measure further, your committee respectfully requests the Committee on Judiciary look at the concerns reflected in the testimony provided by the Drug Policy Forum of Hawaii. Your Committee further requests that the Committee on Judiciary consider defining "immediate death" and "serious injury".

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 H.B. No. 460, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 460, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 520 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 805

The purpose of this measure is to exempt federal veterans disability benefits from being used as security for the satisfaction of a court judgment in a civil proceeding, except that portion of the benefits that is subject to child and spousal support under title 42 United States Code section 659(h)(1)(A)(ii)(V).

Your Committee received testimony in support of this measure from the National Association for Uniformed Services.

Your Committee finds that many disabled veterans live on their disability income, which often falls short of necessary living expenses. Your Committee believes that by exempting certain federal veterans benefits from seizure to enforce a court judgment, this measure will help ensure that disabled veterans receive sufficient income while still requiring the provision of appropriate child and spousal support.

Your Committee has amended this measure by:

- (1) Clarifying that the measure's exemption applies to federal disability compensation benefits, as determined pursuant to the United States Department of Veterans Affairs disability compensation benefits rate;
- (2) Providing that only that portion of a veteran's disability benefits that is not considered to be the veteran's disability compensation shall be subject to child and spousal support enforcement under title 42 United States Code section 659(h)(1)(A)(ii)(V); and
- (3) Amending the title of the new section to more appropriately reflect the amendments made to the substantive provisions of the section.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 805, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 805, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 521 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 323

The purpose of this measure is to mitigate the negative socio-economic impacts to adjacent communities of a United States military base realignment and closure pursuant to the Defense Base Closure and Realignment Act of 1990 by authorizing the Director of Business, Economic Development, and Tourism to make commercial and personal loans from the State Disaster Revolving Loan Fund (Fund) to qualifying business and individual victims of the base realignment and closure.

The member of the House of Representatives from the 46th District, The Chamber of Commerce of Hawaii, Wahiawa-Whitmore Village Neighborhood Board No. 26, and Wahiawa Community and Business Association supported this measure. The Department of Business, Economic Development, and Tourism provided comments.

Your Committee finds that:

- (1) The United States Army is considering a proposal as part of its 2020 Force Structure Realignment to eliminate 16,606 active duty Army soldiers from Schofield Barracks and 3,786 from Fort Shafter, a total force reduction of over 20,000 soldiers from Oahu Army bases;
- (2) The Army's proposed reductions would remove nearly 20,000 jobs from the communities of Wahiawa, Schofield, Mililani, Kunia, and Waialua;

- (3) More than 9,000 spouses and more than 15,000 children of military personnel would be affected; and
- (4) The relocation of more than 40,000 people would result in the reduction of nearly forty percent of the population of those communities, or five percent of the total population of the Island of Oahu.

The sudden massive migration of workers from a single industry will inevitably impact ancillary businesses, state and county government services, tax collection, property values, and the viability of nearby-situated communities. Thus, your Committee finds that the use of the Fund is an appropriate means of providing needed assistance to local businesses and individuals while the economy adjusts to fill the void left by the United States Army's downsizing.

Concerns were raised that making the relief authorized by this measure dependent on a base realignment and closure, as it is defined in the Defense Base Closure and Realignment Act of 1990, P.L. 101-510, part A, title XXIX (10 U.S.C. 2687), as amended, might restrict access to the Fund to only situations where Schofield Barracks or Fort Shafter are permanently closed, and would not grant relief if a large portion of the personnel at either or both facilities were eliminated, relocated, or mobilized, which would have the same socio-economic impact on adjacent communities on a different scale.

In addition, the Department of Business, Economic Development, and Tourism (DBEDT) informed your Committee of its need for expedited rulemaking authority so that the loans intended under this measure can be made as quickly as possible to affected businesses and individuals.

Accordingly, your Committee has amended this measure by deleting its contents, except the appropriation from the Fund for commercial and personal loans, and inserting provisions that:

- (1) Authorize the Governor to consider whether a reduction in force, relocation, or mobilization of United States Armed Forces is of such magnitude as to warrant a declaration of a state disaster;
- (2) Authorize the Governor to utilize the Fund to provide commercial and personal recovery loans if a state disaster is declared because of a reduction in force, relocation, or mobilization of United States Armed Forces;
- (3) Provide DBEDT with emergency rulemaking powers without regard to statutory notice and public hearing or small business impact review requirements so long as any amendments of the interim rules are subject to those requirements; and
- (4) Appropriate funds for one full-time program manager position in DBEDT to administer the State Disaster Loan Program.

Technical, nonsubstantive amendments were also made to this measure for clarity, style and conformity.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it:

- (1) Consider appropriating the following amounts for each year of fiscal biennium 2015-2017 as follows:
 - (A) \$1,000,000 for deposit into the Fund; and
 - (B) \$125,000 for one permanent full-time Program Manager Position to administer the State Disaster Loan Program; and
- (2) Examine and consider the necessity of a program manager for the State Disaster Loan Program, and if so, consider mandating that DBEDT may only hire a program manager if the Governor authorizes DBEDT to make loans from the Fund pursuant to this measure.

Your Committee cannot emphasize in greater terms the urgency and importance of this measure. Your Committee implores the Committee on Finance and the state administration to find alternative sources of funding if general funds are not available because the livelihood and future of communities and families in central Oahu depend on it.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 323, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 323, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 522 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 881

The purpose of this measure is to address the various problems and needs of veterans, particularly women veterans, by appropriating funds for the establishment of a full-time permanent veterans coordinator position in the Office of Veterans' Services.

The Department of Defense, Office of Veterans' Services, Advisory Board on Veterans' Services, Hawaii Military Women Veterans Task Force Committee, and several concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Appropriating funds for the establishment of one full-time position of veterans services counselor IV in the Office of Veterans' Services, rather than establishing and funding the position of veterans coordinator; and
- (2) Making technical, nonsubstantive amendments for consistency, style, and clarity.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$47,000 for each year of fiscal biennium 2015-2017 for the position of veterans services counselor IV in the Office of Veterans' Services.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 881, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 881, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 523 Higher Education on H.B. No. 549

The purpose of this measure is to provide financial assistance to law school graduates who work in areas related to public service by establishing and funding a Public Service Legal Loan Repayment Assistance Program that will give student loan repayment assistance to licensed lawyers practicing in public service positions.

The Task Force established by Senate Concurrent Resolution No. 116 (2014), Student Bar Association at the William S. Richardson School of Law, and many concerned individuals supported this measure. The University of Hawaii and Department of Budget and Finance submitted comments.

Your Committee has amended this measure by:

- (1) Limiting the definition of eligible employment for purposes of Program eligibility to legal positions that provide direct legal assistance to indigent persons through a nonprofit organization; and
- (2) Changing its effective date to July 1, 2525, to encourage further discussion.

Your Committee has technical concerns regarding this measure but believes that it merits further discussion and consideration. Your Committee hopes that as the measure continues through the process, these concerns can be addressed.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$800,000 for the purposes of the Program.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 549, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 549, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Say and Tupola.

SCRep. 524 Higher Education on H.B. No. 457

The purpose of this measure is to help the University of Hawaii comply with federal mandates contained in Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013 to effectively address sexual violence on campus by appropriating funds for staff and materials.

The University of Hawaii, University of Hawaii President's Commission on the Status of Women, Planned Parenthood of Hawaii, Filipino Law Students Association, and several concerned individuals supported this measure. The Filipino American Citizens League, Filipino Coalition for Solidarity, Filipinos for Affirmative Action, Nursing Advocates & Mentors, Inc., and numerous concerned individuals supported the measure with amendments. A concerned individual opposed the measure. A concerned individual submitted comments.

Your Committee has amended the measure by deleting the amount of the appropriations and changing its effective date to July 1, 2525, to encourage further discussion. Technical amendments were also made for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$1,139,182 for staff and materials.

Your Committee received a significant amount of testimony seeking an amendment to appropriate funds to the University of Hawaii Prevention Awareness Understanding Violence Program (UH PAU Violence) to combat sexual violence on campus. Your Committee notes that the current provisions of the bill are broad enough to include funding for such programs.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 457, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 457, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 525 Education on H.B. No. 11

The purpose of this measure is to improve public education in Hawaii by authorizing an additional per year bonus for teachers who maintain current National Board certification under the National Board Certification Incentive Program and teach at a school in a focus, priority, or Superintendent's Zone, as determined by the Department of Education.

The Hawaii State Teachers Association, Hui for Excellence in Education, IMUAlliance, and a concerned individual supported the measure.

Your Committee has amended the measure by specifying that the National Board Certification Incentive Program will provide \$1,500 upon a teacher's completion of all components of the certification program of the National Board for Professional Teaching Standards.

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 H.B. No. 11, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 11, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Matsumoto.

SCRep. 526 Agriculture on H.B. No. 439

The purpose of this measure is to appropriate funds for the Department of Agriculture to implement and operate the Hawaii One Program that will allow agricultural producers to economically and expeditiously develop conservation plans that will assist them in complying with local grading and grubbing laws and seeking federal Farm Bill funding.

The Hawaii Association of Conservation Districts, Central Maui Soil and Water Conservation District, Ulupono Initiative, Larry Jefts Farms, LLC, Monsanto Hawaii, Oahu Resource Conservation & Development Council, Hawaii Cattlemen's Council, Inc., Hawaii Farm Bureau Federation, Maui County Farm Bureau, and several concerned individuals supported this measure. The Department of Agriculture supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum; and
- (2) Changing its effective date to January 20, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$70,000 for each year of fiscal biennium 2015-2017 to the Department of Agriculture to implement and operate the Hawaii One Program that will greatly assist agricultural producers, especially small farmers, in developing conservation plans to avoid compliance penalties and access federal funding programs.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 439, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 439, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 527 Agriculture on H.B. No. 891

The purpose of this measure is to financially assist qualified farmers through amendments to the Department of Agriculture's agricultural loan program to address farmers' current needs by:

- (1) Establishing a Biosecurity Project Loan Program to provide loans to farmers for biosecurity projects to protect the health of livestock, poultry, and humans from diseases, pests, and pathogens and measures that prevent disease causing agents from entering, spreading, or leaving the farm premises; and
- (2) Standardizing the Department's loan insurance, participation, and guaranty functions for all types of loans offered under its agricultural loan program.

The Department of Agriculture and the Hawaii Farm Bureau Federation supported this measure. Animal Rights Hawaii opposed 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 is in accord with the intent and purpose of H.B. No. 891 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 528 Agriculture on H.B. No. 1042

The purpose of this measure is to support the counties in fulfilling their statutory mandate to identify and map potential important agricultural lands within their respective jurisdictions by appropriating funds for grants to each county to identify and map important agricultural lands.

The Department of Agriculture, Land Use Commission, Office of the Mayor of Maui, Maui County Department of Planning, Maui County Farm Bureau, Hawaii Farm Bureau, and several concerned individuals supported this measure. The City and County of Honolulu Department of Planning and Permitting supported this measure with amendments.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1042 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 529 Energy & Environmental Protection on H.B. No. 1471

The purpose of this measure is to increase funding for the State's energy and food security efforts.

Specifically, this measure:

- (1) Establishes a state environmental response, energy, and food security tax on fossil fuels other than petroleum products; and
- (2) Authorizes or requires, as the case may be, the Department of Health to establish and collect fees for its environmental health administration programs.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Hawaii Gas; and the Blue Planet Foundation. Testimony in opposition to the measure was received from AES Hawaii. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; the Department of Taxation; the Department of Health; and the Tax Foundation of Hawaii.

Your Committee finds that this measure will ensure continued funding for government programs dedicated to reducing the State's reliance upon imported fossil fuels and imported food. Increasing the State's capacity to achieve food and energy security and self-sufficiency in a changing climate will slow the rate of increase in the State's cost of living, providing greater stability to the State's economy.

Your Committee has amended this measure by:

- (1) Removing all language authorizing or requiring the Department of Health to establish and collect additional fees for its environmental health programs;
- (2) Excluding from the fossil fuel tax only the coal that is used to fulfill a signed power purchase agreement between an independent power producer and an electric utility that is in effect as of June 30, 2015;
- (3) Authorizing independent power producers to pass the fossil fuel tax on to the electric utilities; and
- (4) Authorizing electric utilities to recover the cost of the fossil fuel tax through a surcharge.

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 is in accord with the intent and purpose of H.B. No. 1471, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1471, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 530 Energy & Environmental Protection on H.B. No. 1140

The purpose of this measure is to protect Hawaii's environment by establishing a cesspool conversion tax credit for owners of cesspools who convert a cesspool into a septic system or an aerobic treatment unit system or who connect a cesspool to a sewer system.

A member of the Hawaii County Council, the Nature Conservancy of Hawaii, the Hawaii Farm Bureau, and a concerned individual supported the measure. The Department of Health, Department of Taxation, and Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by merging provisions from H.B. No. 153, a similar measure that was heard by your Committee. As amended, this measure offers financial assistance to cesspool owners by establishing a cesspool upgrade, conversion, or connection income tax credit for an unspecified amount for cesspool owners who:

- (1) Upgrade or convert a cesspool into a septic system or an aerobic treatment unit system; or
- (2) Connect a cesspool to a sewer system.

In addition, your Committee amended this measure to repeal the tax credit on December 31, 2020.

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 is in accord with the intent and purpose of H.B. No. 1140, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1140, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 531 Energy & Environmental Protection on H.B. No. 620

The purpose of this measure is to protect the environment by:

- (1) Prohibiting plastic products from being labeled as "biodegradable", "degradable", "decomposable", or "compostable", unless they meet ASTM D6400 specifications;
- (2) Prohibiting plastic products from being labeled in any way to imply that they will biodegrade, decompose, break down, or fragment in a landfill or other environment, unless they meet ASTM D6400 specifications;
- (3) Allowing plastic products that have been certified by the Biodegradable Products Institute to be labeled using the Biodegradable Products Institute's logo;
- (4) Establishing penalties for violations of labeling provisions; and
- (5) Requiring the Department of Health to adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, to implement these provisions.

The Surfrider Foundation, Surfrider Foundation Oahu Chapter, Conservation Council for Hawaii, Beach Environmental Awareness Campaign Hawaii, Rise Above Plastics Coalition, and several concerned individuals supported the measure. The Department of Health and Island Plastic Bags, Inc., testified in opposition. Styrophobia and a concerned individual submitted comments.

Your Committee has amended this measure by:

- (1) Limiting the labeling prohibition provision to prohibit a plastic product from being labeled as "compostable", unless it meets ASTM D6400 specifications;
- (2) Prohibiting labeling that implies that a plastic product will biodegrade, decompose, break down, or fragment in a landfill or other environment, unless the product is certified by independent scientific laboratory testing to break down in a manner that is not harmful to the environment;

- (3) Deleting the requirement that the Department of Health adopt rules pursuant to Chapter 91, Hawaii Revised Statutes; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 620, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 620, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 532 Energy & Environmental Protection on H.B. No. 618

The purpose of this measure is to promote greater energy security and self-sufficiency for Hawaii by establishing a renewable fuels production tax credit for a variety of renewable fuels made from a variety of renewable feedstocks and repealing the ethanol facility tax credit.

The Blue Planet Foundation, Pacific Biodiesel Technologies, Hawaii Renewable Energy Alliance, Hawaii Energy Policy Forum, and Renewable Energy Action Coalition of Hawaii supported the measure. The Department of Business, Economic Development, and Tourism; Department of Taxation; and Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Making the aggregate tax-credit cap an unspecified sum;
- (2) Providing that the credit shall apply to taxable years beginning after December 31, 2016, but shall not apply to taxable years beginning December 31, 2022;
- (3) Redefining "renewable fuels" to mean fuels produced using less than one barrel of oil per ton of renewable fuel; and
- (4) Making conforming amendments and technical, nonsubstantive amendments.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider:

- (1) Setting the aggregate cap for the renewable fuels production tax credit at \$12,000,000; and
- (2) Whether to make the renewable fuels production tax credit a refundable or non-refundable tax credit.

In addition, your Committee requests that the Department of Business, Economic Development, and Tourism provide an analysis of the resources that it would need to administer the renewable fuels production tax credit.

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 is in accord with the intent and purpose of H.B. No. 618, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 618, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 533 Consumer Protection & Commerce on H.B. No. 1504

The purpose of this measure is to find out whether Hawaii's energy public utilities, as structured, appropriately serve the interests of ratepayers and the public. Specifically, this measure authorizes and funds a study to assess and compare Hawaii's for-profit energy utilities with specific publicly or cooperatively owned energy utilities in the United States.

The State Procurement Office; Department of Business, Economic Development & Tourism; and the Legislative Reference Bureau commented on this measure.

Your Committee has amended this measure by additionally establishing a cap on interconnection costs recoverable by an electric utility from the Hawaii electricity reliability surcharge. This cap is based on the national average interconnection costs for a comparable interconnection to an electric utility. 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 H.B. No. 1504, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1504, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 534 Consumer Protection & Commerce on H.B. No. 713

The purpose of this measure is to ensure compliance with Hawaii's Wage and Hours of Employees on Public Works law by:

- (1) Authorizing the Department Labor and Industrial Relations (Department) to train and deputize volunteer investigators for public works projects;
- (2) Requiring the Department to submit status reports to the Legislature; and
- (3) Appropriating funds for the training and deputizing of volunteer investigators investigating in public work projects.

The Subcontractors Association of Hawaii testified in support of this measure. The Department of Labor and Industrial Relations, Hawaii Construction Alliance, General Contractors Association of Hawaii, Building Industry Association of Hawaii and Hawaii Operating Engineers Industry Stabilization Fund provided comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Department of Labor and Industrial Relations to adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, to effectuate the purposes of this measure; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

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 H.B. No. 713, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 713, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 535 Consumer Protection & Commerce on H.B. No. 1372

The purpose of this measure is to exclude any person who provides water solely to bona fide agricultural activities from the classification and regulation as a public utility.

The Department of Agriculture supported this measure. The Public Utilities Commission and Collaborative Leaders Network commented on this measure.

Your Committee has amended this measure by adopting the proposed amendments of the Department of Agriculture, which clarify the definition of agricultural activities for purposes of this measure to require conformity of the activities with federal, state, and county 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 is in accord with the intent and purpose of H.B. No. 1372, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1372, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 536 Consumer Protection & Commerce on H.B. No. 927

The purpose of this measure is to promote the installation of renewable energy, energy efficiency, and energy conservation systems by exempting certain payments made to electric utilities for those systems from various state and county taxes.

Specifically, this measure establishes that:

- (1) Amounts collected by electric utilities for the repayment of on-bill obligations are not considered revenue of the electric utility and, therefore, are not subject to the general excise tax, the public service company tax, the public utility fee, and the public utility franchise tax; and
- (2) Acceptance of repayments of on-bill obligations does not subject an electric utility to the laws that regulate financial institutions, escrow depositories, and collection agencies.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Public Utilities Commission; Hawaii Solar Energy Association; Hawaiian Electric Companies; and Blue Planet Foundation. The Department of Taxation and the Tax Foundation of Hawaii submitted comments on this measure.

Your Committee finds that electric utilities serving as billing and collection agents for any on-bill financing program in the State act in a purely pass through capacity for those repayments. Accordingly, on-bill collections do not constitute revenue for participating electric utilities. Therefore, exempting repayments of on-bill obligations from revenue-based state and county taxes and certain other regulatory fees and taxes is consistent with both the on-bill financing program's purpose of making renewable energy systems more affordable and the similar tax exemptions provided to the green infrastructure charge under section 269-172, Hawaii Revised Statutes.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to facilitate further discussion on the measure.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider whether the tax-exempt status with respect to repayments of on-bill obligations would have a negative impact on electric utility ratepayers.

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 H.B. No. 927, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 927, H.D. 1.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 537 Consumer Protection & Commerce on H.B. No. 1505

The purpose of this measure is to promote energy efficiency in the State.

Specifically, the measure:

- (1) Prohibits the Public Utilities Commission, under certain conditions, from approving power purchase agreements that prohibit the sale of renewable energy to a third party or require the consent of an electric utility company to sell renewable energy to a third party; and
- (2) Requires an independent power producer to pay fair compensation to an electric utility company when the independent power producer sells curtailed renewable energy to a third party on the electrical grid.

Your Committee received testimony in support from the Blue Planet Foundation. Testimony in opposition to the measure was received from Hawaiian Electric Company and its subsidiary utilities. Comments on the measure was received from the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy.

Your Committee finds that this measure will prevent the waste, or curtailment, of energy that is produced by an independent power producer but is not accepted by an electric utility onto the electric grid.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to facilitate further discussion on the measure.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider the concerns raised by the Division of Consumer Advocacy in its testimony presented to your Committee. Specifically, these concerns relate to energy wheeling, energy storage, and requiring that an open book requirement be imposed on independent power producers.

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 H.B. No. 1505, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1505, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 538 Consumer Protection & Commerce on H.B. No. 1127

The purpose of this measure is to ensure the consistent application of the State Procurement Code across various governmental agencies with procurement authority by requiring every procurement officer to attend initial training by the State Procurement Office (Office) and regular follow-up training as determined by the Office.

The State Procurement Office; Hawaii Construction Alliance; Ulupono Initiative; and the Hawaii Operating Engineers Industry Stabilization Fund supported this measure. The Department of Human Resources Development opposed this measure.

Your Committee has amended this measure by:

- (1) Removing the Department of Human Resources Development from procurement training responsibilities;
- (2) Clarifying that training requirements apply to all government employees that are delegated with procurement authority of all state and county government entities, including deputy attorney generals working on procurement contracts;
- (3) Requiring chief procurement officers and executive department directors to provide a list, which shall be updated annually, of all employees with delegated procurement authority to the State Procurement Office;
- (4) Specifying that each chief procurement officer may develop further mandated trainings within their respective jurisdictions;
- (5) Including an appropriation of an unspecified amount for the State Procurement Office to administer necessary training; 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 H.B. No. 1127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1127, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 539 Consumer Protection & Commerce on H.B. No. 1284

The purpose of this measure is to make technical amendments to the insurance company holding law.

Specifically, this measure, among other things:

- (1) Clarifies that an insurer's affiliates are subject to examination; and
- (2) Redefines a domestic insurance holding company system and exempts the system from examination.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the technical amendments made under measure will clarify certain provisions of the insurance holding company law.

Your Committee has amended this measure by changing the effective date from January 1, 2016, to January 1, 2112, to facilitate further discussion on the measure.

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 H.B. No. 1284, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1284, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 540 Consumer Protection & Commerce on H.B. No. 174

The purpose of this measure is to promote accessibility to quality health care procedures in the State by requiring health insurance coverage of medically necessary orthodontic treatment of orofacial anomalies.

The Office of the Auditor, State Council on Developmental Disabilities, Hawaii Chapter of the American Academy of Pediatrics, Kapiolani Medical Center for Women & Children, Hawaii Dental Association, Lifetime of Smiles Hawaii, and numerous individuals provided testimony in support of this measure. The Department of Commerce and Consumer Affairs, Department of Health, and Hawaii Medical Service Association provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing language concerning the benefits that exceed the essential health benefits under the Patient Protection and Affordable Care Act of 2010;
- (2) Excluding limited benefit health insurance as provided pursuant to section 431:10A-102.5, Hawaii Revised Statutes;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the new mandated coverage may trigger section 1311(d)(3) of the federal Patient Protection and Affordable Care Act which requires states to defray the additional cost of any benefits in excess of the essential health benefits of the state's qualified health plan. Your Committee respectfully requests that your Committee on Finance further examine this issue.

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 H.B. No. 174, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 174, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 541 Health on H.B. No. 459

The purpose of this measure is to:

- (1) Specify additional elements in Hawaii's sexuality health education law, including additional criteria regarding implementation of sexuality health education instruction;
- (2) Require the Department of Education to develop, maintain, and make a current list of sexuality health education curricula available to the public; and
- (3) Allow parents to opt out from having their children receive sexuality health education as specified in law.

The Hawaii State Commission on the Status of Women, American Association of University Women – Hawaii, Americans for Democratic Action, Hawaii Women's Coalition, Hawaii Youth Services Network, Planned Parenthood of Hawaii, Healthy Mothers Healthy Babies, Community Alliance on Prisons, and several individuals supported this measure. PEACE Hawaii, Non-profit for At-Risk Children, Sure Foundation Puna, and numerous individuals opposed this measure. The Department of Education, 'Ohana Project of the Hawaii Parents Coalition, and three individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting provisions enabling parents or legal guardians to opt out from having their children participate in sexuality health education instruction upon written request;
- (2) Deleting the provision requiring the Department of Education to establish minimum education and training qualifications for sexuality health education teachers;
- (3) Requiring the Department of Education to submit an annual report to the Legislature on the outcomes of the Department of Education's policy to allow parents and guardians of students to opt in to receive sexuality health education instruction as provided under this measure;
- (4) Changing its effective date to July 1, 2050, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 459, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee.

SCRep. 542 Health on H.B. No. 1147

The purpose of this measure is to establish a 24-hour, on-call, emergency services failsafe program to assist physicians and patients in obtaining the opinion of another physician on high-risk cases, in situations when consultation is warranted, and when a patient, a patient's family member, or hospital patient advocate disagrees with a diagnosis or treatment plan.

A former state senator, former state representative, and an individual testified in support of this measure. The Department of Health, The Queen's Health Systems, and Kaiser Permanente Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Making the emergency services failsafe program a two-year pilot program;
- (2) Authorizing the Department of Health to convene a committee to create a forum to facilitate the sharing of best practices and benchmarking data for patient advocacy in the emergency department setting;
- (3) Requesting the Director of Health to identify no more than two hospitals to participate in the pilot program; provided that at least one of the hospitals must be affiliated with the Hawaii Health Systems Corporation;
- (4) Requiring the Department of Health to submit reports to the Legislature on the implementation of the two-year pilot emergency services failsafe program and on any actions it has taken to convene the committee convened to develop a forum related to patient advocacy;
- (5) Repealing the pilot program on July 1, 2017;
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion; and
- (7) 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 H.B. No. 1147, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1147, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Oshiro and Tupola.

SCRep. 543 Health on H.B. No. 782

The purpose of this measure is to raise awareness of cytomegalovirus by requiring:

- (1) The Department of Health to establish a public education program to educate and inform pregnant women and women who may become pregnant of this virus; and
- (2) The responsible physician of a newborn infant identified as, or suspected of, having a hearing impairment, to test the newborn infant for cytomegalovirus.

Numerous individuals testified in support of this measure. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting the screening requirement that physicians of newborn infants identified as, or suspected of, having a hearing impairment, test the newborn infant for cytomegalovirus;
- (2) Deleting the provision requiring the Department of Health to establish administrative rules to carry out this measure;
- (3) Requiring the Department of Health to:
 - (A) Convene a working group of various stakeholders to participate in the development of a public awareness program to inform and educate pregnant women and women who may become pregnant about cytomegalovirus; and
 - (B) Submit a report to the Legislature prior to the convening of the 2016 Regular Session that includes recommendations for developing, implementing, and funding the public education program under the measure;
- (4) Appropriating funds for fiscal year 2016-2017 to implement the public education program;
- (5) Changing its effective date to July 1, 2050; 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 782, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 782, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 544 Health on H.B. No. 1176

The purpose of this measure, as received by your Committee, is to prohibit persons licensed pursuant to Chapter 453, Hawaii Revised Statutes (HRS), relating to medicine and surgery, and Chapter 463E, HRS, relating to podiatrists, from:

- (1) Prescribing a greater than 30-day supply of any narcotic drug;
- (2) Issuing the automatic refill of a narcotic drug.

The Hawaii Medical Board and an individual supported this measure. The Queen's Health Systems, Hawaii Society of Physical Medicine & Rehabilitation, and two individuals opposed this measure. Walgreen Co., submitted comments on this measure.

Upon further consideration, your Committee has amended this measure by deleting its contents and inserting provisions that address consumer protection issues addressing the regulation of prescription medication and narcotic drugs. As amended, among other things, this measure:

- (1) Establishes a Narcotics Advisory Committee within the Department of Public Safety to recommend acceptable continuing medical education program topics and curriculum to Narcotics Enforcement Division,
- (2) Establishes a mandatory continuing medical education program for prescribing practitioners who prescribe narcotic drugs;
- (3) Requires that a pain medication agreement be executed between a patient and any prescriber of a narcotic drug within the State for use as a pain medication;
- (4) Requires that beginning January 1, 2017, practitioners and practitioner delegates are to request patient information from the central repository prior to prescribing or dispensing a controlled substance to a new patient and request patient information from the central repository for a patient receiving chronic pain therapy;
- (5) Establishes the Overdose Prevention and Emergency Response Act, which creates immunity for individuals who prescribe, possess, or administer an opioid antagonist during an opioid-related drug overdose
- (6) Appropriates funds for drug overdose recognition, prevention, and response, including the distribution and administration of naloxone hydrochloride; and
- (7) Changes the effective date to July 1, 2050, to facilitate 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 H.B. No. 1176, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1176, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee.

SCRep. 545 Health/Consumer Protection & Commerce on H.B. No. 1072

The purpose of this measure is to address the need for mental health services in rural and underserved areas of the State by authorizing the Board of Psychology to issue certificates of prescriptive authority to medical psychologists who meet certain education, training, and registration requirements.

The Hawaii Association of Professional Nurses; Hope Services Hawaii; Hawaii Psychological Association; Big Island Substance Abuse Council; Mental Health America of Hawaii; Hawaii Primary Care Association; National Association of Social Workers Hawaii Chapter; and numerous concerned individuals supported this measure. The Hawaii Board of Psychology; Queen's Health Systems; American Psychiatric Association; Hawaii Medical Association; and numerous concerned individuals opposed this measure. Several concerned individuals commented on this measure.

Your Committees have amended this measure by:

- (1) Incorporating qualification provisions that are consistent with the 2014 Illinois statute authorizing prescriptive authority for psychologists, which include the following:
 - (A) Minimum undergraduate biomedical coursework prior to submitting an application for a certificate of prescriptive authority;
 - (B) Completion of a full-time practicum of fourteen months and 36 credit hours of supervised clinical training with a research project; and
 - (C) A clinical rotation phase in accordance with those of the Accreditation Review Commission on Education for the Physician Assistant;
- (2) Changing the effective date to July 1, 2050, 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 Health and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1072, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1072, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Creagan, Jordan, Kawakami, Yamane, McDermott and Tupola.

SCRep. 546 Consumer Protection & Commerce on H.B. No. 1384

The purpose of this measure is to prohibit wind turbines within three-quarters of a mile of any residential, school, hospital, or business property line.

Life of the Land and numerous individuals testified in support of this measure. Champlin Hawaii Wind Holdings, LLC; Blue Planet Foundation; and an individual testified in opposition to this measure. The Department of Commerce and Consumer Affairs Division of Consumer Advocacy and an individual provided comments.

Your Committee has amended this measure by:

- (1) Specifying that any permit plan application for a wind turbine shall be subject to an additional review by the Land Use Commission if the wind turbine:
 - (A) Generates greater than one hundred kilowatts of energy;
 - (B) Is located within three-quarters of a mile of any residential, school, hospital, or business property line; and
 - (C) Has not been grandfathered in by a permit plan application approved before July 1, 2015; and
- (2) Setting requirements for the additional Land Use Commission review.

Your Committee notes that the transferring of review of wind turbines from the Public Utilities Commission to the Land Use Commission places the measure under the jurisdiction of your Committee on Water and Land. However, should this bill continue to conference, the chair of your Committee on Water and Land has agreed to serve as lead on this measure's conference committee.

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 H.B. No. 1384, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1384, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 547 Consumer Protection & Commerce on H.B. No. 1482

The purpose of this measure is to establish a limited intrastate crowdfunding exemption for businesses based in Hawaii to connect with investors located in Hawaii, through equity crowdfunding via third party internet portals.

The Redmont Group, LLC, Hawaii Tech Exchange, NFIB Hawaii, Wayland Baptist University, and a few individuals testified in support of this measure. The Chamber of Commerce of Hawaii testified in support of the intent of this measure. The Business Registration Division of the Department of Commerce and Consumer Affairs provided comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying the language concerning the resale of a security within nine months after the last sale to conform to federal law;
- (2) Removing language concerning fraud through the misrepresentation of being a Hawaii resident because it might have unintended consequences; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 1482, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1482, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 548 Consumer Protection & Commerce on H.B. No. 484

The purpose of this measure is to make the benefits of renewable energy generation more accessible to a greater number of Hawaii residents by requiring the Public Utilities Commission (Commission) to establish a community-based renewable energy tariff or tariffs no later than January 1, 2016.

The Public Utilities Commission; Division of Consumer Advocacy, Department of Commerce and Consumer Affairs; Hawaii Green Growth; Blue Planet Foundation; and Ulupono Initiative supported this measure. The Office of Hawaiian Affairs; Department of Business, Economic Development, and Tourism; and Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the requirement for community-based renewable energy projects of one megawatt or less to be subject to interconnection approval processes approved by the commission;
- (2) Specifying that the community-based renewable energy tariff shall apply to community-based renewable energy projects that do not exceed megawatt limitations established by the Commission; and
- (3) Changing the effective date to July 1, 2012, to encourage further discussion.

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 H.B. No. 484, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 484, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 549 Consumer Protection & Commerce on H.B. No. 529

The purpose of this measure is to establish provisions regarding arrest booking photographs for criminal cases resulting in no conviction that:

- (1) Prohibits commercial websites from collecting a fee for removing arrest booking photographs from the website; and
- (2) Prohibits criminal justice agencies from posting arrest booking photographs on a website except as provided by law.

The Community Alliance on Prisons and several individuals testified in support of this measure. The League of Women Voters of Hawaii testified in support of the intent of this measure. The American Civil Liberties Union of Hawaii testified in opposition to this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee received testimony from the American Civil Liberties Union of Hawaii regarding the unconstitutionality of using state action to punish the publication of truthful information. Your Committee respectfully requests that your Committee on Judiciary further examine this issue in connection with *Smith v. Daily Mail Publishing Co.*, 443 U.S. 97, 102 (1979).

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 H.B. No. 529, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 529, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Hashem and Nakashima.

SCRep. 550 Consumer Protection & Commerce on H.B. No. 580

The purpose of this measure is to ensure that patients in the State have improved access to critical, life-sustaining medical supplies by establishing and funding the Durable Medical Equipment Supplier Licensing and Patient Protection Program (Program) in the Office of Health Care Assurance to administer licensure and operational requirements for durable medical equipment suppliers participating in the nationwide competitive bidding program.

Hawaii Primary Care Association, The Queen's Health Systems, Healthcare Association of Hawaii, and the Hawaii Health Systems Corporation Corporate Board of Directors supported this measure. The Hawaii Association of Health Plans opposed this measure. The Department of the Attorney General, Department of Commerce and Consumer Affairs, Department of Health, Board of Pharmacy, and the Hawaii Medical Service Association offered comments.

Your Committee has amended this measure by:

- (1) Broadening the Program to make it applicable to all suppliers of durable medical equipment; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 580, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 580, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 551 Consumer Protection & Commerce on H.B. No. 1017

The purpose of this measure is to facilitate seller financing for residential property by restoring mortgage licensing exemptions for individuals who meet certain qualifications.

Specifically, the measure exempts individuals from being subject to the mortgage licensing requirements of Chapter 454F, Hawaii Revised Statutes, if the individual offers or negotiates a residential mortgage loan:

- (1) With or on behalf of an immediate family member; or
- (2) For the individual's own residence, including a vacation home, or for an inherited dwelling, if the individual does not provide seller financing or related services more than three times in a calendar year.

Your Committee received testimony in support of this measure from the Hawaii Association of REALTORS. The Department of Commerce and Consumer Affairs submitted comments.

Your Committee finds that Act 198, Session Laws of Hawaii 2014, repealed the licensing and regulatory exemptions for individuals who offer or negotiate a residential mortgage loan with or on behalf of an immediate family member or for the individual's own residence. In restoring these exemptions, this measure expands the pool of potential buyers of residential real property by providing a financing alternative to traditional mortgage loans.

Your Committee notes that it has received testimony raising concerns that the exemptions restored by this measure would weaken consumer protections, based upon past examples of seller financing arrangements. However, your Committee observes that several other states have adopted similar exemptions without any erosion of consumer protections.

Your Committee has amended this measure by changing the effective date to January 1, 2112, to encourage further discussion on the measure.

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 H.B. No. 1017, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1017, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 552 Consumer Protection & Commerce on H.B. No. 1512

The purpose of this measure is to reduce the State's reliance on imported fossil fuels and decrease long-term energy costs by:

- (1) Updating and extending the renewable portfolio standard goals to include a 70 per cent renewable energy goal by December 31, 2035, and a 100 per cent renewable energy goal by December 31, 2045; and
- (2) Establishing performance-based criteria for electric utility companies to meet.

The Hawaii Solar Energy Association, Blue Planet Foundation, and Democratic Party of Hawaii supported this measure. The Hawaiian Electric Company Inc., Maui Electric Company, and Hawaii Electric Light Company supported the intent of this measure. The Department of Business, Economic Development, and Tourism; Public Utilities Commission; and the Division of Consumer Advocacy of the Department of Commerce and Consumers Affairs commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the requirement that electric utility companies divest utility-owned generation to independent generators at a rate to achieve 90 per cent divestiture by 2050 as one of the performance criteria;
- (2) Changing the effective date to January 1, 2112, 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1512, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1512, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 553 Consumer Protection & Commerce on H.B. No. 619

The purpose of this measure is to protect the public interest by:

- (1) Establishing standards to evaluate a proposed merger, acquisition, or consolidation of an electric utility; and
- (2) Affording a reasonable opportunity for public participation in the evaluation process.

The Alliance for Solar Choice, Hawaii Solar Energy Association, League of Women Voters, and numerous individuals testified in support of this measure. NextEra Energy, Hawaiian Electric Company and its subsidiaries, Hawaii Electric Light Company, Maui Electric Company, and one individual testified in opposition to this measure. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, Puna Pono Alliance, Hawaii Renewable Energy Alliance, Life of the Land, and several individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing certain public utility transactions from the types of transactions that require an order of authorization;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that this measure may not apply to the NextEra merger and respectfully asks your Committee on Finance to further examine this issue.

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 H.B. No. 619, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 619, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 554 Consumer Protection & Commerce/Judiciary on H.B. No. 730

The purpose of this measure is to address the need for public participation opportunities for neighbor island residents who are impacted by changes to the Hawaii Administrative Rules by requiring:

- (1) State agencies to hold public hearings in the county or counties that are primarily impacted by the proposed adoption, amendment, or repeal of any administrative rule; and
- (2) At least one public hearing with thirty days' notice on each island where the proposed rule will likely have a significant monetary impact on residents or communities.

The Council Chair of the Maui County Council, member of the Maui County Council, Department of Environmental Management of the County of Hawaii, and an individual testified in support of this measure. Hawaii Association of REALTORS testified in support of the intent of this measure. The League of Women Voters testified in opposition to this measure. The Office of Information Practices provided comments on this measure.

Your Committees have amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

Your Committees respectfully request that your Committee on Finance further examine the fiscal impacts of the requirements in this 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 H.B. No. 730, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 730, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 555 Consumer Protection & Commerce on H.B. No. 926

The purpose of this measure is to update title 24, Hawaii Revised Statutes (HRS), relating to insurance by:

- (1) Clarifying that the rerating of rates approved by the Insurance Commissioner is prohibited;
- (2) Permitting the suspension, revocation, or denial of a mutual benefit society's certificate of authority under certain conditions;
- (3) Making housekeeping amendments to chapter 431M, HRS, by:
 - (A) Amending its title to replace the reference to "drug abuse treatment" to "substance use disorder treatment";
 - (B) Referring to "partial hospitalization" instead of "partial hospitalization services" because the term "partial hospitalization services" no longer exists in chapter 431M, HRS; and
 - (C) Repealing the definition of "serious mental illness" since there are no references to this term in chapter 431M, HRS; and
- (4) Amending the definition of "emergency services" to include severe pain to conform to the federal Patient Protection and Affordable Care Act.

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

Your Committee amended this measure by narrowing the definition of "partial hospitalization" by inserting the word "licensed" in front of the term "marriage and family therapist" to mean marriage and family therapist, which are licensed in the State. In addition, technical, nonsubstantive amendments were made for the purposes of 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 H.B. No. 926, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 926, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Creagan and Har.

SCRep. 556 Consumer Protection & Commerce on H.B. No. 745

The purpose of this measure, as received by your Committee, is to remove the uncertainty of what happens to a person's online assets when the person dies and to provide the personal representative of the person's will with access to the person's online accounts when the passwords are not in the personal representative's possession.

The Commission to Promote Uniform Legislation testified in support of this measure. The American Civil Liberties Union, Uniform Law Commission, and State Privacy & Security Coalition testified in opposition to this measure.

Your Committee has amended this measure by deleting its contents and inserting provisions from the Uniform Fiduciary Access to Digital Assets Act. As amended, this measure:

- (1) Specifies that the new chapter be cited as the Uniform Fiduciary Access to Digital Assets Act;
- (2) Amends, adds, and removes definitions to conform to the Uniform Law Commission's approved Uniform Fiduciary Access to Digital Assets Act;
- (3) Specifies who the Uniform Fiduciary Access to Digital Assets Act applies to;

- (4) Clarifies access by a personal representative, conservator, agent, or trustee to digital assets of a decedent;
- (5) Clarifies fiduciary authority relative to digital assets;
- (6) Clarifies compliance requirements relative to custodians;
- (7) Specifies that a custodian and its officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with the Uniform Fiduciary Access to Digital Assets Act;
- (8) Clarifies the relationship between the Uniform Fiduciary Access to Digital Assets Act and the federal Electronic Signatures in Global and National Commerce Act; and
- (9) Changes the effective date to July 1, 2112, to encourage further discussion.

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 H.B. No. 745, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 745, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 557 Consumer Protection & Commerce on H.B. No. 1126

The purpose of this measure is to require the State Procurement Office to establish a statewide procurement database, accessible to each governmental body and consisting of data relating to any procurement contract provided by each governmental body. The measure also appropriates moneys to fund this purpose.

The Ulupono Initiative and the Hawaii Operating Engineers Industry Stabilization Fund provided testimony in support of this measure. The State Procurement Office and the Department of Budget and Fiscal Services, City and County of Honolulu, provided comments.

Your Committee has amended this measure by:

- (1) Removing the language that would have created a new statutory section in chapter 103D, Hawaii Revised Statutes, establishing a statewide procurement database; and
- (2) Inserting new language that:
 - (A) Adds a purpose clause to clarify the measure's purpose of strengthening the centralized State Procurement Office's oversight authority for all government contracts in the State;
 - (B) Transfers the Procurement Compliance Audit Unit from the Office of the Auditor to the State Procurement Office, subject to periodic audits by the Office of the Auditor;
 - (C) Tasks the Compliance Audit Unit with establishing a database of meaningful statewide procurement data;
 - (D) Directs officers and employees of the State and each county to cooperate with the information gathering and research activities of the Unit involving contract data;
 - (E) Directs Chief Procurement Officers to coordinate with the State Procurement Administrator regarding procurement policy and to report contract data;
 - (F) Clarifies the State Procurement Office Administrator's duty to serve as a liaison to the Policy Board and Chief Procurement Officers on procurement policy matters and to represent the Compliance Audit Unit to legislative and policy-making bodies; and
 - (G) Requires contract modifications, change orders, or adjustment in contract price in specified circumstances to be submitted to the Chief Procurement Officer for approval, then to the State Procurement Officer Administrator for notification; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1126, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1126, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 558 Judiciary on H.B. No. 630

The purpose of this measure is to prohibit corporate election contributions, expenditures, or independent expenditures except in accordance with the will of a majority of the corporation's shareholders.

A concerned individual testified in support of this measure. Common Cause Hawaii supported the intent of this measure. The Department of the Attorney General and Campaign Spending Commission testified in opposition.

Your Committee has amended this measure, in light of the testimony received, by deleting its contents and inserting provisions requiring noncandidate committees to report the names and titles of the executives or members of the board of directors who authorized a contribution or expenditure.

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 H.B. No. 630, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 630, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 559 Judiciary on H.B. No. 290

The purpose of this measure is to appropriate funds for operating and capital improvement costs of the Judiciary for the fiscal biennium beginning July 1, 2015, and ending June 30, 2017.

The Judiciary testified in support of the bill and provided proposed amendments for consideration by the Committee.

The Legal Aid Society of Hawaii and Volunteer Legal Services Hawaii testified in support of restoring funding for legal services through Purchase of Service funds.

Domestic Violence Action Center testified in support of stable funding for domestic violence services.

The Office of the Prosecuting Attorney, County of Hawaii; West Hawaii Bar Association; Hawaii State Bar Association; and several concerned individuals testified in support of the capital improvement project for the Kona Judiciary Complex.

Your Committee considered the request by the Judiciary for program appropriations and capital improvement projects.

Your Committee amended this measure to:

- (1) Provide funding for mediation, family law services, Children's Justice Center, adult and juvenile legal services, such as the Legal Aid Society of Hawaii and Volunteer Legal Services, and domestic violence legal service providers, such as the Domestic Violence Action Center;
- (2) Increase the appropriation by 15 percent for the purchase of service contracts for fiscal year 2015-2016;
- (3) Reduce the number of new permanent positions from 75 to 22 new permanent positions in fiscal year 2015-2016 and to 24 positions in fiscal year 2016-2017; and
- (4) Eliminate six capital improvement project requests: Kaahumanu Hale Fire - Alarm Upgrade and Improvements; Kaahumanu Hale - Elevator Systems Upgrade and Modernization; Kaahumanu Hale - Basement Leak Repairs and Improvements; Kaneohe District Court Facility - Generator Back-up System; Kauikeaouli Hale - New Fire Suppression System for the Judiciary Central Data Center; and Kauai Judiciary Complex - Building Exterior Remedial Improvements.

Your Committee strongly supports the Kona Courthouse project. However, it is concerned that the current budget constraints may limit the project's ability to plan for long-term energy efficiency. Your Committee respectfully requests that the Committee on Finance together with the Judiciary:

- (1) Consider a larger appropriation to allow for the construction of a more energy efficient building that may be slightly more expensive to build, but will save the State money in the longrun;
- (2) Extend the date on which the \$35,000,000 in funding provided in Act 133, Session Laws of Hawaii 2013 will lapse from June 30, 2016 to a later date; and
- (3) Consider an alternative to enable the project to be incrementally funded, but bid and contracted as a single request for proposal and contract, because not all funds will be expended in the first year.

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 H.B. No. 290, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 290, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 560 Judiciary on H.B. No. 813

The purpose of this measure is to amend the fair treatment law by:

- (1) Separating out certain limitations placed on task force members from those placed on legislators; and
- (2) Clarifying that legislators are not prohibited from taking action in the exercise of a legislator's legislative functions.

The State Ethics Commission; League of Women Voters Hawaii; Common Cause Hawaii; and a concerned individual supported this measure.

Your Committee has amended this measure by changing the effective date to upon approval.

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 H.B. No. 813, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 813, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 561 Judiciary on H.B. No. 1491

The purpose of this measure is to require SuperPACs to report, for contributions received from or made to an entity that is not an individual or business, whether the entity is subject to any state or federal disclosure reporting requirements and to provide the internet address where that entity's report can be accessed or, alternatively, the name, address, occupation, and employer of each funding source to that entity.

The League of Women Voters of Hawaii provided testimony in support of this measure. The Department of the Attorney General and the Campaign Spending Commission provided testimony supporting the intent of this measure.

Your Committee finds that noncandidate committees that make only independent expenditures, or SuperPACs, may use multiple and repeated transactions to hide the true source of the contribution. Hawaii's disclosure requirements are not designed to detect and uncover these layers of transactions since only the name of the first level of contributor to a SuperPAC, often another SuperPAC, is required to be reported with the State Campaign Spending Commission. When the names of SuperPACs are meaningless or misleading, the State's disclosure laws aimed at transparency are circumvented. For example, in the 2014 election cycle, contributions totaling around \$8,000,000 were received by 29 SuperPACs registered in Hawaii. Two of the top ten SuperPACs in Hawaii received contributions solely from other SuperPACs, which included a \$2,200,000 contribution from an entity that is not required to report in Hawaii. Also, three of the top ten SuperPACs in Hawaii were registered at the same address, made contributions amongst each other, and the origin of their funds are entities with unknown contributors. This can result in an electorate uninformed about the funders seeking to influence their vote.

Your Committee further finds that in order to increase transparency and accountability, deter corruption, and strengthen confidence in the election process by providing public access to information about who is the true source of campaign contributions made to SuperPACs, the State's campaign finance laws must be amended.

Your Committee has amended this measure by:

- (1) Requiring SuperPACs to provide for large contributions received from an entity that is not an individual, for-profit business entity, or labor union, the internet address where the entity's disclosure report can be accessed;
- (2) Alternatively, allowing the SuperPac to provide the name, address, occupation, and employer of each funding source to that entity, or state that the contributing entity is not subject to any state or federal disclosure reporting requirements; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 1491, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1491, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 562 Judiciary on H.B. No. 1408

The purpose of this measure is to address questions regarding the responsibility for the repair and maintenance of privately owned highways. Specifically, this measure confers the responsibility for the construction, reconstruction, preservation, resurfacing, restoration, and rehabilitation of a privately owned highway to a county if the privately owned highway has been surrendered to the county or where the highway has been used by the public without restriction and has a history of maintenance by the county or State.

Bank of Hawaii and a concerned individual testified in support of the measure. The City and County of Honolulu and a member of the County Council, County of Maui testified in opposition.

Your Committee has amended this measure to specify that:

- (1) An "abandoned road," where there has been no act of ownership in the past five years, is automatically surrendered to the counties, except where the State notifies the county within thirty days that the State will accept the road;
- (2) An act of ownership does not include driving on the road;
- (3) Any resident or land owner situated adjacent to the road may notify the county that the road is abandoned. The county shall take ownership of the road or within six months identify the owner and prove ownership; and
- (4) The State and counties are exempt from:
 - (a) Any requirement to perform maintenance on a surrendered road;
 - (b) Any liability for not maintaining the road;
 - (c) Any liability for maintenance performed prior to assuming ownership, even if they choose to perform maintenance; and
 - (d) Any requirement to upgrade the road to current standards (i.e. width, camber).

Your Committee has also amended the preamble to reflect the purpose of the measure. It has also made 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 H.B. No. 1408, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1408, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 563 Judiciary on H.B. No. 124

The purpose of this measure is to require the Office of Elections to implement elections by mail beginning with a primary election in a year to be specified and thereafter, in all federal, state, and county elections. This measure sets the minimum number of voter service centers per county and island and specifies the services to be provided the voters at those centers.

The Office of Hawaiian Affairs testified in support of the measure. The Office of Elections, Common Cause Hawaii, and League of Women Voters of Hawaii testified in support and provided comments and recommendations. Office of the County Clerk, County of Kauai; Office of the County Clerk, County of Maui provided comments and recommendations. A concerned individual testified in opposition.

Your Committee has amended this measure to:

- (1) Require an all-mail election in only one county for the 2016 election and adopt an Office of Elections recommendation that the all-mail election start with Kauai County in 2016;
- (2) Adopt the Office of Elections' recommendation to update the current vote-by-mail statute including the allocation of election expenses between the State and counties, but require Office of Elections to be responsible in all elections for mailing, processing, and tabulating the ballots to avoid duplication of costs;
- (3) Clarify definitions and usage of terms, including, "voter service center," "polling place," "precinct," and "absentee polling place;"
- (4) Insert language to prohibit premature disclosure of results while allowing returned ballots to be counted in advance of election day;
- (5) Allow the Office of Elections and the individual counties to determine the appropriate number of voter service centers, and delete the minimum number of centers in the bill;
- (6) Adopt the Office of Elections' recommendation to allow electronic transmission of ballots in instances where the voter did not receive the ballot by mail;
- (7) Allow voter service centers to be open on election day;
- (8) Require the Office of Elections to submit an annual report specific to the all-mail voting system for the next four years; and
- (9) Make 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 H.B. No. 124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 124, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 564 Judiciary on H.B. No. 1183

The purpose of this measure is to establish a comprehensive public funding program for candidates for the offices of state senator and representative, beginning with the 2016 elections.

This measure also:

- (1) Repeals the eligibility of candidates for state senator and representative for public funds under the existing partial public financing program for election candidates; and
- (2) Appropriates funds to the Campaign Spending Commission to prepare for the public funding of candidates under this measure, including funds for staff support.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Americans for Democratic Action, Open Law Alliance, and nine individuals. The Libertarian Party of Hawaii opposed this measure. The Campaign Spending Commission and the League of Women Voters of Hawaii submitted comments.

Your Committee has amended this measure by replacing the contents of section 1, which establishes the comprehensive public funding program, with similar provisions modeled after the contents of House Bill No. 2533, House Draft 1, 2014. As amended, section 1 of the measure establishes a comprehensive public funding program for candidates for the offices of state senator and representative that, among other things:

- (1) Permits individuals seeking to qualify for public funding to raise seed money of up to \$3,000 to determine their viability as publicly funded candidates;
- (2) Requires candidates for state senate to obtain at least four hundred signatures from registered voters in the district accompanied by a \$5 contribution from each of the signatories to qualify for public funding, and candidates for state representative to obtain at least two hundred signatures with a \$5 contribution from each of the signatories;
- (3) Allows qualifying contributions to be made in cash, in addition to check or money order, and requiring a signed affirmation:
 - (A) Stating that the contribution was made from the contributor's own funds and that nothing of value was received in exchange for the contribution; and

- (B) Acknowledging that violation of the public funding requirements may result in an administrative fine or criminal prosecution;
- (4) Permits candidates who are certified for public funding to raise supplemental contributions from Hawaii residents of up to \$50 per contributor;
- (5) Requires the Campaign Spending Commission, in each odd-numbered year, to publish notice statewide of whether there is sufficient funding to operate the public funding program in the next general election year;
- (6) Expressly requires publicly funded candidates to comply with all campaign finance laws in addition to the requirements of the comprehensive public funding program; and
- (7) Makes technical amendments for the purposes of clarity, conformity, 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 H.B. No. 1183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1183, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 565 Judiciary on H.B. No. 327

The purpose of this measure is to place restrictions on the solicitation and acceptance of campaign contributions by a state legislator, their employees, or a person acting on behalf of the legislature during legislative sessions.

Specifically, this measure:

- (1) Prohibits legislators, their employees, or a person acting on behalf of the legislator from conducting fundraisers during regular and special sessions, including recess days, holidays, weekends, or extensions to any legislative session;
- (2) Provides an exemption to contributions postmarked prior to the commencement of a regular or special session; and
- (3) Repeals the \$25 contribution threshold from the definition of "fundraiser".

Your Committee received testimony in support of this measure from Common Cause Hawaii, Open Law Alliance, Hawaii Women's Coalition, and six concerned individuals. The Campaign Spending Commission submitted comments on this measure.

Your Committee finds that there is a concern that fundraisers held by legislators while the Legislature is in session provides an undue opportunity for lobbyists to influence public policy. However, the measure as received by your Committee is overly broad in its scope and may be unnecessarily restrictive. Consequently, in order to strengthen the public's confidence in the legislative process and to avoid situations that may be colored by impropriety, this measure has been amended to prohibit certain fundraising activity during key legislative deadlines.

Specifically, your Committee has amended this measure by:

- (1) Removing the amendment to the definition of the term "fundraiser";
- (2) Prohibiting fundraisers for legislators within one week prior to the following deadlines of regular sessions:
 - (A) First lateral filing;
 - (B) First decking;
 - (C) Second lateral filing;
 - (D) Second decking; and
 - (E) Final decking;
- (3) Authorizing legislators to receive contributions during other, non-prohibited periods of a regular or special session; and
- (4) Making technical nonsubstantive amendments for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 327, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 327, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 566 Education on H.B. No. 14

The purpose of this measure is to reduce the disparity in the number of student instructional hours received by students who attend different public schools by:

- (1) Requiring that beginning with the 2015-2016 school year, all public secondary schools, excluding charter schools and multi-track public schools, must implement a school year that includes 990 student instructional hours;

- (2) Repealing the requirement that for the 2016-2018 school years, all public schools, excluding charter schools and multi-track public schools, must implement a school year of 180 days that includes 1,080 student instructional hours for both elementary and secondary school grades; and
- (3) Providing that "student instructional hours" are to be defined by the Board of Education in consultation with the exclusive representatives of the appropriate bargaining units.

The Hui for Excellence in Education and several concerned individuals supported this measure. IMUAlliance supported the measure with amendments. The Hawaii State Teachers Association, Hawaii State AFL-CIO, and numerous concerned individuals opposed the measure. The Department of Education and several concerned individuals submitted comments.

Your Committee has amended this measure by:

- (1) Changing all references to "student instructional hours" to "student hours";
- (2) Restoring the requirement that for the 2016-2018 school years, all public schools, excluding charter schools and multi-track public schools, must implement a school year of 180 days that includes 1,080 student hours for both elementary and secondary school grades; and
- (3) Making conforming amendments and technical, nonsubstantive amendments.

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 H.B. No. 14, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 14, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ichiyama and Ito.

SCRep. 567 Tourism on H.B. No. 379

The purpose of this measure is to assist with the financing of a new hospital facility for the West Hawaii community by authorizing the issuance of general obligation bonds for that purpose and allocating a portion of the Transient Accommodations Tax to offset costs related to the bond issuance, including interest and debt service.

The Hawaii Tourism Authority opposed this measure. The Department of Budget and Finance, State-County Functions Working Group, Hawaii Health Systems Corporation Corporate Board of Directors, and the Tax Foundation of Hawaii offered comments.

Your Committee notes that the Auditor and the Department of Land and Natural Resources suggested that it would be prudent to defer decisions on Transient Accommodations Tax legislation introduced this year to the second year of the 28th State Legislature so the State-County Functions Working Group can complete its work and report its findings and recommendations prior to the 2016 Regular Session. Although your Committee acknowledges this concern, your Committee recommends that this measure proceed through the legislative process to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 379, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 568 Tourism on H.B. No. 1194

The purpose of this measure is to allow agricultural commerce, rather than agricultural tourism, in an agricultural district, and repeal the counties' responsibility to adopt appropriate ordinances before permitting agricultural tourism activities in an agricultural district.

The Hawaii Farm Bureau Federation opposed this measure. The Department of Agriculture and Office of Planning offered comments.

Your Committee has amended this measure by changing its effective date to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1194, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1194, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 569 Consumer Protection & Commerce on H.B. No. 702

The purpose of this measure is to help prevent cruelty to and neglect of pet dogs by:

- (1) Extending criminal liability to the owner of a dog that has been deprived of sustenance;
- (2) Requiring notification of a change of ownership when a dog who is licensed is transferred; and
- (3) Requiring persons holding a dog license to provide microchip information.

Numerous concerned individuals supported this measure. The Hawaiian Humane Society supported the intent of this measure. The Pacific Pet Alliance and a few concerned individuals opposed this measure. A concerned individual provided comments.

Your Committee intends that this measure aid in locating those responsible for abuse or neglect of a dog, but notes that this measure may have the unintended consequence of deterring people from micro-chipping their dogs.

Your Committee has amended this measure by:

- (1) Specifying that a person who does not give proper notice of the transfer of a dog may be liable for acts of animal cruelty, rather than mandating that they shall be liable;
- (2) Deleting the provision that a person who finds a dog running at large and turns it over to the proper authorities will not be considered to have abandoned the dog;
- (3) Amending the definition of the term "owner" to include the person who most recently held the license on the dog; and
- (4) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 702, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 702, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 570 Consumer Protection & Commerce on H.B. No. 1467

The purpose of this measure is to amend policy and insurer requirements for the Hawaii Health Connector (the Connector) by, among other things:

- (1) Authorizing the Connector to offer large group coverage to insurers, beginning January 1, 2017;
- (2) Mandating insurers having a small group market share in the State that exceeds twenty percent to offer coverage through the Connector;
- (3) Encouraging full participation in the Connector by prohibiting the issuance of transitional renewal policies beginning January 1, 2016, and expanding notice requirements for group health plans offering continuation coverage;
- (4) Expanding the small business market in the Connector by increasing the number of employees needed to qualify as a "small employer" from 50 to 100, pursuant to federal law;
- (5) Requiring health insurers offering qualified plans to offer federally-qualified health centers the opportunity to contract for services covered by the qualified plan; and
- (6) Requiring health insurers with a greater than 20 percent share of the State's small group health insurance market to offer at least one silver and at least one gold qualified health plan as a condition of participation in the individual market of the Connector.

The Hawaii Primary Care Association testified in support of this measure. The Chamber of Commerce of Hawaii and Hawaii Medical Service Association testified in opposition to this measure. The Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs, and Hawaii Health Connector provided comments.

Your Committee has amended this measure by changing the requirement for health insurers with greater than 20 percent share of the State's small group health insurance market to offer at least one gold and one platinum qualified health plan, as a condition of participation in the individual market of the Connector.

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 H.B. No. 1467, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1467, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Yamane and McDermott.

SCRep. 571 Health on H.B. No. 458

The purpose of this measure is to improve the overall health of the population in the State and reduce the incidence of cervical and other cancers by requiring the Department of Education, in collaboration with the Department of Health, to develop, and disseminate to the parents or guardians of all public school students entering the sixth grade, accurate, educational information on:

- (1) Human papillomavirus;
- (2) The connection between human papillomavirus and cervical cancer and human papillomavirus and other cancers and diseases; and
- (3) The availability of vaccines against human papillomavirus.

The Hawaii State Commission on the Status of Women, American Association of University Women – Hawaii, Hawaii Women's Coalition, Hawaii Youth Services Network, Planned Parenthood of Hawaii, Democratic Party of Hawaii, Healthy Mothers Healthy Babies Coalition of Hawaii, and several individuals supported this measure. The Department of Education supported the intent of this measure. Two individuals opposed this measure. The Department of Health submitted comments.

Your Committee has amended this measure by:

- (1) Changing the type of health issues each public school is required to provide information on to each parent or guardian of a student entering the sixth grade;
- (2) Requiring the Department of Health, rather than the Department of Education to develop the information;
- (3) Requiring the Department of Health to develop the information based on recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;
- (4) Changing the effective date to July 1, 2050, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 458, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 458, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee.

SCRep. 572 Health on H.B. No. 631

The purpose of this measure is to establish the documentation required when requesting the Department of Health (Department) to issue a new birth certificate with a sex designation change.

The Hawaii State Commission on the Status of Women, Hawai'i Civil Rights Commission, American Civil Liberties Union of Hawaii, Gay Lesbian Bisexual and Transgender Caucus, Democratic Party of Hawai'i, Equality Hawai'i, Pride at Work Hawaii, Rainbow Family 808, Community Alliance on Prisons, and many concerned individuals supported this measure. The Hawaii Catholic Conference, Hawaii Family Advocates, Hawaii Family Forum, and several concerned individuals opposed this measure. The Department of the Attorney General, Department of Health, and a concerned individual provided comments.

Your Committee has amended this measure by:

- (1) When establishing a new certificate of birth with a sex designation change, requiring an affidavit, instead of a statement, attesting to the need for the change, and specifying that a licensed mental health provider is also authorized to submit the affidavit;
- (2) Deleting new language regarding the establishment of a cause of action arising from the Department's refusal to issue a new birth certificate;
- (3) Changing its effective date to July 1, 2050, to facilitate discussion; and
- (4) Making technical, nonsubstantive changes for the purposes of 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 H.B. No. 631, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 631, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 573 Health/Judiciary on H.B. No. 321

The purpose of this measure is to establish a system of medical marijuana dispensaries and production centers in the State.

Specifically, this measure:

- (1) Establishes licensing and regulatory schemes for the operation of dispensaries and production centers;
- (2) Requires the Department of Health to engage in public education and training regarding medical marijuana;
- (3) Allows the manufacture of certain medical marijuana products;
- (4) Requires the Department of Health to establish standards regarding the advertising and packaging of medical marijuana products;
- (5) Requires the Department of Health to adopt rules regarding:
 - (a) The number of dispensaries and production centers that shall be permitted to operate;
 - (b) A fee structure for the submission of applications and renewal of licenses to operate dispensaries and production centers;
 - (c) Any specific requirements regarding annual audits and reports pertaining to each licensed dispensary and production center;
 - (d) Security requirements for the operation of production centers and dispensaries;
 - (e) Standards and criminal background checks for operators and employees of dispensaries and production centers;
 - (f) Training and certification of operators and employees of dispensaries and production centers;

- (g) The types of medical marijuana products that may be manufactured and distributed;
 - (h) Standards and methodologies related to testing medical marijuana products for content, contamination, and consistency;
 - (i) Dispensary and production center inventory controls to prevent the unauthorized diversion of marijuana;
 - (j) The enforcement of prohibitions against the sale or provision of medical marijuana to unauthorized persons;
 - (k) Any limitations to the size or format of signs placed outside a dispensary or production center; and
 - (l) Penalties for violations;
- (6) Requires dispensaries and production centers to comply with all county zoning ordinances, rules, or regulations; specifies that production centers shall be permitted in areas where agricultural production is permitted and dispensaries shall be permitted in areas where pharmacies are permitted; and prohibits dispensaries and production centers within five hundred feet of a public school;
 - (7) Requires dispensaries and production centers to allow inspections and have annual financial audits conducted;
 - (8) Requires the Department of Health to annually report to the governor and the legislature on the establishment and regulation of dispensaries and production centers;
 - (9) Specifies that qualifying patients and primary caregivers shall retain the authority to grow an adequate supply of medical marijuana;
 - (10) Requires the Department of Health to initiate dialogue with federal and state agencies to identify processes and policies to ensure the privacy of patients and compliance with state laws and regulations;
 - (11) Prohibits counties from prohibiting the use of land for dispensaries and production centers;
 - (12) Provides that the medical marijuana registry special fund shall include sub-accounts for the deposit of licensing fees collected from dispensaries and production centers, and re-names the special fund the medical marijuana registry and regulation special fund;
 - (13) Establishes affirmative defense protections for an owner or employee of a licensed dispensary or production center to a prosecution involving marijuana;
 - (14) Clarifies that qualifying medical marijuana patients and primary caregivers may transport medical marijuana in any public place;
 - (15) Appropriates \$510,000 in general funds into and out of the medical marijuana registry and regulation special fund for five full-time positions in the Department of Health to support the medical marijuana dispensary program; and
 - (16) Requires the Department of Health to establish and commence a plan and schedule to repay the funds appropriated to the medical marijuana registry and regulation special fund.

The American Civil Liberties Union of Hawaii, Americans for Democratic Action, Americans for Safe Access - Big Island Chapter, Community Alliance on Prisons, Drug Policy Action Group, Drug Policy Forum of Hawaii, Epilepsy Foundation, Green Futures, Hawaii Cannabis Care, Hawaii Safe Access Group, Hawaiian Standard, Libertarian Party of Hawaii, Natural Cancer Wellness, and seventy-four individuals submitted testimony in support of this measure.

The Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, Maui Police Department, Coalition for a Drug-Free Hawaii, Hawaii Building and Construction Trades Council, Hawaii Catholic Conference, Hawaii Family Advocates, Kaloko Rentals and Services LLC, Laulima Pacific Inc., and thirty-nine individuals submitted testimony in opposition to this measure.

The Department of the Attorney General, Office of the Auditor, Hawaii County Police Department, Hawaii Substance Abuse Coalition, Hui Kahu Malama Puhipono, and one individual submitted comments.

Your Committees find that establishing a comprehensive licensing scheme for medical marijuana dispensaries and production centers and clarifying the right of qualifying patients and primary caregivers to possess marijuana in a public place will ensure that:

- (1) Qualifying patients who benefit from the use of medical marijuana have legal access to marijuana that is tested and labeled to provide information about quality and potency;
- (2) Adequate security measures are instituted to prevent the diversion of medical marijuana to unauthorized consumers, including children;
- (3) Qualifying patients and primary caregivers are able to legally transport medical marijuana to and from places where it may legally be used; and
- (4) The ability of qualifying patients and primary caregivers to grow an adequate supply of medical marijuana, if they are able and so choose, is protected.

Your Committees have amended this measure by:

- (1) Adding a definition of "manufactured marijuana product" to define those products as capsules, lozenges, oils, or pills, and limiting the types of manufactured marijuana products that may be manufactured or distributed to those that meet the definition;
- (2) Clarifying that the Department of Health shall "offer", rather than "grant", a minimum number of licenses to qualified dispensary and production center applicants by dates certain;

- (3) Allowing the Department of Health to begin offering licenses to production centers on July 1, 2016, rather than January 1, 2017;
- (4) Requiring that a manufacturer of marijuana products calculate the equivalent physical weight of the marijuana that is used to manufacture the product and make the equivalency calculations available to the Department of Health and to consumers of the product;
- (5) Requiring the inclusion of equivalency weight information on packaging of manufactured marijuana products, in order to provide an equivalency basis for statutory limitations on the amount of marijuana that may be purchased or possessed;
- (6) Adding minimum requirements for rules pertaining to security for the inter-island transportation of marijuana or manufactured marijuana products;
- (7) Specifying that the amount of marijuana and equivalent amount of manufactured marijuana products that may be obtained from a dispensary is limited to a combined total of four ounces in a period of fifteen consecutive days and eight ounces in thirty consecutive days;
- (8) Adding minimum requirements for rules pertaining to inventory controls, to prevent purchases of unauthorized amounts of marijuana and manufactured marijuana products;
- (9) Prohibiting a medical marijuana purchaser from withholding information about previous purchases from other dispensaries in order to obtain unauthorized amounts of marijuana or manufactured marijuana products;
- (10) Adding specific provisions for the suspension and revocation of dispensary and production center licenses;
- (11) Prohibiting the establishment of a dispensary or production center within seven hundred and fifty feet of a playground, public housing project or complex, or school, and defining those facilities;
- (12) Amending the definition of "adequate supply" in section 329-121, Hawaii Revised Statutes, to include manufactured marijuana products and marijuana equivalencies within the four-ounce limitation of an adequate supply;
- (13) Changing the appropriation amount to an unspecified sum, and changing the number of full-time equivalency positions to be established to an unspecified number; and
- (14) Specifying that the appropriation shall take effect on July 1, 2050.

Should the Committee on Finance deliberate this measure further, your Committees respectfully request that it consider methods of ensuring that the Department of Health has sufficient funds and resources to regulate a system of medical marijuana dispensaries and production centers. Your Committees note that, according to the Department of Health's projections, appropriations in the amount of \$510,000 for fiscal year 2015-2016 and the same amount in fiscal year 2016-2017, and the addition of five full-time equivalency positions should be sufficient for the department to regulate the system.

Your Committees also note that the Medical Marijuana Dispensary System Task Force recommended that medical marijuana dispensaries and production centers be subject to the general excise tax, as well as a licensing fee structure. Your Committees, however, have concerns that the revenues generated may not be sufficient to sustain a regulated system of medical marijuana dispensaries and cultivation centers. Accordingly, your Committees respectfully request that the Committee on Finance also consider whether other financing options, such as additional fee structures or taxing methodologies, are necessary to ensure that regulation of the system of medical marijuana dispensaries and production centers is self-sustaining.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 321, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 321, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Woodson and Tupola.
(Representative McDermott voted no.)

SCRep. 574 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 142

The purpose of this measure is to extend the sunset date for counties to issue affordable housing credits for affordable housing developed on Hawaiian home lands until July 1, 2021.

The Department of Hawaiian Home Lands and the Association of Hawaiian Civic Clubs supported this measure. The Land Use Research Foundation of Hawaii supported the intent of this measure. The Department of Planning and Permitting of the City and County of Honolulu opposed this measure.

Your Committee notes that although there was discussion about repealing the sunset date altogether, your Committee supports the extension of the date to 2021. The effective date of July 1, 2050, was retained in order to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 142, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Nishimoto, Pouha and Thielen.

SCRep. 575 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1297

The purpose of this measure is to legalize the practice of traditional Hawaiian-style burials by providing that preparation of a corpse for burial in a manner consistent with Hawaiian cultural customs and practices is not a violation of the penal code.

The Ko'olaupoko Hawaiian Civic Club, Ko'olau Foundation, and Ho'okipa Network, Kauai, supported this measure. The Office of Hawaiian Affairs, and Center for Hawaiian Sovereignty Studies supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1297 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Nishimoto, Pouha and Thielen.

SCRep. 576 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 720

The purpose of this measure is to make permanent the West Maui Ocean Recreation Management Area Advisory Committee and to add one member with a background in ocean safety.

Several concerned individuals supported this measure. The Department of Land and Natural Resources, Kaanapali Kai Charters, Ocean Tourism Coalition, Quicksilver Charters, and Frogman Charters opposed this measure.

Your Committee has amended this measure by:

- (1) Deleting the Advisory Committee members' exemption from Chapter 84, Hawaii Revised Statutes, as it applies only in the case of a temporary committee; and
- (2) Changing the effective date to December 24, 2088, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 720, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 720, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Nishimoto, Pouha and Thielen.

SCRep. 577 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1339

The purpose of this measure is protect marine resources by:

- (1) Creating administrative penalties for knowingly capturing, killing, or taking any shark or manta ray within state marine waters; and
- (2) Providing exemptions for native Hawaiian gathering rights and cultural practices, and for research or public safety reasons.

The Humane Society of the United States, Humane Society International, West Hawaii Humane Society, Animal Rights Hawai'i, Living Ocean Productions, and many individuals supported this measure. The Conservation Council for Hawai'i and an individual supported the intent of the measure. Several individuals opposed the measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Adding an exemption for any person who is protecting themselves from an attack by a shark;
- (2) Authorizing the Department of Land and Natural Resources to adopt rules for the protection of manta ray species; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that although the intent of the Committee is to provide protection to all rays that are threatened with extinction, this measure is limited by its title to encompass only manta rays.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1339, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1339, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Nishimoto, Pouha and Thielen.

SCRep. 578 Education on H.B. No. 832

The purpose of this measure is to allow a public charter school student who has been notified of the prospect of charter revocation or nonrenewal or school closure to enroll in a public school outside of the student's service area.

The State Public Charter School Commission, Hawaii Public Charter Schools Network, and Hawaii State Teachers Association testified in support of the measure.

Your Committee has amended the measure by changing the effective date to July 1, 2025.

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 H.B. No. 832, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 832, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito and Matsumoto.

SCRep. 579 Labor & Public Employment on H.B. No. 696

The purpose of this measure is to establish the Hawaii Healthcare Workforce Advisory Board to advise the Department of Labor and Industrial Relations in fulfilling the objectives for socio-cultural advancement relating to health under the Hawaii State Planning Act, specifically those relating to healthcare industry and workforce development.

The Department of Commerce and Consumer Affairs, University of Hawai'i, The Chamber of Commerce of Hawaii, 'Ohana Health Plan, and Hawai'i Association of Health Plans submitted testimony in support of this measure. The Department of Labor and Industrial Relations provided comments on this measure. One individual submitted testimony in opposition to this measure.

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 H.B. No. 696, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 580 Finance on H.B. No. 73

The purpose of this measure is to:

- (1) Authorize the issuance of general obligation bonds to finance capital improvement projects authorized in appropriation measures of the Executive Branch and the Judiciary; and
- (2) Make a declaration of findings with respect to the authorizations for the bonds as required under the Hawaii State Constitution.

The Department of Budget and Finance testified in support of this measure.

Article VII, section 13, of the Constitution of the State of Hawaii requires the Legislature to include a declaration of findings in every general law authorizing the issuance of general obligation bonds, which shall declare that the issuance of state bonds authorized will not cause the debt limit to be exceeded at the time of issuance.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 73 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 Pouha.

SCRep. 581 Finance on H.B. No. 78

The purpose of this measure is to reclassify the Department of Land and Natural Resources' Accrued Vacation and Sick Leave Fund as a trust fund as recommended by the Auditor in Report No.14-04.

The Office of the Auditor and Department of Land and Natural Resources testified in support of this measure. The Tax Foundation of Hawaii provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 78 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 Pouha.

SCRep. 582 Finance on H.B. No. 461

The purpose of this measure is to support the Office of Information Practices (Office) by:

- (1) Transferring the Office from the Office of the Lieutenant Governor to the Department of Accounting and General Services and establishing it as a permanent agency;
- (2) Clarifying the independence of the Office as an administratively attached agency and its attorneys as independent from the Department of the Attorney General;
- (3) Clarifying the employment status and the civil service exemption for Office personnel transferred by this Act; and
- (4) Appropriating funds to the Department of Accounting and General Services for positions to provide administrative support to the Office.

The Office of Information Practices and League of Women Voters Hawaii supported this measure. The Department of Accounting and General Services and a concerned individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 461 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 Pouha.

SCRep. 583 Finance on H.B. No. 707

The purpose of this measure is to repeal and abolish the following non-general funds and accounts per recommendations made by the Auditor in Report Nos. 14-04 and 14-13:

- (1) Cancer Detection Development Revolving Fund;
- (2) Hawaii Criminal Justice Commission Trust Account;
- (3) Preservation of Endangered Plants Trust Account; and
- (4) State DOD Physical Amelioration Donation Trust Fund.

The Office of the Auditor; Department of Defense; and Hawaii Strategic Development Corporation provided testimony in support of this measure. The Tax Foundation of Hawaii submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 707 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 Pouha.

SCRep. 584 Finance on H.B. No. 1366

The purpose of this measure is to appropriate funds to identify, plan, and acquire or build upon real property in urban Honolulu to provide office space for state governmental agencies and offices.

The Department of Accounting and General Services provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1366 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 Pouha.

SCRep. 585 Finance on H.B. No. 1486

The purpose of this measure is to change the assessment of the State Fuel Tax from a specified 17 cents per gallon to the greater of 17 cents per gallon or an unspecified percentage of the wholesale price per gallon to the retailer, subject to a minimum amount based upon the tax paid by certain retailers.

The Building Industry Association of Hawaii; Hawaii Petroleum, Inc.; and Aloha Petroleum, Ltd. submitted testimony in opposition to this measure. The Tax Foundation of Hawaii, Department of Transportation, and Department of Taxation provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1486 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 Pouha.
(Representative Ward voted no.)

SCRep. 586 Consumer Protection & Commerce on H.B. No. 269

The purpose of this measure is to adequately prepare students for the practice of professional psychology by expanding licensing requirements to include American Psychological Association accredited doctoral programs that provide training in scientific psychology and the foundations of practice.

Your Committee received testimony in support of this measure from the Hawaii Board of Psychology.

Your Committee finds that recognizing American Psychological Association accredited doctoral degree programs that provide training in scientific psychology and the foundations of practice will expand the scope of doctoral level education and internship training in professional psychology and allow for greater opportunities for licensure for psychologists in Hawaii.

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 H.B. No. 269 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 Kawakami, Lee, Takayama and Fukumoto Chang.

SCRep. 587 Consumer Protection & Commerce on H.B. No. 928

The purpose of this measure is to authorize the Public Utilities Commission to order the Consumer Advocate, rather than the Director of Commerce and Consumer Affairs, to appear in proceedings initiated by the Commission to enforce chapter 269, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Public Utilities Commission, the Department of Commerce and Consumer Affairs, and the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs.

Your Committee finds that Act 108, Session Laws of Hawaii 2014, designated the Executive Director of the Division of Consumer Advocacy, rather than the Director of Commerce and Consumer Affairs, as the Consumer Advocate. Your Committee believes that this housekeeping measure to update the reference to the Consumer Advocate in section 269-15(a), Hawaii Revised Statutes, is necessary to conform that section to the provisions of Act 108 and to avoid any ambiguity.

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 H.B. No. 928 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 Belatti, Nakashima, Yamane and McDermott.

SCRep. 588 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1275

The purpose of this measure is to designate the ‘ukulele and the pahu as the official ‘auana (modern) and kahiko (traditional) musical instruments of the State, respectively.

The Kapaa Middle School Ukulele Band, Center for Hawaiian Sovereignty Studies, and numerous concerned individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1275 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 Cachola, Ohno and Ward.

SCRep. 589 Judiciary on H.B. No. 87

The purpose of this measure is to shield process servers performing their legal duties from prosecution under criminal trespass statutes when they enter premises that are not secured by a fence or a locked gate.

The Department of Public Safety, AAA Legal Process Inc., and two concerned individuals testified in support of this measure.

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 H.B. No. 87 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 McDermott.

SCRep. 590 Judiciary on H.B. No. 1326

The purpose of this measure is to increase the threshold value for theft in the second degree, felony theft of property or services, from \$300 to \$750. The measure also provides for an automatic two percent annual increase of the threshold value.

The Office of the Public Defender, Community Alliance on Prisons, and several concerned individuals testified in support of the measure. The Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kaua‘i, Aloha Petroleum, Ltd., The Chamber of Commerce of Hawaii, Hawaii Food Industry Association, Retail Merchants of Hawaii, Kevin J. Mulkern ALLC, Inc., and several concerned individuals testified in opposition.

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 H.B. No. 1326 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 Nakashima, Woodson and McDermott.
(Representatives Kawakami and Thielen voted no.)

SCRep. 591 Finance on H.B. No. 171

The purpose of this measure is to appropriate funds for fiscal year 2015-2016 to be deposited into the Hurricane Reserve Trust Fund.

The Hawaii Association of Realtors submitted testimony in support of this measure. The Department of Budget and Finance provided comments on this measure.

Your Committee has amended the measure by:

- (1) Changing the appropriation to an unspecified amount to promote 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 H.B. No. 171, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 171, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 592 Finance on H.B. No. 172

The purpose of this measure is to appropriate funds for fiscal year 2015-2016 to be deposited into the Emergency and Budget Reserve Fund.

The Department of Budget and Finance submitted comments on this measure.

Your Committee has amended the measure by:

- (1) Changing the appropriation to an unspecified amount to promote 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 H.B. No. 172, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 172, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 593 Finance on H.B. No. 173

The purpose of this measure is to repeal and transfer the unencumbered balances of the following funds and accounts to the credit of the general fund:

- (1) Aloha Tower Fund;
- (2) Transportation Use Special Fund;
- (3) Amtrak Trust Account;
- (4) Hurricane Iniki Insurance Proceeds Special Fund; and
- (5) Deposits-Plans and Specifications Trust Account.

The Department of Transportation and the Office of the Auditor supported this measure. Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by removing the repeal of the Aloha Tower Fund. 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 H.B. No. 173, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 173, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 594 Finance on H.B. No. 886

The purpose of this measure is to reduce income inequality in Hawaii by:

- (1) Setting new income tax credit amounts claimable by low-income households through the refundable food/excise and low-income household renters tax credits; and
- (2) Extending the high-earner income tax brackets established by Act 60, Session Laws of Hawaii 2009, as amended, by an additional five years.

The Hawaii Primary Care Association, Neighborhood Place of Puna, Americans for Democratic Action, Hawaii Government Employees Association, Hawaii Alliance for Community-Based Economic Development, ILWU Local 142, Hawaii Women's Coalition, and many individuals testified in support of this measure. Hawaii Association of Realtors and Chamber of Commerce Hawaii opposed this measure. The Department of Taxation, Tax Foundation of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, IMUAlliance, Partners in Care, Catholic Charities Hawaii, League of Women Voters, Democratic Party of Hawaii, and PHOCUSED provided comments.

Your Committee has amended this measure by:

- (1) Increasing the low-income household renters tax credit from \$50 to \$75 per qualified exemption;
- (2) Setting new adjusted gross income thresholds for individuals qualifying for the low-income household renters tax credit; 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 H.B. No. 886, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 886, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 595 Finance on H.B. No. 1091

The purpose of this measure is to amend state income tax calculations by:

- (1) Increasing the standard deduction and allowable personal exemption amounts for all filing statuses; and
- (2) Increasing the number of exemptions that may be claimed by taxpayers who are 65 years of age or older and meet certain income requirements.

The Hawaii Primary Care Association and three individuals supported this measure. The Department of Taxation and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 H.B. No. 1091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1091, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 596 Finance on H.B. No. 1092

The purpose of this measure is to exclude income received from deferred compensation retirement plans from the state income tax for taxpayers who meet certain income requirements.

Three individuals provided testimony in support of this measure. The Department of Taxation and Tax Foundation of Hawaii submitted comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2030, to encourage further discussion, and 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 H.B. No. 1092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1092, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 597 Finance on H.B. No. 1102

The purpose of this measure is to require the Department of Taxation to conduct a study on modernizing the state tax collection system and submit a report to the Legislature.

The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended the measure by:

- (1) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 1102, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1102, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 598 Finance on H.B. No. 1179

The purpose of this measure is to require the Director of Taxation to annually adjust the standard deduction, income tax rate brackets, and personal exemption in response to increases in inflation until January 1, 2020. This measure also requires the Department of Taxation to report to the Legislature on the implementation and effectiveness of the adjustments made.

The ILWU Local 142, Laborers' International Union of North America Local 368, PHOCUSED, and Catholic Charities Hawaii submitted testimony in support of this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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 H.B. No. 1179, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1179, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 599 Finance on H.B. No. 1181

The purpose of this measure is to amend the state income tax law by increasing the amounts of the basic standard deduction and personal exemption, applying to taxable years after December 31, 2014.

The Laborers' International Union of North America Local 368 and ILWU Local 142 submitted testimony in support of this measure. The Department of Taxation, Tax Foundation of Hawaii, and Appleseed Center for Law and Economic Justice provided comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2030, to encourage further discussion and 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 H.B. No. 1181, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1181, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 600 Finance on H.B. No. 1182

The purpose of this measure is to amend the income tax credit for expenses for household and dependent care services necessary for gainful employment by changing the manner in which the taxpayer's applicable percentage of employment-related expenses is determined.

The ILWU Local 142, Hawaii Appleseed Center for Law and Economic Justice, and Laborers' International Union of North America Local 368 provided testimony in support of this measure. The Department of Taxation and Tax Foundation of Hawaii submitted comments on this measure.

Your committee has amended this measure by changing its effective date to July 1, 2030, to encourage further discussion, and 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 H.B. No. 1182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1182, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 601 Finance on H.B. No. 1295

The purpose of this measure is to increase the low-income housing tax credit to developers of affordable housing to one hundred percent of the qualified basis for each building located in Hawaii.

The Building Industry Association of Hawaii; Hawaii Appleseed Center for Law and Economic Justice; the Michaels Development Company; Go Maui, Inc.; Land Use Research Foundation of Hawaii; Pacific Resource Partnership; Stanford Carr Development, LLC; and a concerned individual submitted testimony in support of this measure. The Hawaii Housing Finance and Development Corporation; Department of Taxation; City and County of Honolulu Office of the Mayor; Chamber of Commerce Hawaii; and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 1295, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1295, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 602 Judiciary on H.B. No. 15

The purpose of this measure is to create a state-wide standard timeframe for the distribution of absentee voting ballots.

The Office of the City Clerk of the City and County of Honolulu, The League of Women Voters of Hawaii, and a concerned individual testified in support of this measure. The Office of the County Clerk of the County of Maui provided comments.

Your Committee has amended this measure to allow more time to process the absentee ballots for mailing by specifying that the absentee ballot may be mailed no earlier than thirty, rather than twenty-one, days before the election.

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 H.B. No. 15, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 15, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 603 Judiciary on H.B. No. 888

The purpose of this measure is to make it a petty misdemeanor for an intoxicated person to recklessly possess a loaded firearm.

Two concerned individuals testified in support of this measure. The Institute for Rational and Evidence-based Legislation and many concerned individuals testified in opposition. The Hawaii Rifle Association and several concerned individuals provided comments.

Your Committee has amended this measure to:

- (1) Clarify that possession of a loaded firearm means having immediate physical control of the firearm;
- (2) Clarify that intoxication for purposes of this measure is the same standard as for the prohibition of driving under the influence; and
- (3) Change the effective date to July 1, 2015.

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 H.B. No. 888, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 888, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 604 Judiciary on H.B. No. 1071

The purpose of this measure is to amend or repeal various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, and deleting obsolete or unnecessary provisions.

The Legislative Reference Bureau testified in support of this measure and recommended an amendment.

Your Committee has amended this measure to clarify the cross-reference to the United States Code in section 29 of this measure to more precisely reference the subject of trafficking in persons.

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 H.B. No. 1071, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1071, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 605 Consumer Protection & Commerce on H.B. No. 252

The purpose of this measure is to authorize a pharmacy benefit manager to establish a maximum reimbursement amount for a drug if the drug is available in the State at a unit price at or below that amount.

The Queen's Health Systems and Hawaii Community Pharmacy Association testified in support of this measure. CVC Health testified in opposition to this measure. The Hawaii Employer-Union Health Benefits Trust Fund, Express Scripts, and Hawaii Medical Service Association provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the language that authorizes a pharmacy benefit manager to establish a maximum reimbursement amount for a drug if the drug is available in the State at a unit price at or below that amount;
- (2) Inserting language that specifies:
 - (A) The requirements for a pharmacy benefit manager who reimburses a contracting pharmacy for a drug on a maximum allowable cost basis; and
 - (B) The minimum requirements for the process that allows a contracting pharmacy to appeal the maximum allowable cost for a drug on a maximum allowable cost list;
- (3) Changing its effective date to July 1, 2012, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that this measure is a work in progress. Not all members of the working group agreed upon the language of this measure. However, this measure is a vehicle to encourage further discussion.

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 H.B. No. 252, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 252, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Hashem, Oshiro and Yamane.

SCRep. 606 Judiciary on H.B. No. 295

The purpose of this measure is to establish a privilege that protects from disclosure as evidence:

- (1) The identity of the source of information of a journalist or newscaster; or
- (2) Information that could lead to the discovery of the source.

The American Civil Liberties Union of Hawaii, Common Cause Hawaii, Hawaii Publishers Association, Media Council Hawaii, Pacific Basin Communications, Hawaii Chapter of the Society of Professional Journalists, and a concerned individual testified in support of this measure. A concerned individual testified in opposition. The Department of the Attorney General submitted comments and proposed amendments to this measure.

Your Committee has amended this measure to:

- (1) Delete the unrestricted protection from disclosure of all unpublished information held by the journalist or newscaster;
- (2) Protect from disclosure information that independently, cumulatively, or in combination with other information could be reasonably expected to reveal the identity of the source;
- (3) Specify that the source cannot assert this privilege;
- (4) Clarify that this privilege does not exclude or preclude the exercise of other legally recognized privileges;
- (5) Specify that the person waives this privilege if they reveal the source outside of any legally recognized privilege;
- (6) Specify that a person has no legal duty to the source to claim or exercise this privilege; and
- (7) Make 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 H.B. No. 295, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 295, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative McDermott.

SCRep. 607 Consumer Protection & Commerce on H.B. No. 866

The purpose of this measure is to establish a mortgage license exemption for sellers of real property who offer or negotiate terms of a mortgage loan secured by the seller's own real property.

The Hawaii Association of REALTORS testified in support of this measure. The Hawaii Association of Mortgage Bankers testified in opposition to this measure. The Department of Commerce and Consumer Affairs provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the seller of real property offering or negotiating the terms of a mortgage loan secured by the seller's own real property be the mortgagee and that the mortgage loan be a residential mortgage loan;
- (2) Specifying that the 3 or fewer mortgage loans per calendar year limit refers to residential mortgage loans and that the interest rate on such loans shall not be above the State's usury limit; and
- (3) Changing its effective date to July 1, 2112, to encourage further discussion.

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 H.B. No. 866, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 866, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Belatti, Creagan, Har, Hashem, Nakashima, Oshiro and McDermott.

SCRep. 608 Health on H.B. No. 940

The purpose of this measure is to:

- (1) Prohibit the use of electronic smoking devices in places where smoking is already illegal; and
- (2) Update smoking prohibition signage requirements to specifically include the prohibition of electronic smoking devices in such places.

The Department of Health, University of Hawaii Student Health Advisory Council, American Heart Association, American Lung Association of the Mountain Pacific, Hawaii COPD Coalition, Hawaii Community Pharmacy Association, Hawaii Public Health Association, Coalition for a Tobacco Free Hawaii, American Cancer Society Cancer Action Network and numerous individuals supported this measure. VOLCANO Fine Electronic Cigarettes, PC Gamerz, and numerous individuals opposed this measure.

Your Committee has amended this measure by:

- (1) Deleting the provision regarding specifications for signage that prohibits smoking;
- (2) Changing its effective date to January 1, 2016; 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 H.B. No. 940, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 940, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Oshiro and Tupola.

SCRep. 609 Judiciary on H.B. No. 147

The purpose of this measure is to improve eyewitness identifications in criminal investigations by specifying procedural and administrative requirements for law enforcement agencies and providing the defendant the right to challenge the identification.

The Office of the Public Defender, American Civil Liberties Union of Hawaii, Hawaii Innocence Project, Eyewitness Identification Reform Litigation Network, Community Alliance on Prisons, and a concerned individual testified in support of the measure. The Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Police Department, and Office of the Prosecuting Attorney of the County of Kauai testified in opposition. The Judiciary provided comments and proposed amendments.

Your Committee has amended this measure to:

- (1) Clarify the requirement for consistent appearance with respect to unique or unusual features for participants in the photo or live lineup;
- (2) Ensure that any identification actions, e.g., speaking or moving, are performed by all lineup participants in a live lineup;
- (3) Delete the provision for instructions to the jury regarding eyewitness identifications because it duplicates the Hawaii Supreme Court's requirements; and
- (4) Make 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 H.B. No. 147, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 147, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative McDermott.

SCRep. 610 Judiciary on H.B. No. 287

The purpose of this measure is to broaden the government records exception under the Uniform Information Practices Act to include records whose disclosure may be reasonably likely to result in a substantial and demonstrable risk of:

- (1) Physical harm to an individual; or
- (2) Harm, embarrassment, inconvenience, or unfairness to an individual caused by the unauthorized use or disclosure of the individual's personally identifiable information.

The Judiciary and Honolulu Police Department testified in support of this bill. The Office of Information Practices, American Civil Liberties Union of Hawaii, Civil Beat Law Center for the Public Interest, Common Cause Hawaii, Hawaii Chapter of the Society of Professional Journalists, League of Women Voters of Hawaii, and two concerned individuals testified in opposition to this bill. Grassroot Institute of Hawaii provided comments.

Your Committee has amended this measure to:

- (1) Limit this government records exception to records which are reasonably likely to result in a substantial and demonstrable risk of physical harm to an individual; and
- (2) Move this exception from section 92F-13, Hawaii Revised Statutes, regarding exceptions to the general rule of government records, to section 92F-14, Hawaii Revised Statutes, regarding an individual's significant privacy interest.

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 H.B. No. 287, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 287, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Belatti and McDermott.

SCRep. 611 Economic Development & Business/Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 16

The purpose of this measure is to urge the Director of Business, Economic Development, and Tourism to establish a commission to address an expected reduction in U.S. Military spending in the State of Hawaii, as evident by proposals of the U.S. Army to reduce the number of military personnel stationed in Hawaii.

The Chamber of Commerce of Hawaii testified in support of this measure. The Department of Business, Economic Development, and Tourism, and one individual commented on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the plan developed by the Commission for Hawaii's Future to address the reduction in Department of Defense expenditures be a business plan; and
- (2) Including Hawaii's Congressional Delegation as recipients of certified copies of this measure;

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Veterans, Military, & International Affairs, & Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 16, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 16, H.D. 1.

Signed by all members of the Committee except Representative Cachola.

SCRep. 612 Economic Development & Business/Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 42

The purpose of this measure is to urge the Director of Business, Economic Development, and Tourism to establish a commission to address an expected reduction in U.S. Military spending in the State of Hawaii, as evident by proposals of the U.S. Army to reduce the number of military personnel stationed in Hawaii.

The Chamber of Commerce of Hawaii testified in support of this measure. The Department of Business, Economic Development, and Tourism, and one individual commented on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the plan developed by the Commission for Hawaii's Future to address the reduction in Department of Defense expenditures be a business plan; and
- (2) Including Hawaii's Congressional Delegation as recipients of certified copies of this measure;

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Veterans, Military, & International Affairs, & Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 42, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 42, H.D. 1.

Signed by all members of the Committee except Representative Cachola.

SCRep. 613 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 621

The purpose of this measure is to protect the marine environment and reduce the amount of plastic in the ocean by phasing out, and ultimately prohibiting, the manufacture and sale in Hawaii of personal care products that contain synthetic plastic microbeads.

The Surfrider Foundation; Consumer Healthcare Products Association; Conservation Council for Hawaii; Living Ocean Productions; Humane Society of the United States, Hawaii; Styrophobia; and numerous individuals supported this measure. The Department of Health, Beach Environmental Awareness Campaign Hawaii, and a concerned individual supported this measure, but recommended amendments.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 621, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Nishimoto, Pouha and Thielen.

SCRep. 614 Judiciary on H.B. No. 1219

The purpose of this measure is to enhance protections for senior residents and other consumers by requiring the vendors of automatic renewal or continuous service agreements to:

- (1) Obtain the consumer's acknowledgment and affirmative consent;
- (2) Provide consumers with notice and disclosure that is consistent with this measure; and
- (3) Inform consumers of the vendor's contact information and their rights to cancel the contract.

The Office of Consumer Protection testified in support of this measure. Oceanic Time Warner Cable provided comments.

Your Committee notes its understanding that the measure applies only to consumer contracts and automatic renewals with a specified term of more than one month.

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 H.B. No. 1219, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Brower, Nakashima, Woodson and McDermott.

SCRep. 615 Judiciary on H.B. No. 448

The purpose of this measure is to amend the multidisciplinary and multiagency review process for domestic violence fatalities to require the review of near-deaths and suicides resulting from intimate partner violence and require the use of information collected from the review process in system reform efforts to reduce fatal and near-fatal outcomes of domestic violence.

The Hawaii State Commission on the Status of Women, American Association of University Women, Domestic Violence Action Center, Hawaii Women's Coalition, PHOCUSED, Women's Caucus Democratic Party of Hawaii, and two concerned individuals testified in support of the measure. Department of Health and a concerned individual provided 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 H.B. No. 448, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative McDermott.

SCRep. 616 Judiciary on H.B. No. 538

The purpose of this measure is to assist victims of domestic abuse to retain the use of an existing wireless telephone number by allowing the family court to issue an order requiring the wireless telecommunications service provider to transfer the billing authority and all rights to the wireless telephone number to the victim, if the victim is not the account holder.

The Hawaii Women's Coalition and two concerned individuals testified in support of the measure. The Hawaii State Commission on the Status of Women and PHOCUSED testified in support of the intent of this measure, but objected to provisions of this measure in its present form. The Domestic Violence Action Center testified in opposition.

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 H.B. No. 538, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Nakashima, Woodson and McDermott.

SCRep. 617 Judiciary on H.B. No. 561

The purpose of this measure is to protect the privacy interests of employees and potential employees by prohibiting employers from requiring or requesting access to personal social media accounts, except to investigate allegations of sexual, racial, or other harassment in the workplace.

The American Civil Liberties Union of Hawaii and several concerned individuals testified in support of this measure. The Hawaii Civil Rights Commission supported the intent of the measure and recommended an amendment. The Chamber of Commerce Hawaii provided 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 H.B. No. 561, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Nakashima, Woodson and McDermott.

SCRep. 618 Judiciary on H.B. No. 385

The purpose of this measure is to reduce smoking and other tobacco product use by young persons by, among other things:

- (1) Increasing the minimum age that a person can purchase any tobacco product or electronic smoking device from 18 to 21 years of age; and
- (2) Prohibiting the sale or furnishing of tobacco, tobacco products, and electronic smoking devices to persons under 21 years of age.

The Department of Health, Honolulu Police Department, American Cancer Society Cancer Action Network, American Heart Association, American Lung Association of the Mountain Pacific, Coalition for a Tobacco Free Hawaii, Hawaii COPD Coalition, University of Hawaii Student Health Advisory Council, University of Hawai'i Cancer Center, and many concerned individuals testified in support of this measure. Several concerned individuals testified in opposition.

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 H.B. No. 385, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative McDermott.

SCRep. 619 Judiciary on H.B. No. 525

The purpose of this measure is to prohibit smoking, including the use of an electronic smoking device, and the use of tobacco products within the state park system.

The Department of Health, Beach Environmental Awareness Campaign Hawai'i, Coalition for a Tobacco Free Hawai'i, Hawaii COPD Coalition, The Outdoor Circle, Surfrider Foundation, University of Hawai'i, and many concerned individuals testified in support of this measure. One concerned individual testified in opposition. The Department of Land and Natural Resources and a concerned individual provided 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 H.B. No. 525, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative McDermott.

SCRep. 620 Finance on H.B. No. 810

The purpose of this measure is to support an innovative approach to education in Hawaii by appropriating funds for the p4c (philosophy for children) initiative of the University of Hawaii Uehiro Academy for Philosophy and Ethics in Education and for teachers of the Department of Education to train with the p4c initiative.

The University of Hawaii Uehiro Academy for Philosophy and Ethics in Education and many individuals provided testimony in support of this measure. One individual provided testimony in opposition. The Department of Education and 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 is in accord with the intent and purpose of H.B. No. 810 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 621 Finance on H.B. No. 1188

The purpose of this measure is to support the efficient use of government funds by changing the distribution of the Hawaii Tobacco Settlement Special Fund moneys from a percentage to set dollar amounts.

An individual provided testimony in support of this measure. The Department of Health, University of Hawaii, Hawaii Family Support Institute, Coalition for a Tobacco-Free Hawaii, American Lung Association, American Heart Association, The Queen's Health Systems, Hawaii Community Foundation, Hawaii Primary Care Association, Child & Family Service, Hawaii Public Health Institute, and an individual provided testimony in opposition. 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 H.B. No. 1188 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 622 Finance on H.B. No. 83

The purpose of this measure is to:

- (1) Restore the deduction for state taxes paid for by individual taxpayers with incomes above specified thresholds and also allow corporate taxpayers to claim this deduction; and
- (2) Establish limitations on claims for itemized tax deductions based on taxpayers' federal adjusted gross income.

The Chamber of Commerce of Hawaii testified in support of this measure. The Department of Taxation, Hawaii Community Foundation, Hawaii Alliance of Nonprofit Organizations, and the Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 H.B. No. 83, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 83, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 623 Finance on H.B. No. 318

The purpose of this measure is to exempt contracts for concessions or space on public property set aside for sponsorship or naming rights of State and county buildings from the sealed bid process and the fifteen year limitation on concession contracts.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 318, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 318, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 624 Finance on H.B. No. 1293

The purpose of this measure is to exempt taxpayers who do not occupy their real property as a primary home due to a medical condition from real property taxes unless the taxpayer leases or rents the real property to another person.

The Department of the Attorney General and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 1293, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1293, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 625 Finance on H.B. No. 527

The purpose of this measure is to promote public safety by appropriating funds to provide lifeguards for Kua Bay located at Kekaha Kai State Park on the island of Hawaii, an area under the jurisdiction of the Department of Land and Natural Resources.

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

Your Committee has amended this measure by:

- (1) Changing the appropriation for lifeguard services to an unspecified amount;
- (2) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 527, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 527, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 626 Finance on H.B. No. 971

The purpose of this measure is to enhance the effectiveness of the Aloha Tower Development Corporation (Corporation) by:

- (1) Amending the composition of the Corporation's Board of Directors; and
- (2) Authorizing, rather than requiring, the Board of Directors to appoint a Chief Executive Officer.

The Department of Transportation supported this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 971, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 971, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 627 Finance on H.B. No. 1167

The purpose of this measure is to amend the capital infrastructure income tax credit by:

- (1) Increasing the tax credit cap amount from \$2,500,000 to \$5,000,000;

- (2) Specifying that claimable capital infrastructure costs include capital expenditures deductible under section 263 of the Internal Revenue Code, as well as expenditures for real property and fixtures incurred in connection with a displaced tenant's relocation; and
- (3) Specifying that tax credits in excess of \$5,000,000, may be carried over and applied in subsequent taxable years, until exhausted.

The Chamber of Commerce Hawaii; Navatek, Ltd.; and numerous individuals testified in support of this measure. The Department of Taxation; Department of Transportation; Tax Foundation of Hawaii; Robert's Hawaii, Inc.; and Pacific Shipyards International provided comments.

Your Committee has amended this measure by:

- (1) Amending the definition of claimable "capital infrastructure costs" to include expenditures for structures, machinery, equipment, ship repair-specific capital assets, and financing costs made in connection with a tenant's move of its active trade or business to a new location within Honolulu Harbor;
- (2) Amending the definition of "qualified infrastructure tenant" to include special purpose entities formed for the purposes of raising investor capital for the purposes of claiming the capital infrastructure tax credit;
- (3) Specifying that capital infrastructure costs may include certain costs, incurred in connection with a displaced tenant's move to a new location within Honolulu Harbor;
- (4) Changing the tax credit cap amount from \$5,000,000 to an unspecified amount; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1167, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 628 Finance on H.B. No. 1172

The purpose of this measure is to provide that, notwithstanding the provisions of the Internal Revenue Code to the contrary, the amount of the state income tax credit for research activities shall be calculated based on all qualified research expenses for the taxable year instead of on the increase of expenses over past years.

Pacific Shipyards International; Hawaii Evolutionary Development, LLC; Chamber of Commerce Hawaii; Cardax, Inc.; Oceanit; Navatek Ltd.; and numerous individuals supported this measure. The Department of Taxation opposed this measure. The High Technology Development Corporation and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 1172, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1172, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 629 Finance on H.B. No. 1180

The purpose of this measure is to help ensure that public works projects are completed on time, within budget, and of acceptable quality by requiring the State Procurement Office to develop and administer a database that records instances of inadequate performance by contractors on public works and construction procurement projects.

The Hawaii Regional Council of Carpenters testified in support of this measure. The State Procurement Office commented on this measure. The Department of Budget and Fiscal Services of the City and County of Honolulu opposed this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 1180, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1180, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 630 Finance on H.B. No. 1187

The purpose of this measure is to promote budgetary planning and transparency by setting maximum amounts to be distributed to the Hawaii Cancer Research Special Fund, Trauma System Special Fund, Community Health Centers Special Fund, and the Emergency Medical Services Special Fund pursuant to the cigarette tax and tobacco tax law.

The Department of Health, University of Hawaii System, The Queen's Health Systems, Hawaii Pacific Health, Hawaii Primary Care Association, and two concerned individuals provided testimony in opposition to this measure. The Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Inserting unspecified rates and maximum distribution amounts for each of the non-general funds specified; 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 H.B. No. 1187, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1187, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 631 Finance on H.B. No. 1352

The purpose of this measure is to assist the Department of Education (Department), Board of Education, Legislature, and Executive Branch in identifying and addressing issues to improve the operations of the Department by requiring the Auditor to conduct a comprehensive financial, management, and program audit of the Department.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure. The Department of Education commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; 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 H.B. No. 1352, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1352, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 632 Finance on H.B. No. 79

The purpose of this measure is to repeal or reclassify various non-general funds in accordance with the Auditor's recommendations in Auditor's Report No. 14-13. Specifically, this measure:

- (1) Repeals the:
 - (A) Hawaii Television and Film Development Special Fund;
 - (B) Pineapple Workers and Retirees Housing Assistance Fund;
 - (C) Renewable Energy Facility Siting Special Fund;
 - (D) Public Facility Revenue Bond Special Fund;
 - (E) Hawaii Technology Loan Revolving Fund;
 - (F) Hawaii Community-Based Economic Development Revolving Fund;
 - (G) Capital Formation Revolving Fund;
 - (H) Statewide Geospatial Information and Data Integration Special Fund; and
 - (I) Fee Simple Residential Revolving Fund; and
- (2) Reclassifies the:
 - (A) Tourism Emergency Trust Fund as a special fund;
 - (B) Housing Project Bond Special Fund – Multi Family as a revolving fund;
 - (C) Housing Loan Program Revenue Bond Fund, also known as the Single Family Mortgage Purchase Revenue Bond Fund, as a revolving fund;

- (D) Rental Housing Trust Fund as a revolving fund; and
- (E) Housing Loan Program Revenue Bond Special Fund – Rental Housing System as a revolving fund.

The Office of the Auditor testified in support of this measure. The Department of Business, Economic Development and Tourism, Hawaii Housing Finance and Development Corporation, High Technology Development Corporation, and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Deleting the following:
 - (A) Part II of the measure, which repealed the Hawaii Television and Film Development Special Fund;
 - (B) Part VII of the measure, which repealed the Renewable Energy Facility Siting Special Fund;
 - (C) Part IX of the measure, which repealed the Hawaii Technology Loan Revolving Fund; and
 - (D) Part X of the measure, which repealed the Hawaii Community-Based Economic Development Revolving Fund; 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 H.B. No. 79, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 79, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 633 Finance on H.B. No. 749

The purpose of this measure is to establish the Beach Clean-Up Special Fund, which shall be funded by:

- (1) The imposition of a Beach Clean-Up Cigarette Fee on the wholesalers and dealers of cigarettes;
- (2) Appropriations made by the legislature; and
- (3) Donations and contributions made by private individuals or organizations.

A concerned individual provided testimony in support of this measure. The Department of Budget and Finance commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 749 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 Tokioka.

SCRep. 634 Finance on H.B. No. 314

The purpose of this measure is to authorize the use of:

- (1) Any outdoor advertising device or billboard erected, placed, or maintained upon a county office building, if erected, placed, or maintained by authority of the county agency, department, or officer that uses the majority of the building and the design and location has been approved by the Department of Business, Economic Development, and Tourism; and
- (2) Any outdoor advertising device displayed with the authorization of the Stadium Authority on the exterior of any stadium operated by the Stadium Authority.

The Department of Parks and Recreation of the City and County of Honolulu supported this measure. The Stadium Authority and TimeOut Honolulu opposed this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 H.B. No. 314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 314, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 635 Finance on H.B. No. 1356

The purpose of this measure is to address the State's unfunded liabilities for public employee health benefits, while providing the State with funding flexibility, by:

- (1) Establishing a Rate Stabilization Reserve Fund to provide reserve funding to stabilize the Hawaii Employer-Union Health Benefits Trust Fund at times when there are insufficient moneys to cover the cost of benefits; and
- (2) Capping the required annual contributions to the Other Post-Employment Benefits Trust once the separate accounts for each public employer within the separate trust fund have a combined balance of at least \$2,000,000,000.

The State Representative of House District 30, The Chinatown Business & Community Association, National Association for Uniformed Services Hawaii Chapter, and an individual provided testimony in support of the measure. The Department of Budget and Finance provided testimony in opposition. The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees and Tax Foundation 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 is in accord with the intent and purpose of H.B. No. 1356 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

SCRep. 636 Finance on H.B. No. 134

The purpose of this measure is to make permanent the county surcharge on state tax established under Act 247, Session Laws of Hawaii 2005.

The Office of the Mayor of the City and County of Honolulu; The Councilmember for District 1 of the City and County of Honolulu; Honolulu Authority for Rapid Transportation; Hawaii Construction Alliance; Hawaii Laborers-Employers Cooperation and Education Trust; West Oahu Economic Development Association; Faith Action for Community Equity; Pacific Resource Partnership; Hawaii Operating Engineers Industry Stabilization Fund; Hawaii Regional Council of Carpenters; Hawaii Masons Union Local #1, IUBAC; Kapolei Chamber of Commerce; and two individuals testified in support of this measure. The Chamber of Commerce Hawaii; Hawaii Association of REALTORS; TimeOut Honolulu; and numerous individuals testified in opposition to this measure. The Department of Budget and Finance; Department of Taxation; Tax Foundation of Hawaii; and Building Industry Association-Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Removing the existing authority of the counties to levy a county surcharge on state tax pursuant to Act 247, Session Laws of Hawaii 2005, on January 1, 2016;
- (2) Authorizing the counties to adopt county surcharges on state general excise tax and use tax at a .25 percent rate, beginning January 1, 2017; provided that any county seeking to adopt a surcharge must do so pursuant to an ordinance enacted by December 31, 2015;
- (3) Changing the percentage of county surcharge revenues withheld by the State for the administration of the county surcharge to an unspecified percentage;
- (4) Specifying that a county surcharge adopted in a county with a population over 500,000 shall be used only for capital costs and expenses in complying with the Americans with Disabilities Act of 1990;
- (5) Specifying that the authorization of the county surcharge, subject to the ordinance requirements of Chapter 46, Hawaii Revised Statutes, shall continue for an unspecified duration; and
- (6) 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 H.B. No. 134, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 134, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.
(Representatives DeCoite, Johanson, Kobayashi, Lowen, Nishimoto, Yamashita and Ward voted no.)

SCRep. 637 Finance on H.B. No. 1107

The purpose of this measure is to provide needed access to educational and study materials to the rural areas of the island of Hawaii by appropriating funds to establish and maintain a bookmobile as a transportation-friendly means of delivering textbooks, study materials, and other educational materials.

The Hawaii State Public Library System and an individual 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 is in accord with the intent and purpose of H.B. No. 1107, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 638 Finance on H.B. No. 1230

The purpose of this measure is to strengthen public education in Hawaii by reestablishing and funding an interagency working group, based on Act 51, Session Laws of Hawaii 2004, with the overall goal of ensuring a standard level of service statewide through the creation of a comprehensive plan to transfer personnel and functions of the Department of Accounting and General Services, related to neighbor island public schools, to the Department of Education.

The Department of Education, Department of Accounting and General Services, Hawaii Government Employees Association, and IMUAlliance 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 is in accord with the intent and purpose of H.B. No. 1230, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 639 Finance on H.B. No. 1251

The purpose of this measure is to improve public charter schools' access to facilities by among other things:

- (1) Allowing the use of vacant department facilities for charter schools or pre-plus programs;
- (2) Establishing the Charter School Facilities Funding Working Group to prioritize the allocation of general fund appropriations and bond proceeds for public charter schools to expend based on the criteria established by the State Public Charter School Commission;
- (3) Appropriating funds for the Charter School Facilities Funding Working Group to allocate to charter schools for facilities; and
- (4) Authorizing the Director of Finance to issue general obligation bonds for the purpose of designing, planning, constructing, repairing, and maintaining public charter school facilities.

The Office of Hawaiian Affairs; the Hawaii Public Charter Schools Network; Kamehameha Schools; Ho'okāko'o Corporation; the Hawaii State Teachers Association; Council for Native Hawaiian Advancement; and a few individuals provided testimony in support of this measure. The Attorney General; Department of Budget and Finance; the State Public Charter School Commission; and one concerned individual 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 H.B. No. 1251, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 640 Finance on H.B. No. 1360

The purpose of this measure is to authorize the issuance of general obligation bonds for the relocation of the iHEART broadcast antenna, also known as the Clear Channel antenna, to assist the Department of Transportation in modernizing Honolulu Harbor and addressing airline safety concerns.

The Department of Transportation testified in support of 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 H.B. No. 1360, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 641 Finance on H.B. No. 770

The purpose of this measure is to amend the State's liquor laws to:

- (1) Authorize:
 - (A) Restaurants with a liquor license to sell beer, malt beverages, or cider for off-premises consumption, subject to certain conditions;
 - (B) Retail dealers with a liquor license to sell beer, malt beverages, or cider in non-original packages, subject to certain conditions; and
 - (C) Brewpubs and small craft producer pubs with a liquor license to sell malt beverages manufactured on the licensee's premises or purchased from a manufacturer licensee, wholesale dealer licensee, brewpub licensee, or small craft producer pub licensee, subject to certain conditions; and
- (2) Include ceramic containers under the definition of "growler" as it applies to small craft producer pub and brewpub licenses.

The Hawaii Food Industry Association supported this measure. Hawaii Liquor Wholesalers Association opposed this measure. The City and County of Honolulu Liquor Commission 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 H.B. No. 770, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 642 Finance on H.B. No. 1017

The purpose of this measure is to facilitate seller financing for residential property by restoring exemptions from licensure as a mortgage loan originator for individual sellers who offer or negotiate a residential mortgage loan:

- (1) With or on behalf of an immediate family member; or
- (2) For the individual's own residence, vacation home, or inherited property that served as the deceased's dwelling, if the individual does not act as a mortgage loan originator or provide financing for such sales more than three times in a calendar year.

The Hawaii Association of REALTORS supported this measure. The Department of Commerce and Consumer Affairs commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1017, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 643 Finance on H.B. No. 1126

The purpose of this measure is to improve the State's procurement process with increased transparency and accountability by, among other things:

- (1) Transferring the Compliance Audit Unit from the Office of the Auditor to the State Procurement Office, but requiring the Auditor to periodically audit the Compliance Audit Unit to ensure compliance;
- (2) Directing the Compliance Audit Unit to establish and maintain a database of meaningful statewide procurement contract data and participate in legislative hearings and policy board meetings to present its findings;
- (3) Directing the Administrator of the State Procurement Office to serve as a liaison to the Policy Board and Chief Procurement Officers on policy matters, including reporting on metrics for all rulemaking and legislative initiatives relating to procurement policy;
- (4) Requiring contract modifications, change orders, or contract price adjustments in specified circumstances to be submitted to the Chief Procurement Officer for approval, then the Administrator of the State Procurement Office for notification; and
- (5) Appropriating funds for the purpose of establishing a statewide procurement database.

The State Procurement Office; Ulupono Initiative; and Hawaii Operating Engineers Industry Stabilization Fund provided testimony in support of this measure. The City and County of Honolulu Department of Budget and Fiscal Services and Building Industry Association of Hawaii provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1126, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 644 Finance on H.B. No. 1127

The purpose of this measure is to ensure the consistent application of the State Procurement Code across various governmental agencies with procurement authority by, among other things:

- (1) Requiring all government employees who have been delegated with procurement authority by a state or county government agency, including deputy attorney generals working on procurement contracts, to attend initial and follow-up training sessions conducted by the State Procurement Office;
- (2) Requiring chief procurement officers and executive department directors to provide a list, which shall be updated annually, of all employees with delegated procurement authority to the State Procurement Office; and
- (3) Specifying that each chief procurement officer may develop further training within their respective jurisdictions.

The Hawaii Alliance of Nonprofit Organizations; Ulupono Initiative; Hawaii Operating Engineers Industry Stabilization Fund; and a concerned individual provided testimony in support of this measure. The State Procurement Office, Department of Transportation, and Building Industry Association of Hawaii provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1127, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 645 Finance on H.B. No. 608

The purpose of this measure is to authorize the issuance of up to \$45,000,000 in special purpose revenue bonds to assist Waimea Nui Community Development Corporation and its not-for-profit affiliates to finance, refinance, and reimburse costs related to the planning, acquisition, and construction of its agriculture, renewable energy, and educational facilities.

The Department of Agriculture; Hawaii County Council District 9 Council Member; and Hawaii Farm Bureau Federation provided testimony in support of 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 H.B. No. 608, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 646 Finance on H.B. No. 823

The purpose of this measure is to increase the safety and sustainability of the agricultural industry in Hawaii by establishing a two-year Agricultural Theft Pilot Project to focus on investigating and prosecuting agricultural theft and vandalism in the County of Hawaii and appropriating funds for this purpose.

The Office of the Prosecuting Attorney, County of Hawaii; Department of Agriculture; Land Use Research Foundation of Hawaii; Hawaii Farm Bureau Federation; Hawaii Cattlemen's Council; a Councilmember of Hawaii County District 9; Syngenta Hawaii; and two concerned individuals 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 H.B. No. 823, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 647 Finance on H.B. No. 871

The purpose of this measure is to help protect the fragile ecosystem of the State and prevent harm to economically important agricultural crops by:

- (1) Authorizing the Department of Agriculture to establish or participate in private-public partnerships to enhance the Department's biosecurity program and inspection process; and
- (2) Appropriating funds to complete the implementation of its biosecurity program and enhance the quarantine inspection process.

The Land Use Research Foundation of Hawaii, Nature Conservancy, Hawaii Floriculture and Nursery Association, Coordinating Group on Alien Pest Species, Hawaii Farm Bureau, and a concerned individual supported this measure. The Department of Agriculture, Department of Land and Natural Resources, and Hawaii Invasive Species Council 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 H.B. No. 871, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 648 Finance on H.B. No. 995

The purpose of this measure is to help revitalize local agriculture and strengthen the productive base of the economy by rebuilding and strengthening programs that educate, support and encourage youth to pursue agricultural careers. Specifically, this measure appropriates funds to:

- (1) The Department of Education to implement and operate the Future Farmers of America Program; and
- (2) The University of Hawaii, College of Tropical Agriculture and Human Resources to implement and operate the 4-H Program.

The Department of Agriculture, Hawaii Cattlemen's Council, National Future Farmers of America Organization, Hawaii Farm Bureau, Hawaii Primary Care Association, Local Food Coalition, and a concerned individual provided testimony in support of this measure. The Department of Education and 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 is in accord with the intent and purpose of H.B. No. 995 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 649 Finance on H.B. No. 1050

The purpose of this measure is to more efficiently address the interisland spread of invasive species that harms agriculture, native biota, public health, and the economic well-being of the State by:

- (1) Requiring the Department of Agriculture (DOA) and the Hawaii Invasive Species Council (HISC) through existing contracts and appropriated funds for invasive species activities to:
 - (A) Undertake specified invasive species management related to agricultural lands and agricultural and non-agricultural commodities, including developing an interisland and export tracking database; providing risk level assessments for the interisland transport of non-agricultural commodities; increasing priority inspections for the interisland transport of agricultural commodities; developing and coordinating interisland quarantine activities; implementing statewide pest management programs for potted plant, cut-flower, and cut-foliage production; and providing chemicals and equipment to assist growers in reducing infestation in agricultural areas, statewide; and
 - (B) Undertake specified invasive species management on non-agricultural lands, including reducing infestation levels near or adjacent to Hilo Harbor, Hilo International Airport, and agricultural production areas in the County of Hawaii; and creating buffer areas between conservation lands and agricultural production areas in the County of Hawaii to prevent re-infestation of invasive species;

- (2) Requiring DOA and HISC to each submit annual reports to the Legislature beginning with the 2016 Regular Session; and
- (3) Appropriating moneys to fund the foregoing tasks.

The Hawaii Farm Bureau Federation and Hawaii Floriculture and Nursery Association provided testimony in support of this measure. The Department of Agriculture, Department of Land and Natural Resources, Hawaii Invasive Species Council, The Nature Conservancy, Big Island Invasive Species Committee, and the Coordinating Group on Alien Pest Species 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 H.B. No. 1050 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 650 Finance on H.B. No. 1177

The purpose of this measure is to assist farmers and ranchers in applying for, obtaining, and fulfilling the requirements of grants offered by the United States Department of Agriculture by appropriating funds to establish one full-time grant writer position within the Department of Agriculture.

The Department of Agriculture, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, and a concerned individual 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 is in accord with the intent and purpose of H.B. No. 1177 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 651 Finance on H.B. No. 1225

The purpose of this measure is to preserve and increase the value of diversified agriculture in the County of Hawaii by authorizing and appropriating funds for the Department of Business, Economic Development, and Tourism (DBEDT), in collaboration with the Department of Agriculture, to perform planning and feasibility studies as well as marketing and economic impact analyses for agricultural processing and shipping facilities and requiring DBEDT to report on the results to the Legislature.

The Nature Conservancy, Hawaii Farm Bureau Federation, Hawaii Floriculture and Nursery Association, and the Coordinating Group on Alien Pest Species provided testimony in support of this measure. The Department of Agriculture 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 H.B. No. 1225 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 652 Finance on H.B. No. 1403

The purpose of this measure is to allow the Department of Agriculture to be more proactive and aggressive in implementing its program to eradicate the invasive little fire ant in the County of Hawaii by requiring the Department, and appropriating funds, to:

- (1) Develop and implement a pilot Pesticide Treatment Coupon Project that would distribute coupons redeemable for qualifying pesticides at suppliers and vendors by individuals who have reported and verified the presence of little fire ants on their property; and
- (2) Create a map that indicates all little fire ant sites in the County of Hawaii.

Two Councilmembers from Hawaii County Districts 3 and 9, Maui Chamber of Commerce, and Hawaii Farm Bureau testified in support of this measure. The Department of Agriculture, Department of Land and Natural Resources, The Nature Conservancy, Hawaii Pest Control Association, and a concerned individual 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 H.B. No. 1403 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 653 Finance on H.B. No. 365

The purpose of this measure is to establish a Honolulu Police Department Body Camera Pilot program by:

- (1) Appropriating funds as a grant-in-aid to the City and County of Honolulu to purchase body cameras for its police officers; and
- (2) Requiring the City and County of Honolulu to provide matching funds on a dollar-for-dollar basis for the purchase of the body cameras.

Community Alliance on Prisons and IMUAlliance supported the measure. One concerned individual provided testimony in opposition to the measure. The State of Hawaii Organization of Police Officers 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 H.B. No. 365, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 654 Finance on H.B. No. 840

The purpose of this measure is to ensure the continued safety of the public and better serve the inmate population of the State by immediately initiating the planning and design process to develop a minimum- to medium-security community correctional facility capable of providing in-house rehabilitation and a continuum of programs directed at treating and preventing drug and substance abuse and other mental health issues.

A few concerned individuals supported this measure. The Department of Public Safety; State Procurement Office; Land Use Research Foundation of Hawaii; United Public Workers, AFSCME, Local 646, AFL-CIO; and Community Alliance on Prisons provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 840, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 655 Finance on H.B. No. 1344

The purpose of this measure is to protect the public health and safety by requiring the Director of the Hawaii Emergency Management Agency to hire personnel to oversee the mitigation of the hazardous situations program in the Department of Defense and appropriating funds for those positions.

The Department of Defense and City and County of Honolulu Department of Emergency Management 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 is in accord with the intent and purpose of H.B. No. 1344 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 656 Finance on H.B. No. 241

The purpose of this measure is to support development in the State of a renewable and efficient energy system that utilizes abundant natural resources in place of fuel and electricity by extending, from June 28, 2015, to June 30, 2020, the authorization to issue special purpose revenue bonds to assist Honolulu Seawater Air Conditioning in financing the design and construction of a seawater air conditioning district cooling system on Oahu.

Hawaii Seawater Air Conditioning and Ulupono Initiative 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 H.B. No. 241 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 657 Finance on H.B. No. 242

The purpose of this measure is to support development in the State of a renewable and efficient energy system that utilizes abundant natural resources in place of fuel and electricity by extending, from June 30, 2015, to June 30, 2020, the authorization to issue special purpose revenue bonds to assist Honolulu Seawater Air Conditioning in financing the design and construction of a seawater air conditioning district cooling system on Oahu.

Honolulu Seawater Air Conditioning, Ulupono Initiative, and Blue Planet Foundation supported 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 H.B. No. 242 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 658 Finance on H.B. No. 774

The purpose of this measure is to assist small businesses in Hawaii and give them a voice in the administrative rulemaking process by appropriating funds to the Department of Business, Economic Development, and Tourism to enable the Small Business Regulatory Review Board to hire additional staff.

The State Procurement Office, Small Business Regulatory Review Board, Hawaii Farm Bureau, Hawaii Business League, Chamber of Commerce of Hawaii, Hawaii Cattlemen's Council, Building Industry of Hawaii, and a concerned individual supported this measure. The Department of Business, Economic Development and Tourism provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 774, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 659 Finance on H.B. No. 1069

The purpose of this measure is to diversify Hawaii's economy, secure federal investments, and support the development of an innovation economy in Hawaii by, among other things:

- (1) Authorizing the High Technology Development Corporation to provide grants to businesses that receive Federal Small Business Innovation Research Phase II or III awards or contracts, rather than only Phase I awards or contracts; and
- (2) Appropriating funds for the Department of Business, Economic Development, and Tourism to provide these grants through the High Technology Development Corporation.

The High Technology Development Corporation, Hawaii Aquaculture & Aquaponics Association, Hawaii Cattlemen's Council, Oceanit, Tissue Genesis, Inc., Hawaii Evolutionary Development, LLC, 3D Innovations, Etaphase, Inc., Hawaii Fish Company Inc, Hawaii Biotech Inc., Chamber of Commerce of Hawaii, Hawaii Food Manufacturers Association, and a few concerned individuals supported 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 H.B. No. 1069, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 660 Finance on H.B. No. 1343

The purpose of this measure is to assist businesses recover after a natural disaster by appropriating funds to meet the match requirement for federal funds awarded to establish a Business Recovery Center within the Department of Defense.

The Department of Defense, Department of Emergency Management of the City and County of Honolulu, and Chamber of Commerce of Hawaii supported 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 H.B. No. 1343, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cullen.

SCRep. 661 Finance on H.B. No. 58

The purpose of this measure is to establish and fund the Hawaii Hope Card Program within the Department of Attorney General to enable law enforcement officers to better protect domestic violence victims and others covered by long-term protective orders. Under this Program, any person who has been granted a long-term protective order can request the issuance of a Hope Card that identifies the individual to be restrained by the long-term protective order.

Hina'ea: A Place for Healing and two concerned individuals supported the measure. The Department of the Attorney General 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 is in accord with the intent and purpose of H.B. No. 58, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 662 Finance on H.B. No. 158

The purpose of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the County of Maui for the prosecution of cases under the Drug Court and Mental Health Court Programs.

The Office of the Prosecuting Attorney of the County of Kauai, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Hawaii, and the Department of the Prosecuting Attorney of the City and County of Honolulu supported 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 H.B. No. 158 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 663 Finance on H.B. No. 213

The purpose of this measure is to provide for equitable treatment of jurors by paying jurors and prospective jurors the higher of either the statutorily-set mileage fee or the cost of an adult bus fare for travel to and from court.

Several individuals supported 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 H.B. No. 213 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 664 Finance on H.B. No. 896

The purpose of this measure is to satisfy claims against the State, its officers, or its employees, including claims for legislative relief, judgments against the State, settlements, and miscellaneous claims by appropriating funds.

The Department of the Attorney General submitted testimony in support of this measure.

Your Committee notes the testimony submitted by the Department of the Attorney General, which included five new claims that have been resolved for an additional \$425,816.02 as general fund appropriation requests.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 896, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 665 Finance on H.B. No. 1198

The purpose of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the City and County of Honolulu for the Honolulu Family Justice Center for the hiring of necessary staff, risk assessment training, and evaluation services for victims, provided that the City and County of Honolulu provides matching funds on a 1:1 basis.

The Department of the Prosecuting Attorney of the City and County of Honolulu, Ala Kuola, and an individual supported 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 H.B. No. 1198 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 666 Finance on H.B. No. 487

The purpose of this measure is to establish a state-funded college grant program for eligible high school students called the Aloha Grant Program (Program) to be developed and administered by the Department of Education, and to appropriate funds for the development and administration of the Program.

The Associated Students of the University of Hawaii Executive Committee, Hawaii State Teachers Association, Americans for Democratic Action, and many individuals submitted testimony in support of this measure. The Department of Education and a concerned individual 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 H.B. No. 487 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 667 Finance on H.B. No. 607

The purpose of this measure is to amend the composition of the Early Learning Advisory Board to designate one representative each from the counties of Hawaii, Kauai, and Maui and to appropriate funds for the travel costs therefor incurred by the neighbor island members of the Board.

The Hawaii Association for the Education of Young Children, Good Beginnings Alliance, Early Learning Advisory Board, and a concerned individual 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 is in accord with the intent and purpose of H.B. No. 607, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 668 Finance on H.B. No. 441

The purpose of this measure is to increase the capacity of the State's infrastructure facilities by:

- (1) Establishing the Infrastructure Capacity Construction Loan Revolving Fund (Fund) to provide loans to the counties, state agencies, and private developers for infrastructure improvements; and
- (2) Appropriating funds:
 - (A) To make loans to the counties, state agencies, or private developers for the costs of infrastructure improvements; and
 - (B) For the implementation, administration, and coordination of the Fund.

KAI Hawaii, Inc.; The Chamber of Commerce of Hawaii; Land Use Research Foundation of Hawaii; Hawaii Institute for Public Affairs; Building Industry Association of Hawaii; and several individuals supported this measure. The Department of Budget and Finance, Office of Planning, Department of Commerce and Consumer Affairs, and the Department of Planning and Permitting of the City and County of Honolulu 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 H.B. No. 441 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 669 Finance on H.B. No. 485

The purpose of this measure is to require the Department of Land and Natural Resources (DLNR) to develop emergency response plans for natural and non-natural emergencies for each small boat harbor under DLNR's jurisdiction.

The Hawaii Fishing & Boating Association and two individuals supported this measure. DLNR commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 485, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 670 Finance on H.B. No. 1267

The purpose of this measure is to rejuvenate areas that have become dilapidated, obsolete, or deteriorated in the Kanoelehua Industrial Area (Area) on the island of Hawaii by:

- (1) Establishing a four-year Kanoelehua Redevelopment Pilot Project to enable the Department of Land and Natural Resources to recommend policies that:
 - (A) Define policies for the management of public lands in the Area;
 - (B) Establish a plan for the designated redevelopment district in the Area, including district-wide improvements; and
 - (C) Implement asset and property management concepts to optimize income;
- (2) Requiring the Board of Land and Natural Resources Chairperson to establish a planning committee for the Area to prepare a redevelopment plan for the designated redevelopment district; and
- (3) Appropriating funds to carry out the purposes of this measure.

A Hawaii County Council Member; Kanoelehua Industrial Area Association; McCully Works; Chika Nakano Repair Shop; Hilo Bay Printing Co., Ltd.; and two individuals supported this measure. The Department of Land and Natural Resources and an individual 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 H.B. No. 1267, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 671 Finance on H.B. No. 1410

The purpose of this measure is to distinguish the Hawaii Youth Conservation Corps Program from other federal and nationally affiliated youth conservation corps programs by changing the title of Part IV of Chapter 193, Hawaii Revised Statutes, from "Youth Conservation Corps" to "Hawaii Youth Conservation Corps" to avoid confusion.

The Department of Land and Natural Resources supported 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 H.B. No. 1410, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 672 Finance on H.B. No. 503

The purpose of this measure is to help mitigate the deleterious effects of drought on agriculture in the State by appropriating funds to the Department of Land and Natural Resources for drought mitigation projects and measures in each county.

The Land Use Research Foundation of Hawaii, Hawaii Crop Improvement Association, Maui County Farm Bureau, Hawaii Farm Bureau, Ulupono Initiative, Hawaii Cattlemen's Council, Syngenta Hawaii, and two concerned individuals testified in support of this measure. The Department of Agriculture and the Department of Land and Natural Resources commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 503, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 673 Finance on H.B. No. 508

The purpose of this measure is to encourage and sustain livestock production in Hawaii by alleviating the high cost of livestock feed through the initiation of a feed development process by the Department of Agriculture. Specifically, this measure:

- (1) Establishes and funds a grant program within the Department of Agriculture for Qualified Feed Developers;
- (2) Appropriates funds to reimburse Qualified Producers of certain agricultural products for feed costs and Qualified Feed Developers for development costs; and
- (3) Requires the Department of Agriculture to conduct a survey to identify, assess, and validate locally sourced feed ingredients and provides funds for the survey.

The Maui County Farm Bureau, Hawaii Crop Improvement Association, Hawaii Farm Bureau, Ulupono Initiative, Syngenta Hawaii, Hawaii Cattlemen's Council, and two individuals supported this measure. The Department of Agriculture and Land Use Research Foundation 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 is in accord with the intent and purpose of H.B. No. 508, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 674 Finance on H.B. No. 573

The purpose of this measure is to help preserve and protect the agricultural resources of Hawaii and help the State achieve its goals of food security, sustainability, and self-sufficiency by establishing and funding a permanent Hawaii Good Agricultural Practices Program within the Department of Agriculture.

The Land Use Research Foundation of Hawaii, Ulupono Initiative, a Councilmember from Hawaii County District 9, and a few concerned individuals testified in support of this measure. The Department of Agriculture provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 573 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 675 Finance on H.B. No. 850

The purpose of this measure is to address the budgetary shortfalls experienced by the University of Hawaii College Of Tropical Agriculture and Human Resources' Cooperative Extension Service by appropriating funds for critical unfunded positions.

The Department of Agriculture; a Councilmember of the Kauai County Council; University of Hawaii System; Hawaii Farm Bureau; Maui County Farm Bureau; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council; and many individuals submitted testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 850, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 676 Finance on H.B. No. 853

The purpose of this measure is to:

- (1) Implement the recommendation of the Hawaii Agriculture Workforce Advisory Board to establish the K-12 Agriculture Workforce Development Pipeline Initiative (Initiative) within the Department of Labor and Industrial Relations to conduct training sessions on all islands for teachers and school administrators regarding agricultural self-sufficiency; and
- (2) Appropriate funds for the development, operation, and implementation of the Initiative.

The Department of Agriculture, University of Hawaii at Manoa College of Tropical Agriculture and Human Resources, Land Use Research Foundation of Hawaii, Hawaii Primary Care Association, ILWU Local 142, Hawaii Farm Bureau Federation, and The National FFA Organization supported this measure. The Department of Labor and Industrial Relations and Department of Education commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 853, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 677 Finance on H.B. No. 1039

The purpose of this measure is to appropriate funds for the Local and Immigrant Farmer Education Program of the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources Cooperative Extension Service to support the growth and sustainability of the local agricultural industry.

The Land Use Research Foundation; Hawaii Farm Bureau Federation; Matsuda-Fukuyama Farms, Inc.; and many individuals provided testimony in support of this measure. The Department of Agriculture and the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources 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 H.B. No. 1039 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 678 Finance on H.B. No. 1332

The purpose of this measure is to ensure that agricultural crops on the island of Kauai receive a steady and dependable supply of water and are better protected from the effects of drought by appropriating funds to maintain and improve the Peekauai Ditch Irrigation System and its appurtenances.

The Land Use Research Foundation of Hawaii, Hawaii Crop Improvement Association, Kauai Chamber of Commerce, Hawaii Cattlemen's Council, Kauai County Farm Bureau, East Kauai Water User's Cooperative, Syngenta Hawaii, and a concerned individual supported this measure. The Department of Agriculture and Hawaii Farm Bureau provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1332, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 679 Finance on H.B. No. 140

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Chaminade University of Honolulu to finance and refinance the planning, acquisition, construction, improvement, and equipping of its educational facilities.

Chaminade University of Honolulu testified in support of this measure. The Gay Lesbian Bisexual and Transgender Caucus of the Democratic Party of Hawaii and two individuals opposed this measure. The Department of Budget and Finance commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 140, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 680 Finance on H.B. No. 285

The purpose of this measure is to help address a growing shortage of physicians in Hawaii by establishing the John A. Burns School of Medicine Scholarship Program, which covers the cost of tuition and fees for a full course of study at the John A. Burns School of Medicine in return for a five-year service commitment to practice in the State.

The Hawaii Health Systems Corporation Corporate Board of Directors, The Queen's Health Systems, the Hawaii Primary Care Association, the Hawaii Medical Association, and a concerned individual supported the measure. The University of Hawaii 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 H.B. No. 285, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 681 Finance on H.B. No. 544

The purpose of this measure is to require the University of Hawaii Board of Regents to study the feasibility of selling or leasing the physical structure that houses the University of Hawaii Cancer Center.

The University of Hawaii at Manoa 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 H.B. No. 544 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 682 Finance on H.B. No. 545

The purpose of this measure is to improve fiscal accountability at the University of Hawaii by:

- (1) Reclassifying and renaming the Unrestricted Quasi-Endowment Income and Scholarship Revolving Fund as the University of Hawaii Quasi-endowment Trust Fund, and codifying it in statute;
- (2) Repealing the:
 - (A) University of Hawaii Community Services Special Fund;
 - (B) Hawaii Medical Education Special Fund;
 - (C) Discoveries and Inventions Special Fund;
 - (D) University of Hawaii Alumni Special Fund;
 - (E) Animal Research Farm, Waialeale, Oahu Special Fund;
 - (F) Career and Technical Training Projects Revolving Fund;
 - (G) Conference Center Revolving Fund;
 - (H) Senator Hiram L. Fong Scholarship Program Endowment Trust Fund;
 - (I) Senator Oren E. Long Scholarship Program Endowment Trust Fund; and
 - (J) Hawaii Health Corps Revolving Fund;
- (3) Reclassifying as a Revolving Fund the:
 - (A) Hawaii Educator Loan Program Special Fund;
 - (B) Community Colleges Special Fund; and
 - (C) Professional Student Exchange Program Special Fund; and
- (4) Abolishing the:
 - (A) Hurricane Iniki Insurance Proceeds Special Fund;
 - (B) Agency Fund Trust Account; and
 - (C) University of Hawaii Okinawa Program Trust Fund.

The University of Hawai'i and Tax Foundation of Hawaii provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 545, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 683 Finance on H.B. No. 549

The purpose of this measure is to assist law school graduates who work in public service law by establishing and funding a Public Service Legal Loan Repayment Assistance Program that will give student loan repayment assistance to licensed lawyers who provide direct legal assistance to indigent persons through a nonprofit organization.

The Hawaii Justice Foundation and two individuals supported this measure. The Department of Budget and Finance, University of Hawaii, Hawaii Access to Justice Commission, and SCR 116 Task Force commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 549, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 684 Finance on H.B. No. 142

The purpose of this measure is to extend the sunset date from June 30, 2015, to July 1, 2021, for the requirement that counties issue affordable housing credits for existing and future Hawaiian Home Lands projects upon request for these credits by the Department of Hawaiian Home Lands.

The Department of Hawaiian Home Lands testified in support of this measure. The Chair of the Kauai County Council's Committee on Housing & Transportation and the Department of Planning and Permitting of the City and County of Honolulu 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 H.B. No. 142, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 685 Finance on H.B. No. 277

The purpose of this measure is to encourage the development of affordable housing in Hawaii by providing the counties with a financing option to support infrastructure for affordable housing projects. Specifically, this measure:

- (1) Permits the State to issue and sell revenue bonds for county improvements, at the request of a county; and
- (2) Allows counties the option of using community facilities districts as a method for repayment of infrastructure development loans administered by the Hawaii Housing Finance and Development Corporation.

The Hawaii Housing Finance and Development Corporation, Chamber of Commerce of Hawaii, and Building Industry Association of Hawaii supported the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 277, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 686 Finance on H.B. No. 278

The purpose of this measure is to authorize the Hawaii Housing Finance and Development Corporation (HHFDC) to establish and operate an affordable housing subaccount for the benefit of the county within the Dwelling Unit Revolving Fund.

The Building Industry Association of Hawaii supported this measure. HHFDC and the City and County of Honolulu commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 278, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 687 Finance on H.B. No. 283

The purpose of this measure is to promote the development of affordable housing by:

- (1) Authorizing the Hawaii Housing Finance and Development Corporation (HHFDC) to develop, on behalf of the State or with any qualified person or firm, a mixed-used project within a location-efficient area; and
- (2) Authorizing the exemption of any qualified person or firm involved in the development of affordable housing in a newly constructed, or moderately or substantially rehabilitated, mixed-use project within a location-efficient area from general excise taxes.

The Building Industry Association of Hawaii supported this measure. The Department of Taxation, HHFDC, Tax Foundation of Hawaii, and Hawaii Association of REALTORS commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 283, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 688 Finance on H.B. No. 345

The purpose of this measure is to impose a conveyance tax on the conveyance or transfer of a controlling interest of an entity that has interest in real property in the State, applicable to conveyances occurring on or after July 1, 2015.

The Nature Conservancy, PHOCUSED, Partners in Care, Alexander & Baldwin, Inc., Catholic Charities Hawaii, and IMUAlliance supported this measure. Maui Hotel & Lodging Association, Land Use Research Foundation of Hawaii, and Hawaii Lodging & Tourism Association opposed this measure. The Department of Taxation, Department of Land and Natural Resources, and Tax Foundation of Hawaii 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 H.B. No. 345, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 689 Finance on H.B. No. 766

The purpose of this measure is to meet the increasing demand for housing that is affordable to low- and moderate-income households by appropriating funds to the Hawaii Housing Finance and Development Corporation for the construction of micro apartment housing units.

The Hawaii Interagency Council on Homelessness, PHOCUSED, Land Use Research Foundation of Hawaii, Goodwill Industries of Hawaii, Inc., Hawaii Catholic Conference, League of Women Voters, Hawaii Primary Care Association, Catholic Charities Hawaii, Hawaii Appleseed Center for Law and Economic Justice, The CHOW Project, Hawaii Island HIV/AIDS Foundation, Partners In Care, Big Island Substance Abuse Council, and a concerned individual supported this measure. The Hawaii Housing Finance and Development Corporation, Hawaii Association of Realtors, and Building Industry Association 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 is in accord with the intent and purpose of H.B. No. 766, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 690 Finance on H.B. No. 768

The purpose of this measure is to expand the Hawaii Public Housing Authority's power to dispose of property abandoned, seized, or remaining from an eviction in or around a federal, elder or elderly, or state low-income housing project.

The Hawaii Public Housing Authority supported 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 H.B. No. 768, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 691 Finance on H.B. No. 1025

The purpose of this measure is to:

- (1) Authorize the Hawaii Housing Finance and Development Corporation (HHFDC) Board of Directors (Board) to set the salary of the HHFDC Executive Director, rather than specifying the amount of the Executive Director's salary in statute;
- (2) Require that in setting the Executive Director's salary, the Board consider withholding or altering the benefits package of the Executive Director in exchange for a higher salary; and
- (3) Require that the HHFDC Board submit a report to the Legislature following each adjustment to the Executive Director's salary.

The Department of Business, Economic Development, and Tourism commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1025, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 692 Finance on H.B. No. 1314

The purpose of this measure is to assist persons who are dispossessed of their homes as a result of a natural disaster by establishing the Emergency Home Relocation Special Fund, to be administered by the Hawaii Housing Finance and Development Corporation, to provide for infrastructure development, grants, and loans.

The Department of Budget and Finance and Hawaii Housing Finance and Development Corporation 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 H.B. No. 1314, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 693 Finance on H.B. No. 1354

The purpose of this measure is to increase development in the quantity and quality of housing in Hawaii by:

- (1) Appropriating funds to various housing agencies for improving the quality of existing public and affordable housing structures; and
- (2) Increasing the supply of affordable and public housing units in the State.

The Hawaii Public Housing Authority; Department of Hawaiian Home Lands; PHOCUSED; Goodwill Industries of Hawaii, Inc.; Hawaii Appleseed Center for Law and Economic Justice; Partners in Care; League of Women Voters of Hawaii; Faith Action for Community Equity Housing Task Force; Catholic Charities Hawaii; Hawaii Primary Care Association; The CHOW Project; Hawaii Island HIV/AIDS Foundation; and a few concerned individuals supported this measure. The Department of Budget and Finance; Hawaii Housing Finance and Development Corporation; Chamber of Commerce Hawaii; and the Hawaii Association of Realtors commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1354, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 694 Finance on H.B. No. 437

The purpose of this measure is to support the natural resources management goals of the State by recognizing the target goals of the Aloha+ Challenge and appropriating funds for:

- (1) Projects undertaken in accordance with watershed management plans;
- (2) Projects that prevent and mitigate invasive species infestations in the State;
- (3) Equipment for fire, natural disaster, and emergency response; and
- (4) Sustainability and improvement of public lands, including restoration of forests and other areas that promote outdoor recreation.

The Conservation Council for Hawaii, County of Kauai Department of Water, Kauai Watershed Alliance, Hanalei Watershed Hui, Nature Conservancy, Big Island Invasive Species Committee, Hawaii Invasive Species Council, Mauna Kea Watershed Alliance, Hawaii Farm Bureau, Hawaii Green Growth, West Maui Mountains Watershed Partnership, Oahu Invasive Species Council, Kauai Invasive Species Council, National Tropical Botanical Garden, Pu'u Kukui Watershed Preserve, Coordinating Group on Alien Pest Species, Pono Project LLC, and several concerned individuals supported this measure. The Department of Land and Natural Resources 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 H.B. No. 437, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 695 Finance on H.B. No. 759

The purpose of this measure is to improve public school students' learning experience by:

- (1) Requiring and funding a comprehensive study, development of a master strategy, and report by the Department of Education and Department of Accounting and General Services, with the consultation of the State Energy Office of the Department of Business, Economic Development, and Tourism and the Hawaii Natural Energy Institute of the University of Hawaii, to implement cooling systems at all public school facilities; and
- (2) Authorizing the Director of Finance to issue general obligation bonds to fund projects that demonstrate efficient methods of cooling classrooms in public schools.

The Hawaii State Teachers Association; Hui for Excellence in Education; and Faith Action for Community Equity provided testimony in support of this measure. The Department of Accounting and General Services; Department of Business, Economic Development, and Tourism; Department of Education; and IMUAlliance 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 H.B. No. 759, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 696 Finance on H.B. No. 801

The purpose of this measure is to support the growth of renewable energy and the reduction of fossil fuel use in Hawaii by authorizing the issuance of special purpose revenue bonds to assist SunStrong LLC in providing renewable energy projects in the State.

Kitahata & Company supported this measure. The Department of the Attorney General, Department of Budget and Finance, and SunStrong LLC provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 801, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 697 Finance on H.B. No. 1040

The purpose of this measure is to further the understanding of the economic impact that invasive species have on the State by, among other things:

- (1) Requiring the Hawaii Invasive Species Council to develop and contract with the University of Hawaii Economic Research Organization for an expanded economic model formula that establishes the impact of and cost to mitigate the most significant invasive species in the State and appropriating funds for the contract; and
- (2) Requiring the Legislative Reference Bureau to update its 2002 study, "Filling the Gaps in the Fight Against Invasive Species" and submit the updated component of its study to the Legislature no later than 20 days prior to the Regular Session of 2016.

The Hawaii Farm Bureau, Hawaii Invasive Species Council, Oahu Invasive Species Committee, and Nature Conservancy supported this measure. The Department of Agriculture, Department of Land and Natural Resources, University of Hawaii, and Legislative Reference Bureau 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 H.B. No. 1040, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 698 Finance on H.B. No. 1086

The purpose of this measure is to improve the efficiency of environmental protection in Hawaii by:

- (1) Directing the Legislative Reference Bureau to update its 1985 study "The Feasibility of Environmental Reorganization for Hawaii" and to submit the updated study to the Legislature no later than 20 days prior to the Regular Session of 2016; and
- (2) Appropriating funds for this purpose.

The Office of Environmental Quality Control provided testimony in support of the measure. The State Procurement Office and Legislative Reference Bureau 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 H.B. No. 1086 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 699 Finance on H.B. No. 1140

The purpose of this measure is to protect public health, the quality of Hawaii's near shore waters, and drinking water supply by reducing the number of cesspools in the State. Specifically, this measure provides a temporary, refundable income tax credit to individual and corporate taxpayers who either convert an existing cesspool to a septic or aerobic treatment unit system or connect the cesspool to a sewer system.

The Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, The Nature Conservancy, Surfrider Foundation, Hawaii Operating Engineers Industry Stabilization Fund, a Councilmember from Hawaii County Council District 8, and several individuals supported this measure. The Department of Health, Department of Taxation, Tax Foundation of Hawaii, and Hawaii Association of Realtors provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1140, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 700 Finance on H.B. No. 1513

The purpose of this measure is to support local companies in Hawaii that conduct renewable energy research and development through existing contracts with the principal research division of the United States Department of Defense, Office of Naval Research, by establishing a matching grant program.

Specifically, the measure:

- (1) Establishes a two-year alternative energy research and development pilot program under the Department of Business, Economic Development, and Tourism to provide grants to qualified businesses that conduct research and development on alternative energy;
- (2) Establishes the Alternative Energy Research and Development Revolving Fund; and
- (3) Appropriates funds from the general fund to the revolving fund in fiscal years 2015-2016 and 2016-2017 to be used for providing grants during the two-year pilot program.

Navatek Ltd., Pacific Shipyards International, and many concerned individuals supported this measure. One individual provided testimony in opposition to this measure. The High Technology Development Corporation and The Chamber of Commerce 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 is in accord with the intent and purpose of H.B. No. 1513, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 701 Finance on H.B. No. 874

The purpose of this measure is to:

- (1) Require the Department of Education to:
 - (A) Develop and implement annual assessments in the Hawaiian language for language arts, mathematics, and science, in accordance with federal accountability assessment requirements, to be administered to Ka Papahana Kaiapuni students; and
 - (B) Prepare and submit a preliminary and final report to the Legislature on the status of the procedures the Department is establishing for the development and administration of assessments in the Hawaiian language; and
- (2) Appropriate funds for the development and administration of annual assessments in the Hawaiian language.

The Office of Hawaiian Affairs, Aha Moku Advisory Committee, Kamehameha Schools, Laboratory School Program of Ka Haka 'Ula O Ke'elikōlani College of Hawaiian Language of the University of Hawaii at Hilo, King Kamehameha HCC, Kalihi Palama Hawaiian Civic Club, 'Aha Pūnana Leo, Association of Hawaiian Civic Clubs, Hawaii Public Charter Schools Network, Council for Native Hawaiian Advancement, Keaukaha

Community Association, Kawaikini NCPCS, and several individuals supported this measure. The Department of Education and one individual 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 H.B. No. 874, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 702 Finance on H.B. No. 1478

The purpose of this measure is to codify the State's duties in the co-management of the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) under the federal-state Compact Agreement for the Coordinated Management of the Sanctuary by:

- (1) Establishing the Hawaiian Islands Humpback Whale National Marine Sanctuary Program (Program) to coordinate and fulfill the State's management duties relating to the Sanctuary;
- (2) Establishing a full-time Sanctuary co-manager position to represent the State in the management of the Sanctuary;
- (3) Establishing penalties for violating rules pertaining to the Program; and
- (4) Appropriating funds to establish one full-time Sanctuary co-manager position and for costs relating to the State's co-management of the Sanctuary.

The Ocean Tourism Coalition; Maui Nui Marine Resource Council; The Nature Conservancy; Hawaii Green Growth; Hanalei Watershed Hui; Malama Maunaloa; Kua'āina Ulu 'Auamo; Coastal Planners, LLC; Conservation Council for Hawaii; and numerous individuals supported this measure. The Farming, Hunting, Fishing Association and an individual opposed this measure. The Department of Land and Natural Resources, Office of Planning, Aha Moku Advisory Committee, and an individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1478, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 703 Finance on H.B. No. 133

The purpose of this measure is to provide incentives for investment in tourism infrastructure through an income tax credit for costs incurred in the construction of a new hotel facility or the renovation of an existing hotel facility for taxable years beginning after December 31, 2015, until December 31, 2021.

The Hawaii Tourism Authority, Maui Chamber of Commerce, Hawaii Lodging and Tourism Association, Outrigger Enterprises Group, and Maui Hotel & Lodging Association supported this measure. The Department of Taxation, Tax Foundation of Hawaii, and Land Use Research Foundation of Hawaii commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 133, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 704 Finance on H.B. No. 169

The purpose of this measure is to:

- (1) Amend the definition of fair market rental value used for the imposition of the transient accommodations tax; and
- (2) Gradually increase the transient accommodations tax rate imposed on resort time share vacation units by 1 percent each year until the amount of the tax rate is increased from the current 7.25 percent to 9.25 percent.

The American Resort Development Association Hawaii opposed this measure. The Department of Taxation, State-County Functions Working Group, Tax Foundation of Hawaii, Wyndham Vacation Ownership, Starwood Vacation Ownership, and Outrigger Enterprises Group commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 169, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 705 Finance on H.B. No. 854

The purpose of this measure is to require hotels to distribute portage service charges to employees directly as tip income or clearly disclose to customers that the service charges are being used for other purposes.

Unite Here! Local 5 and three concerned individuals supported the measure. The Hawaii Lodging & Tourism Association 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 H.B. No. 854, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 706 Finance on H.B. No. 1259

The purpose of this measure is to enhance the operational effectiveness and efficiency of the Hawaii Tourism Authority (HTA) by:

- (1) Making permanent certain statutory provisions granting the Hawaii Tourism Authority more independence in managing its affairs and oversight authority over its financial operations that would have expired on June 30, 2015; and
- (2) Increasing the cap on funds used for administrative expenses to 6.5 percent of the funds in the Tourism Special Fund.

The Hawaii Tourism Authority and Outrigger Hotels Hawaii supported 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 H.B. No. 1259, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 707 Finance on H.B. No. 119

The purpose of this measure is to encourage and assist individuals and families to save private funds to support individuals with a disability by:

- (1) Requiring the Director of Finance to establish the Hawaii ABLE Savings Program (Program) to provide for individual savings accounts to support an individual with a disability; and
- (2) Establishing the Hawaii ABLE Savings Program Trust Fund to support the Program.

The State Council on Developmental Disabilities, Disability and Communication Access Board, Autism Speaks, Easter Seals Hawaii, Hawaii Association for Behavior Analysis, and the National Down Syndrome Society supported this measure. The Department of Budget and Finance and Hawaii Disability Rights Center commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 119, H.D. 2, and recommends that it pass Third Reading.

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

SCRep. 708 Finance on H.B. No. 261

The purpose of this measure is to ensure transparency of prescription drug benefits and assist consumers with making more informed choices about health care coverage by requiring health insurers, mutual benefit societies, and health maintenance organizations to post and update information on drug formularies on their websites.

The Hawaii Medical Association and American Cancer Society Cancer Action Network testified in support of this measure. The Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, and Kaiser Permanente provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 261, H.D. 2, and recommends that it pass Third Reading.

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

SCRep. 709 Finance on H.B. No. 464

The purpose of this measure is to support the emergency medical service needs of the Kakaako area of Oahu by appropriating funds for the purchase of an ambulance vehicle and the operational costs for an ambulance unit, including equipment, supplies, and personnel costs for state-certified emergency medical service personnel.

The Honolulu Emergency Services Department, Emergency Medical Service Division; American Medical Response; United Public Workers, AFSCME, Local 646, AFL-CIO; and a concerned individual supported the measure. The Department of Health 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 H.B. No. 464, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 710 Finance on H.B. No. 467

The purpose of this measure is to promote children's health by requiring birthing facilities to screen for critical congenital heart defects in newborns prior to discharge.

Specifically, this measure requires birthing facilities to conduct a pulse oximetry test or another medically accepted test that measures blood oxygen saturation, unless otherwise provided.

The Department of Health, American Heart Association, March of Dimes Foundation, and Kapiolani Medical Center for Women and Children 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 H.B. No. 467, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 711 Finance on H.B. No. 481

The purpose of this measure is to support emergency medical services on the island of Hawaii by appropriating funds for an advanced life support ambulance to be based in the Makalei area to be used during daily peak hours, including associated costs for vehicle and equipment acquisition and personnel.

A Hawaii County Council Member, the Hawaii Fire Fighters Association, American Medical Response, and a concerned individual supported this measure. The Department of Health commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 481, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 712 Finance on H.B. No. 576

The purpose of this measure is to assist the State in developing a state innovation waiver in compliance with the federal Patient Protection and Affordable Care Act. Specifically, this measure:

- (1) Focuses the scope of the work of the state innovation waiver task force, established pursuant to Act 158, Session Laws of Hawaii 2014, in developing a health care reform plan that meets the requirements for obtaining a state innovation waiver by deleting the requirements that the task force:
 - (A) Examine alternatives, exemptions, or waivers from allowable premium rate variations based on age;
 - (B) Examine the feasibility of providing affordable insurance coverage for uninsured and underinsured persons through brokers and professional employer organizations that include innovations to the State's Medicaid program; and
 - (C) Include recommendations on the allocation of existing moneys available for health reform and innovation in its interim reports to the Legislature; and
- (2) Appropriates an unspecified amount to support development of a waiver to the federal Patient Protection and Affordable Care Act.

The Department of Commerce and Consumer Affairs, Maui Chamber of Commerce, The Chamber of Commerce of Hawaii, The Queen's Health Systems, Hawaii Primary Care Association, and Healthcare Association of Hawaii supported this measure. The Hawaii Association of Health Plans commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 576, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 713 Finance on H.B. No. 578

The purpose of this measure is to improve student health by requiring that beginning with the 2016-2017 school year, all children, prior to attending seventh grade, must provide school officials with written documentation of a physical examination performed within 12 months before the date of attendance.

The Department of Education, Department of Health, University of Hawaii, Hawaii Public Health Institute, Waianae Coast Comprehensive Health Center, Hawaii Chapter of the American Academy of Pediatrics, and Kaiser Permanente Hawaii supported the measure. The Hawaii Medical Service Association and Hawaii Primary Care Association 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 H.B. No. 578, H.D. 2, and recommends that it pass Third Reading.

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

SCRep. 714 Finance on H.B. No. 581

The purpose of this measure is to:

- (1) Extend the Hospital Sustainability Program for one year to continue maximizing the amount of federal funds private hospitals receive and federal matching funds public hospitals receive to help preserve access to health care for Medicaid recipients and sustain the State's health care system;
- (2) Revise the funding amounts for the Hospital Sustainability Program Special Fund for fiscal year 2015-2016; and
- (3) Make other changes to the Hospital Sustainability Program.

The Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Hawaii Primary Care Association, Chamber of Commerce Hawaii, and The Queen's Health Systems supported this measure. The Department of Human Services commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 581, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 715 Finance on H.B. No. 582

The purpose of this measure is to continue the Nursing Facility Sustainability Program for one year to allow public and private nursing facilities to continue to maximize federal Medicaid reimbursements for care provided to Medicaid and MedQUEST patients.

The Hawaii Health Systems Corporation, Chamber of Commerce Hawaii, The Queen's Health Systems, Hawaii Primary Care Association, and Healthcare Association of Hawaii supported this measure. The Department of Human Services commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 582, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 716 Finance on H.B. No. 589

The purpose of this measure is to reduce death and disability from stroke by requiring the Department of Health to:

- (1) Establish a stroke system of care, including requirements for hospitals, development of emergency services, and a statewide stroke database to help evaluate and improve stroke care throughout the State; and
- (2) Convene a Stroke Coalition to evaluate and develop effective statewide policies and collect information regarding stroke patient care.

The Queen's Health Systems, Hawaii Neurological Society, Healthcare Association of Hawaii, American Heart Association, Hawai'i Pacific Health, and an individual testified in support of this measure. The Department of Health and the American Heart/American Stroke Association 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 H.B. No. 589, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 717 Finance on H.B. No. 782

The purpose of this measure is to raise awareness of the cytomegalovirus, the most common cause of birth defects and childhood disability in the United States, by:

- (1) Requiring the Department of Health (Department) to establish a Public Education Program to inform pregnant women and women who may become pregnant about the various aspects of the cytomegalovirus and to provide the information to hospitals, health care providers, and child, infant, and toddler care facilities, including organizations offering children's programs as a part of worship services;
- (2) Requiring the Department to convene a working group of relevant health care stakeholders to participate in the development of the Program and to inform and educate health care providers who may be responsible for the provision of services to pregnant mothers or newborns with the cytomegalovirus;
- (3) Requiring the working group to submit a report to the Legislature prior to the 2016 Regular Session that includes recommendations for developing, implementing, and funding the Program; and
- (4) Appropriating funds to the Department to implement the Program.

Numerous concerned individuals supported this measure. The Department 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 H.B. No. 782, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 718 Finance on H.B. No. 847

The purpose of this measure is to address the shortage of primary care providers in the State by appropriating funds for the Interdisciplinary Hawaii Health Systems Corporation Primary Care Training Program at Hilo Medical Center.

The Hawaii Health Systems Corporation; East Hawaii Region of Hawaii Health Systems Corporation; Council member from District 8 of the Hawaii County Council; Council member from District 4 of the Hawaii County Council; Council member from District 3 of the Hawaii County Council; Kona-Kohala Chamber of Commerce; Hilo Medical Center Foundation Board; Zonta Club of Hilo; The Queen's Health Systems; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Health Systems Corporation Primary Care Training Program; and numerous individuals testified in support of this measure. An individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 847, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 719 Finance on H.B. No. 851

The purpose of this measure is to support the emergency medical service needs of the Puna community by appropriating funds to establish an advanced life support ambulance based in Puna on the island of Hawaii, including acquisition of a vehicle, equipment, and personnel costs for state-certified emergency medical services personnel.

A Hawaii County Council Member; the East Hawaii Region of the Hawaii Health Systems Corporation; United Public Workers, AFSCME Local 646, AFL-CIO; American Medical Response; Hawaii Fire Fighters Association; and a few concerned individuals supported this measure. The Department of Health commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 851, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 720 Finance on H.B. No. 859

The purpose of this measure is to:

- (1) Allow the Department of Health to maintain a forum on its website where certain state-licensed care facilities are able to post vacancy information to facilitate the placement of individuals in those facilities;
- (2) Require the Department of Health to convene a working group to discuss and provide feedback on the implementation and maintenance of a forum on its website where certain state-licensed care facilities are able to post vacancy information, and the posting of vacancy information on the website; and
- (3) Appropriate funds to carry out the purposes of this measure.

The Big Island Adult Foster Home Operators and numerous individuals supported this measure. The Department of Health, Alliance of Residential Care Administrators, and an individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 859, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 721 Finance on H.B. No. 1241

The purpose of this measure is to keep Hawaii's children safe from lead hazards and lead poisoning by appropriating funds for Department of Health lead poisoning prevention activities that support comprehensive outreach by the Department to community agencies, health care providers, and families.

The Department of Health provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1241, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 722 Finance on H.B. No. 1440

The purpose of this measure is to appropriate funds to the Hawaii Keiki: Healthy and Ready to Learn program to build and enhance school-based health services, and to require matching funds by federal and private entities.

The Department of Education, the University of Hawaii, Department of Education Farrington-Kaiser-Kalani Complex Area, Department of Education Kapaa-Kauai-Waimea Complex Area, Department of Education Kailua-Kalaheo Complex Area, Department of Education Nanakuli-Waianae

Complex Area, Department of Education Kau-Keaau-Pahoa Complex Area, Olomana School, Nanaikapono Elementary School, Project Vision Hawaii, Hawaii Pacific Health, and several individuals supported 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 H.B. No. 1440, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 723 Finance on H.B. No. 564

The purpose of this measure is to appropriate funds to the Department of Defense for programs, ceremonies, and activities to commemorate the 50th anniversary of the Vietnam War.

The Veterans of Foreign Wars of the United States, Dept. of Hawaii; Department of Defense; Military Officers Association of America, Hawaii Chapter; the 50th Anniversary of the Vietnam War Commemoration Committee; and a few individuals supported this measure. The Office of Veterans Services provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 564 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 724 Finance on H.B. No. 1005

The purpose of this measure is to appropriate funds to the Judiciary and the Department of the Prosecuting Attorney of the City and County of Honolulu to support and adequately staff the Veterans Treatment Court.

The County of Hawaii Office of the Prosecuting Attorney; Office of Veterans Services; Veterans of Foreign Wars of the United States; the Hawaii Emergency Management Agency; and a few individuals provided testimony in support of this measure. The Judiciary and City and County of Honolulu Department of the Prosecuting Attorney 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 H.B. No. 1005, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 725 Finance on H.B. No. 1119

The purpose of this measure is to provide funding to cover the funeral and burial costs of Filipino veterans of World War II, including the cost of returning the deceased veteran's remains to the Philippines for burial, in accordance with the veteran's final wishes.

The National Association for Uniformed Services, Hawaii Chapter; WWII Fil-Am Veterans and Ladies Auxiliary Hawaii Chapter; and a concerned individual provided testimony in support of this measure. The Office of Veterans Services and a concerned individual 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 H.B. No. 1119 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 726 Finance on H.B. No. 1153

The purpose of this measure is to recognize the sacrifices made by members of the armed services by exempting certain totally and permanently disabled veterans from paying motor vehicle registration fees.

The Military Officers Association of America, Hawaii Chapter and a few individuals supported this measure. The Office of Veterans Services and Tax Foundation 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 is in accord with the intent and purpose of H.B. No. 1153 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 727 Finance on H.B. No. 1368

The purpose of this measure is to change the membership composition and residency requirements of the members of the King Kamehameha Celebration Commission and the source of funding for specified staff of the Commission. Specifically, the measure:

- (1) Clarifies that the Commission includes a member from the Waimanalo Hawaiian Homestead Association and adds a member from the Daughters of Hawaii;
- (2) Requires that the Governor's appointees be residents of the counties of Kauai, Maui, and Hawaii, rather than the islands of Kauai, Maui, Molokai, and Hawaii;

- (3) Specifies that the funding source of the salaries for the Commission's arts program specialist and part-time clerk be state funds, rather than fees, public contributions, and private donations; and
- (4) Appropriates funds for the Commission's operating costs.

The Kalihi Palama Hawaiian Civic Club; Hawaii Women's Rodeo Association; and a few individuals provided testimony in support of this measure. The Department of Accounting and General Services opposed this measure. The King Kamehameha Celebration Commission 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 H.B. No. 1368 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 728 Finance on H.B. No. 126

The purpose of this measure is to fund Hawaii Employer-Union Health Benefits Trust Fund costs and other cost adjustments for officers and employees of specified legislative agencies who are excluded from collective bargaining.

The Office of the Auditor, Office of the Ombudsman, Legislative Reference Bureau, Hawaii State Ethics Commission, and League of Women Voters of Hawaii supported 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 H.B. No. 126 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 729 Finance on H.B. No. 553

The purpose of this measure is to create a new bargaining unit to allow graduate student assistants employed by the University of Hawaii to collectively bargain.

The University of Hawaii at Manoa Graduate Student Organization, University of Hawaii Professional Assembly, and numerous concerned individuals supported the measure. The University of Hawaii, Department of Budget and Finance, and Office of Collective Bargaining testified in opposition. The Department of the Attorney General and Hawaii Government Employees Association 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 H.B. No. 553, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 730 Finance on H.B. No. 697

The purpose of this measure is require the Auditor to conduct a study of executive department engineering sections that manage general fund capital improvement projects, to determine whether this decentralized approach serves the public interest, particularly in light of the Department of Accounting and General Services' statutory responsibility to undertake the program of centralized engineering services for departments of the State.

The Department of Accounting and General Services supported 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 H.B. No. 697, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 731 Finance on H.B. No. 1497

The purpose of this measure is to expand the scope of employment-related data the Department of Labor and Industrial Relations (Department) is able to gather. Specifically, this measure:

- (1) Requires employers to keep a record of the physical addresses of the employer and the North American Industry Classification System (NAICS) code applicable to the employer and to report this information to the Department; and
- (2) Requires Professional Employer Organizations to provide the physical addresses, NAICS codes, and number of employees of each client company to the Department.

The Department of Labor and Industrial Relations supported 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 H.B. No. 1497, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 732 Finance on H.B. No. 583

The purpose of this measure is to close the gap between long-term care facilities' costs and reimbursements for care of Medicaid patients by requiring the Department of Human Services to annually increase facilities' payment rates by applying a federally approved inflation factor to the provider's historical costs or basic prospective payment system rates.

The Hawaii Health Systems Corporation, Hawaii Health Systems Corporation-Oahu Region, Healthcare Association of Hawaii, The Queen's Health Systems, Aloha Nursing Rehab Centre, Hale Makua Health Services, Ohana Pacific Management Company, Inc., One Kalakaua Senior Living, and numerous individuals supported this measure. The Department of Human Services 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 H.B. No. 583, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 733 Finance on H.B. No. 1236

The purpose of this measure is to improve employment opportunities for individuals with disabilities by:

- (1) Establishing a Medicaid Buy-in Program with the Department of Human Services for workers with disabilities that affords them expanded access to Medicaid;
- (2) Establishing, and appropriating funds for, a Medicaid Buy-in Pilot Program with the Department of Health for workers with disabilities to support the employment of individuals with disabilities by expanding access to Medicaid; and
- (3) Appropriating funds for the University of Hawaii Center on Disability Studies to prepare and conduct outreach and training related to the Medicaid Buy-in Program.

The Hawaii Primary Care Association and Ohana Health Plan provided testimony in support of this measure. The Department of Human Services, Department of Health, State Council on Developmental Disabilities, Hawaii Disability Rights Center, Easter Seals Hawaii, and Lanakila Pacific 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 H.B. No. 1236, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 734 Finance on H.B. No. 734

The purpose of this measure is to assist chronically homeless individuals in obtaining rental housing by establishing and funding the Housing First Voucher Program within the Department of Human Services to provide vouchers to provider agencies to assist these individuals with finding and maintaining housing and supportive services.

The Building Industry Association of Hawaii, Hawaii Primary Care Association, and an individual supported this measure. The Department of Human Services, Queen's Health Systems, and PHOCUSED commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 734, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 735 Finance on H.B. No. 1347

The purpose of this measure is to assist the Department of Human Services in administering the Supplemental Nutrition Assistance Program by appropriating funds to the Department for the hiring of any necessary staff; the improvement of the Department's electronic systems capacity; and the contracting of any needed services to effectively implement and spread awareness of the Program.

The Hawaii Appleseed Center for Law and Economic Justice and a concerned individual provided testimony in support of this measure. The Department of Human Services provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1347, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 736 Finance on H.B. No. 1161

The purpose of this measure is to provide quality, cost-effective health and dental care for qualified Hawaii residents by appropriating funds to be matched with federal funds and used for:

- (1) Restoring basic adult dental benefits to Medicaid enrollees;
- (2) Providing outreach and eligibility services for children, families, and individuals at federally qualified health centers; and

- (3) Establishing health homes for Medicaid enrollees at federally qualified community health centers.

The State Council on Developmental Disabilities, Hawaii Primary Care Association, The Queen's Health Systems, Lanai Community Health Center, and a couple of individuals provided testimony in support of this measure. The Department of Human Services, Department of Health, and an individual 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 H.B. No. 1161, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 737 Finance on H.B. No. 498

The purpose of this measure is to appropriate funds to the Department of Human Services for various investigation, direct service, and administrative positions in the Department's Adult Protective and Community Services Branch.

The Maui County Office on Aging supported this measure. The Department of Human Services 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 H.B. No. 498, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 738 Judiciary on H.B. No. 947

The purpose of this measure is to create an effective and safe treatment environment at the Hawaii State Hospital (Hospital) by requiring that the court provide a copy of the court examination reports with the order of commitment or order for conditional release to the Hospital.

The Department of Health testified in support of this measure.

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 H.B. No. 947 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 739 Finance on H.B. No. 676

The purpose of this measure is to:

- (1) Authorize the Chair of the State Public Charter School Commission to vote on collective bargaining agreements for Bargaining Units (5) and (6); and
- (2) Require collective bargaining agreements for Bargaining Unit (9) to have three votes by the Governor, two votes by the Hawaii Health Systems Corporation Board, and one vote by the Chief Justice.

The Hawaii Health Systems Corporation and East Hawaii Region of the Hawaii Health Systems Corporation supported this measure. The Department of Education; Hawaii State Teachers Association; and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposed this measure. The Office of Collective Bargaining; State Public Charter School Commission; and Hawaii Public Charter Schools Network commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 676, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 740 Finance on H.B. No. 141

The purpose of this measure is to clarify that the \$850,000 maximum limit for the civil service exemption for contracts for building, custodial, and grounds maintenance services with qualified community rehabilitation programs applies to the maximum amount per contract.

Ka Lima O Maui and numerous individuals supported this measure. The United Public Workers, AFSCME, Local 646, AFL-CIO 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 H.B. No. 141 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 741 Finance on H.B. No. 496

The purpose of this measure is to ensure that private sector employees in Hawaii are provided partial wage replacement when taking family leave to care for family members by:

- (1) Establishing the Partial Wage Replacement for Leave Trust Fund, funded by employee wage withholdings, to disburse family leave benefits to eligible employees; and
- (2) Appropriating funds to hire staff to administer the Trust Fund and reimburse the Unemployment Insurance Division for the administrative costs in collecting payments for the Trust Fund.

The Maui County Office on Aging, PHOCUSED, and a concerned individual supported this measure. The Hawaii Credit Union League, National Federation of Independent Business, The Chamber of Commerce of Hawaii, and Hawaii Food Industry Association opposed this measure. The Department of Labor and Industrial Relations, Hawaii State Commission on the Status of Women, Democratic Party of Hawai'i, Democratic Party of Hawai'i Women's Caucus, ILWU Local 142, Island Endodontics, Good Beginnings Alliance, Planned Parenthood of Hawaii, Breastfeeding Hawaii, Building Industry Association of Hawaii, Healthy Mothers Healthy Babies Coalition, and several concerned individuals commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 496, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 742 Finance on H.B. No. 52

The purpose of this measure is to require that males aged 18 to 26 register with the selective service in compliance with the Military Selective Service Act to be eligible for enrollment in a state-supported post-secondary institution, qualify for state financial assistance for post-secondary education, or be eligible for state or county employment or service.

The Selective Service System – Hawaii Headquarters supported this measure. The Hawaii Civil Rights Commission; Hawaii Peace and Justice; and numerous individuals provided testimony in opposition to this measure. The University of Hawaii 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 H.B. No. 52, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 743 Agriculture on H.B. No. 205

The purpose of this measure is to update the Hawaii State Planning Act by adding as state agricultural economic policies:

- (1) The perpetuation, promotion, and increase of traditional Hawaiian farming and traditional Hawaiian crops; and
- (2) The increase and development of small-scale farms.

The Office of Hawaiian Affairs, University of Hawaii at Manoa, two members of the Kauai County Council, Association of Hawaiian Civic Clubs, Land Use Research Foundation of Hawaii, Hawaii Green Growth, and several concerned individuals supported this measure. The Department of Agriculture provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 20, 2050, 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 205, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 205, H.D. 1.

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

SCRep. 744 Judiciary on H.B. No. 1007

The purpose of this measure is to improve highway and public safety by enabling Hawaii residents who meet the qualifications for a driver's license or instructional permit, other than the minimum documentary requirements under the REAL ID Act, to obtain uniquely identified limited purpose driver's licenses, provisional driver's licenses, and instruction permits as long as the resident provides satisfactory proof of identity and state residency.

The Hawai'i Civil Rights Commission, Hawaii State Commission on the Status of Women, Aloha Dream Team, American Immigration Lawyers Association – Hawaii Chapter, Catholic Charities Hawai'i, The CHOW Project, Filipino American Citizens League, Hawai'i Appleseed Center for Law and Economic Justice, Hawaii Catholic Conference, Hawai'i Coalition for Immigration Reform, Hawaii District United Methodist Women, Hawai'i Friends for Civil Rights, HealthyPacific.Org, National Federation of Filipino American Associations Region 12, Nursing Advocates and Mentors, Inc., PHOCUSED, and many concerned individuals testified in support of this measure. The Department of Transportation and American Civil Liberties Union of Hawaii testified in support and recommended amendments. Hawaii Insurers Council provided comments.

Your Committee has amended this measure to:

- (1) Clarify in the preamble the legislative intent to authorize limited purpose driver's licenses in accordance with the REAL ID Act and prevent discrimination against the person who possesses the limited purpose driver's license;

- (2) Specify the font size of the disclosure statements that appear on the limited purpose license or permit;
- (3) Permit a person who was injured by an unlawful discriminatory practice related to a limited purpose license or permit to pursue a remedy;
- (4) Enhance the confidential treatment of the application for and possession of a limited purpose driver's license; and
- (5) Make 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 H.B. No. 1007, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1007, H.D. 1.

Signed by all members of the Committee except Representatives Nakashima, Woodson and McDermott.

SCRep. 745 Judiciary on H.B. No. 1297

The purpose of this measure is to update the penal code in recognition of traditional Hawaiian burials by providing that preparation of a corpse for burial in a manner consistent with Hawaiian cultural customs and practices is not a violation of the penal code.

The Ko'olau Foundation and Ko'olaupoko Hawaiian Civic Club testified in support of this measure. The Office of Hawaiian Affairs and Center for Hawaiian Sovereignty Studies testified in support of this measure with amendments.

Your Committee has amended this measure to:

- (1) Include the burial of a corpse in a manner consistent with traditional Hawaiian cultural customs and practices; and
- (2) Make technical, nonsubstantive amendments for the purposes of 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 H.B. No. 1297, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1297, H.D. 1.

Signed by all members of the Committee except Representatives Nakashima, Woodson and McDermott.

SCRep. 746 Judiciary on H.B. No. 436

The purpose of this measure is to promote highway safety for State Civil Defense and County Emergency Management personnel by amending the Statewide Traffic Code to include State Civil Defense and County Emergency Management vehicles in the definition of emergency vehicle, thereby requiring vehicles to slow and change lanes when approaching such emergency vehicles that are stopped to conduct official duties.

The Honolulu Police Department, AAA Hawaii, and several concerned individuals testified in support of this measure. The Department of Defense, Hawaii Emergency Management Agency, Department of Public Safety, and Department of Emergency Management of the City and County of Honolulu testified in support and proposed amendments.

Your Committee has amended this measure by:

- (1) Including Sheriff Division vehicles in the definition of emergency vehicle; and
- (2) Substituting "Hawaii Emergency Management Agency" for "State Civil Defense" where appropriate to reflect statutory changes to the name of the State Civil Defense agency.

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 H.B. No. 436, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 436, H.D. 1.

Signed by all members of the Committee except Representatives Brower, Nakashima, Woodson and McDermott.

SCRep. 747 Judiciary on H.B. No. 456

The purpose of this measure is to provide a safe mechanism for reporting citizen complaints regarding officer-involved domestic violence by ensuring that reports to the police commission of allegations of officer-involved abuse against a family or household member do not have to be in writing or be a sworn statement.

The Hawaii State Commission on the Status of Women, Domestic Violence Action Center, Hawaii Women's Coalition, Hawaii State Democratic Women's Caucus, and a concerned individual testified in support of this measure. The Department of the Attorney General, Honolulu Police Department, and two concerned individuals provided comments.

Your Committee has amended this measure by changing the effective date to March 15, 2039, 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 H.B. No. 456, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 456, H.D. 1.

Signed by all members of the Committee except Representatives Nakashima, Woodson and McDermott.

SCRep. 748 Consumer Protection & Commerce on H.B. No. 354

The purpose of this measure is to require all non-exempt licensed registered nurses and licensed practical nurses to complete continuing competency requirements prior to submitting an application for license renewal, restoration, or reinstatement, beginning July 1, 2017.

The University of Hawaii System, Board of Nursing (Board), Hawaii State Center for Nursing, Hawaii Pacific Health, Wilcox Memorial Hospital, Pali Momi Medical Center, Kapiolani Medical Center for Women and Children, Straub Clinic & Hospital, Prime Care Services Hawaii, Hawaii Government Employees Association, and numerous individuals testified in support of this measure. The Queen's Health Systems provided comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that each registered and practical nurse licensee shall have completed one of the learning activity options recognized by the Board within the two-year period preceding the renewal date;
- (2) Specifying that practical nurses licensed in this State who also maintain current national certification, approved by the Board, in their practice role are exempt from the continuing competency requirements;
- (3) Adding continuing education options that a licensee who graduated or completed pre-licensure requirements more than twelve months but less than two years prior to the renewal date shall take prior to the first renewal period;
- (4) Removing the orientation of an employee as a learning activity option;
- (5) Specifying that the learning activity option consisting of completion as principal or co-principal investigator of a nursing research or evidence-based practice project shall be an Institution Review Board project; 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 H.B. No. 354, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 354, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Yamane and McDermott.

SCRep. 749 Judiciary on H.B. No. 683

The purpose of this measure is to:

- (1) Authorize the Executive Director of the Hawaii Civil Rights Commission (Executive Director) to dismiss a discrimination complaint and issue a notice to the complainant of the right to sue, after a determination of reasonable cause of discrimination is made and conciliation fails; and
- (2) Provide that the Executive Director's determination that a complaint is to be dismissed and a notice of right to sue issued is not subject to reconsideration by the Hawaii Civil Rights Commission or judicial review.

The Department of Labor and Industrial Relations supported this measure. The Hawaii Civil Rights Commission supported this measure with a suggested amendment. An individual commented on this measure.

Your Committee has amended this measure by:

- (1) Complying with the federal Fair Housing Act by enabling the Executive Director to demand that a respondent cease an unlawful discriminatory practice where the Executive Director has determined that there is reasonable cause to believe that an unlawful discrimination practice has occurred and conciliation efforts have failed to resolve the complaint, with respect to complaints alleging violations of both Chapter 515, Hawaii Revised Statutes, and the federal Fair Housing Act; 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 H.B. No. 683, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 683, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 750 Judiciary on H.B. No. 951

The purpose of this measure is to allow the Labor and Industrial Relations Appeals Board (Board) the option to provide a notice of hearing by online posting on the Board's webpage if service by first class mail is returned as undeliverable.

The Department of Labor and Industrial Relations and the Board supported this measure. The Disability and Communication Access Board and an individual commented on this measure.

Your Committee has amended this bill by specifying that the posting of a Board hearing notice online may be removed from the the Board's webpage no less than five business days after the date of the hearing.

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 H.B. No. 951, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 951, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 751 Judiciary on H.B. No. 279

The purpose of this measure is to protect consumers by prohibiting a real estate broker or salesperson, who is acting on behalf of a seller of real estate, from acting in a manner that prohibits a prospective purchaser from being able to retain the services of a real estate broker or real estate salesperson.

The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Real Estate Commission, and Hawaii Association of Realtors submitted comments.

Your Committee has amended this measure by:

- (1) Prohibiting a real estate broker or a real estate salesperson acting on behalf of either a seller or purchaser of real estate to act in a manner that prohibits either a prospective purchaser or prospective seller of real estate from being able to retain the services of a real estate broker or real estate salesperson; and
- (2) Changing the effective date of this measure to November 1, 2015.

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 H.B. No. 279, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 279, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 752 Judiciary on H.B. No. 952

The purpose of this measure is to facilitate investigations of public contractor violations of wage and hour requirements by:

- (1) Providing for confidentiality with respect to the identity of complainants interviewed in investigations; and
- (2) Requiring the filing of administrative complaints of violations within one year from the date wages were due and limiting investigations to a one-year period.

The Department of Labor and Industrial Relations supported this measure and provided comments. The Hawaii Building & Construction Trades Council, AFL-CIO and the Hawaii Operating Engineers Industry Stabilization Fund opposed this measure. The General Contractors Association of Hawaii commented on this measure.

Your Committee has amended this measure by removing the provision that would have required administrative complaints to be filed within a year and limited the investigation period.

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 H.B. No. 952, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 952, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 753 Judiciary/Consumer Protection & Commerce on H.B. No. 1011

The purpose of this measure is to ensure highway safety by prohibiting the use of certain types of motor vehicle wheels that are considered dangerous. Specifically, this measure:

- (1) Defines the term "dangerous wheels" to mean any wheel, wheel cover, hubcap, lug nut cover or cap, prong, or any ornamentation affixed to any of the aforementioned items that extends at least four inches beyond the outer edge of the wheel's rim and that may cause injury or property damage by minimal contact with a person or object; and
- (2) Prohibits any person from operating a vehicle, trailer, or semi-trailer equipped with dangerous wheels.

The Honolulu Police Department supported this measure. The Department of Transportation supported the intent of this measure and provided a suggested amendment. The Hawaii Transportation Association opposed this measure and provided a suggested amendment. An individual opposed this measure.

Your Committees have amended this measure by changing the definition of "dangerous wheels" to mean any wheel, wheel cover, hubcap, lug nut cover or cap, prong, or any ornamentation affixed to any of the aforementioned items that extends at least four inches beyond the portion of the wheel rim that extends furthest curbside from the vehicle and that may cause injury or property damage by minimal contact with a person or object.

It is your Committees' intent that the definition of "dangerous wheels" not apply to vehicles being transported on trailers, such as racing vehicles not intended for on-road use.

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 H.B. No. 1011, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1011, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Yamane and McDermott.

SCRep. 754 Consumer Protection & Commerce on H.B. No. 1273

The purpose of this measure is to authorize construction of hydroelectric facilities on agricultural lands, subject to certain conditions.

The Department of Agriculture, a Member of the Kaua‘i County Council, and a few individuals testified in support of this measure. The Hawai‘i Farm Bureau Federation testified in support of the intent of this measure. An individual testified in opposition to this measure. The Department of Land and Natural Resources, Department of Business, Economic Development & Tourism, and Land Use Commission provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying a five hundred kilowatt power generation limit for hydroelectric facilities on agricultural lands;
- (2) Requiring that hydroelectric facilities on agricultural lands comply with the State Water Code;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that according to testimony received, setting a limitation of five hundred kilowatts will prevent agricultural operators with hydroelectric generation facilities from entering into electric utility power purchase agreements that would subvert the purpose of this measure. Therefore, the five hundred kilowatt limitation imposed by this measure, as amended, will help to ensure that permitted hydroelectric facilities are used for the actual agricultural operation itself.

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 H.B. No. 1273, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1273, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Yamane and McDermott.

SCRep. 755 Consumer Protection & Commerce on H.B. No. 1089

The purpose of this measure is to mitigate the burdens of obtaining a yearly certificate of motor vehicle inspection, while maintaining public safety, by requiring that motor vehicle inspections be conducted every two years rather than annually.

The Department of Transportation, Aloha Shell Service, Kaanapali Car Care, Alik's Automotive Repair and Service LLC, and a few individuals testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Requiring that motor vehicle inspections be conducted every two years rather than annually for vehicles registered in a county with a population of 300,000 or less;
- (2) Maintaining the annual motor vehicle inspection requirement for vehicles registered in a county with a population over 300,000;
- (3) Specifying that the certificate of inspection fee for vehicles registered in a county with a population of 300,000 or less shall reflect the aggregate cost as if annual inspections were conducted over the two year certification period;
- (4) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully notes that despite concerns raised during the public hearing regarding the number of motor vehicle breakdowns on state highways, such as Interstate H-2, the safety check process is not an exhaustive inspection that will identify and prevent all mechanical defects.

Additionally, your Committee notes that the Department of Transportation testified that there are approximately 300 service stations on Oahu that are official inspection stations qualified to offer motor vehicle inspections for a safety check, and the availability of official inspection stations is not an issue. However, members of your Committee who are representatives from the neighbor islands expressed concerns because there are not many official inspection stations available on their respective islands. Accordingly, your Committee has amended this measure by restricting the two-year safety check requirement to counties with a population of 300,000 or less.

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 H.B. No. 1089, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1089, H.D. 2.

Signed by all members of the Committee except Representatives Hashem and Oshiro.

SCRep. 756 Consumer Protection & Commerce on H.B. No. 620

The purpose of this measure is to protect the environment by:

- (1) Prohibiting the labeling of a plastic product as "compostable", unless it meets ASTM D6400 specifications;
- (2) Prohibiting labeling that implies that a plastic product will biodegrade, decompose, break down, or fragment in a landfill or other environment, unless the product is certified by independent scientific laboratory testing to break down in a manner that is not harmful to the environment;
- (3) Permitting the labeling of plastic products that have been certified by the Biodegradable Products Institute using the Biodegradable Products Institute's logo; and
- (4) Establishing penalties for violations of labeling provisions.

A member of the Kauai County Council, Beach Environmental Awareness Campaign Hawaii, and several individuals testified in support of this measure. The Hawaii Food Industry Association testified in support of the intent of this measure. The Department of Health provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that no plastic product shall be labeled in any way to imply that it is compostable or will otherwise biodegrade, decompose, break down, or fragment in a landfill or other environment, unless it meets ASTM D6400 specifications as certified by an approving authority;
- (2) Clarifying that the penalties for labeling violations apply to a manufacturer of plastics or wholesale distributor; and
- (3) Changing its effective date to January 1, 2112, to encourage further discussion.

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 H.B. No. 620, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 620, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Har, Nakashima, Oshiro and McDermott.

SCRep. 757 Consumer Protection & Commerce on H.B. No. 293

The purpose of this measure is to improve the efficiency of the liquor license application and renewal process and ensure the accountability of applicants by authorizing county liquor commissions to accept a certificate of vendor compliance issued by Hawaii Compliance Express as satisfactory evidence of an applicant's tax clearance with the Internal Revenue Service and Department of Taxation.

Your Committee received testimony in support of this measure from the Liquor Commission of the City and County of Honolulu and the Department of Liquor Control of the County of Kauai.

Your Committee finds that the current process for applying for a new liquor license or the transfer or renewal of an existing license can be difficult and cumbersome and can delay the issuance or renewal of those licenses. The process requires that an applicant produce a signed certificate from the Department of Taxation and the Internal Revenue Service showing that the applicant does not owe the State or federal government any delinquent taxes, penalties, or interest.

Your Committee further finds that allowing the use of certificates of vendor compliance, which are issued by Hawaii Compliance Express and certify that a vendor is compliant with all applicable laws, would help reduce delays in the issuance or renewal of liquor licenses and ensure applicant accountability by streamlining the license application and renewal process.

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 H.B. No. 293, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Yamane and McDermott.

SCRep. 758 Consumer Protection & Commerce on H.B. No. 1090

The purpose of this measure is to stimulate economic development in Hawaii's technology business sector by prohibiting the use of non-compete agreements or restrictive covenants that forbid post-employment competition for employees of a technology business.

The Department of Education; Architecting Innovation, LLC; Lunasoft LLC; TechMana LLC; and several individuals testified in support of this measure. The Hawaii Association of Broadcasters and New West Broadcasting Corp. testified in opposition to this measure. Hawaiian Telcom and High Technology Development Corporation provided comments on this measure.

Your Committee has amended this measure by:

- (1) Modifying the definition of "information technology" to "information technology development," which means the design, integration, deployment, or support services for software;
- (2) Amending the definition of "technology business" to:

- (A) Mean a trade or business that derives the majority of its revenue from the sale or license of products or services resulting from its software development or information technology development, or both; and
 - (B) Exclude any trade or business that is considered by standard practice as part of the broadcast industry or any telecommunications carrier as defined in section 269-1, Hawaii Revised Statutes, which holds a franchise or charter enacted or granted by the legislative or executive authority of the State or its predecessor governments; and
- (3) Changing its effective date to July 1, 2112, to encourage further discussion.

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 H.B. No. 1090, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1090, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Yamane and McDermott.

SCRep. 759 Consumer Protection & Commerce on H.B. No. 848

The purpose of this measure is to allow post-secondary educational institutions that have been denied the privilege to operate or continue to operate in the State with the option to request an administrative hearing within fifteen days of the receipt of the notification of denial.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that pursuant to section 305J-12(c), Hawaii Revised Statutes, any post-secondary educational institution that is placed on probationary status may request an administrative hearing for review pursuant to chapter 91, Hawaii Revised Statutes. However, chapter 305J, Hawaii Revised Statutes, does not explicitly provide post-secondary educational institutions with the option to request an administrative hearing following other negative decisions. This measure will enable the Department of Commerce and Consumer Affairs Hawaii Post-Secondary Education Authorization Program to carry out its responsibilities more effectively by providing that post-secondary educational institutions may request an administrative hearing following a denial of an authorization to operate in the State or a notification that the Department of Commerce and Consumer Affairs intends to suspend or terminate an institution's authorization to operate in the State.

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 H.B. No. 848 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Yamane and McDermott.

SCRep. 760 Finance on H.B. No. 482

The purpose of this measure is to facilitate the Department of Agriculture's program to control the destructive coffee berry borer by establishing and funding a temporary Pesticide Subsidy Program Manager position in the Department to manage and facilitate the Pesticide Subsidy Program.

The Hawai'i Farm Bureau, Hawaii Coffee Association, and Hawaii Cattlemen's Council supported this measure. The Department of Agriculture commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the requirement that the pesticide subsidy program manager possess a requisite level of knowledge and expertise in pesticides;
- (2) Changing the effective date to July 1, 2030, 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 H.B. No. 482, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 482, H.D. 2.

Signed by all members of the Committee.

SCRep. 761 Finance on H.B. No. 507

The purpose of this measure is to control the spread of the macadamia felted coccid to areas free of its infestation by appropriating funds to the Department of Agriculture to research and develop, in cooperation with the University of Hawaii College of Tropical Agriculture and Human Resources (CTAHR), methods for the prevention and treatment of macadamia felted coccid.

The University of Hawaii, Hawaii Agriculture Research Center, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, Hawaii Farmers Union United, Chamber of Commerce Hawaii, Hawaii Macadamia Nut Association, and two individuals provided testimony in support of this measure. The Department of Agriculture and an individual 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 H.B. No. 507, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 762 Finance on H.B. No. 1042

The purpose of this measure is to support the counties in fulfilling their statutory mandate to identify and map potential important agricultural lands within their respective jurisdictions by appropriating funds for grants to each county for identifying and mapping important agricultural lands.

The Land Use Commission, Department of Planning of the County of Maui, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, and Hawaii Farmers Union United supported this measure. The Department of Agriculture commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1042 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 763 Finance on H.B. No. 484

The purpose of this measure is to allow more electric utility customers to participate in renewable energy production and use by establishing a community-based renewable energy tariff system, subject to the approval of, and interconnection and capacity limits set by the Public Utilities Commission.

The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Hawaii Green Growth; The Democratic Party of Hawaii; and many individuals provided testimony in support of this measure. One individual opposed this measure. The Department of Business, Economic Development, and Tourism; Office of Hawaiian Affairs; Public Utilities Commission; Kauai Island Utility Cooperative; Hawaii Solar Energy Association; Ulupono Initiative; Hawaiian Electric Company; Maui Electric Company; Hawaii Electric Light Company; Hawaii Renewable Energy Alliance; Blue Planet Foundation; Clean Energy Collective; and one concerned individual submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 484, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 764 Finance on H.B. No. 1087

The purpose of this measure is to address actual and potential future leaks of underground storage tanks and the resulting risk of contamination to freshwater supplies.

Specifically, this measure:

- (1) Amends the barrel tax allocation to the environmental response revolving fund, which funds the Department of Health's environmental mitigation activities; and
- (2) Requires the Director of Health to establish a task force to assess the condition of at-risk underground storage tanks, take steps to protect freshwater supplies, and submit a report to the Legislature on the task force's findings and recommendations.

The Department of Health, Conservation Council for Hawaii, The Nature Conservancy, and Hawaii Green Growth supported this measure. The Board of Water Supply and Tax Foundation of Hawaii submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1087, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 765 Finance on H.B. No. 1504

The purpose of this measure is to discover whether Hawaii's energy public utilities, as structured, appropriately serve the interests of ratepayers and the public. Specifically, this measure authorizes and funds a study to assess and compare Hawaii's for-profit energy utilities with specific publicly or cooperatively owned energy utilities in the United States. Additionally, this measure imposes a cap on interconnection costs that is based on national averages.

Hawaii Solar Energy Association provided testimony in support of the measure. The Department of Business, Economic Development & Tourism, State Procurement Office, Public Utilities Commission, Legislative Reference Bureau, and Hawaiian Electric, and its subsidiary utilities Maui Electric and Hawaii Electric Light, 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 H.B. No. 1504, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 766 Finance on H.B. No. 813

The purpose of this measure is to amend the fair treatment law by:

- (1) Separating certain limitations placed on task force members from those placed on legislators; and
- (2) Clarifying that legislators are not prohibited from making statements or taking action in the exercise of their legislative functions.

The State Ethics Commission, League of Women Voters of Hawaii, and Common Cause Hawaii supported this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 813, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 813, H.D. 3.

Signed by all members of the Committee.

SCRep. 767 Finance on H.B. No. 1214

The purpose of this measure is to appropriate funds to the Office of the Auditor to carry out the purposes of the State-County Functions Working Group that was established by Act 174, Session Laws of Hawaii 2014, to evaluate the division of duties and responsibilities between the State and the counties relating to the provision of public services.

The State-County Functions Working Group testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts to an unspecified amount to promote continued discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1214, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1214, H.D. 1.

Signed by all members of the Committee except Representative Cullen.

SCRep. 768 Finance on H.B. No. 547

The purpose of this measure is to require the University of Hawaii to develop the Graduation Pathway System to ensure that students within the system:

- (1) Receive appropriate guidance and options to complete a major course of study;
- (2) Graduate within a reasonable period of time; and
- (3) Understand the dynamics of the local employment market.

The University of Hawai'i System supported this measure. The Department of the Attorney General provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the two full-time equivalent permanent positions in the University of Hawaii systems office to an unspecified number of positions; 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 H.B. No. 547, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 547, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 769 Finance on H.B. No. 493

The purpose of this measure is to address a growing aging population and improve the quality of life of older adults by appropriating funds for the following permanent, full-time equivalent positions:

- (1) The Director of the University of Hawaii (UH) Center on Aging; and
- (2) A Faculty Specialist within the UH Center on Aging.

The Policy Advisory Board for Elder Affairs, ILWU Local 142, Hawaii Family Caregiver Coalition, AARP Hawaii, Project Dana, and several individuals supported this measure. An individual opposed this measure. The University of Hawaii at Manoa Myron B. Thompson School of Social Work and a few individuals commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 493, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 770 Finance on H.B. No. 541

The purpose of this measure is to strengthen fiscal accountability at the University of Hawaii by requiring:

- (1) Each campus of the University of Hawaii to prepare an operations plan for the fiscal year for the operation of each program that it is responsible for administering;
- (2) The moneys in the University of Hawaii Tuition and Fees Special Fund for each campus to lapse to the credit of Program Identification Number UH900 (University of Hawaii, system wide support) at the end of each fiscal year; and
- (3) The President and Vice President for Budget and Finance and Chief Financial Officer of the University of Hawaii to review operations plans for each campus to:
 - (A) Determine if the operations plan for a campus meets certain criteria; and
 - (B) Approve the operations plan, or modify or withhold the planned expenditures, depending on whether the criteria are met.

The University of Hawaii System and many concerned individuals supported 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 H.B. No. 541, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 771 Finance on H.B. No. 96

The purpose of this measure is to improve the handling of student, faculty, and staff concerns, problems, grievances, and issues at the University of Hawaii at Manoa by statutorily establishing the Office of the Ombuds at the University of Hawaii at Manoa.

The University of Hawaii at Manoa Graduate Student Organization and three concerned individuals supported the measure. A concerned individual testified in opposition. The University of Hawaii, Office of the Ombudsman, and Hawaii Educational Policy Center 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 H.B. No. 96, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 772 Finance on H.B. No. 457

The purpose of this measure is to help the University of Hawaii comply with federal mandates contained in Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013 to effectively address sexual violence on campus by appropriating funds for staff and materials.

The University of Hawaii; Planned Parenthood of Hawaii; Filipino American Citizens League; Filipino Coalition for Solidarity; Nursing Advocates & Mentors, Inc.; and two concerned individuals supported the measure. Three concerned individuals 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 H.B. No. 457, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 773 Finance on H.B. No. 540

The purpose of this measure is to improve the accounting and fiscal management system at the University of Hawaii by, among other things:

- (1) Requiring the Board of Regents of the University of Hawaii to submit to the Legislature before the end of each fiscal quarter a program performance report showing a comparison of actual revenues and expenditures versus budgeted revenues and expenditures;
- (2) Extending sunset provisions regarding account control and financial management by the Comptroller to 2017, including the University's authorization to use a separate accounting system that is tailored to University operations; and
- (3) Requiring the Auditor to examine whether the University of Hawaii's exemption from the Comptroller's account control and financial management should be made permanent, with a report from the Auditor to be submitted to the Legislature.

The Department of Education and the University of Hawaii System commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 540, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 774 Finance on H.B. No. 543

The purpose of this measure is to improve operations at the University of Hawaii by requiring the Auditor to conduct audits of the University of Hawaii's management of faculty workload no less than one year prior to the expiration of each faculty union collective bargaining agreement and report findings and recommendations to the Legislature.

The University of Hawaii Professional Assembly and a concerned individual opposed the measure. The University of Hawaii 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 H.B. No. 543 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 775 Finance on H.B. No. 811

The purpose of this measure is to establish two full-time equivalent graduate assistant positions at the Hawaii Educational Policy Center at the University of Hawaii by appropriating funds for this purpose.

The Hawaii Educational Policy Center, University of Hawaii at Manoa Graduate Student Organization, and several individuals testified in support of this measure. An individual 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 H.B. No. 811, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 776 Consumer Protection & Commerce/Judiciary on H.B. No. 1468

The purpose of this measure is to remove the authorization granted to the Public Utilities Commission to establish a regulatory structure for the installation and implementation of an interisland high-voltage electric transmission cable system by repealing chapter 269, part VIII, Hawaii Revised Statutes, and making conforming amendments.

The Life of the Land and numerous individuals testified in support of this measure. NextEra Energy Hawaii testified in opposition to this measure. The Public Utilities Commission, Department of Commerce and Consumer Affairs, and Department of Business, Economic Development, and Tourism provided comments on this measure.

Your Committees have amended this measure by changing its effective date to January 1, 2112, to encourage further discussion.

Your Committees respectfully note that further examination may be required to determine whether or not there are any sections of Chapter 269, Part VIII, Hawaii Revised Statutes, unrelated to tariffs or rates, that should be retained.

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 H.B. No. 1468, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1468, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Yamane and McDermott.

SCRep. 777 Consumer Protection & Commerce/Judiciary on H.B. No. 1176

The purpose of this measure is to address the regulation of prescription medication and narcotic drugs by, among other things:

- (1) Establishing a Narcotics Advisory Committee within the Department of Public Safety to recommend acceptable continuing medical education program topics and curriculum to the Narcotics Enforcement Division,
- (2) Establishing a mandatory continuing medical education program developed by the Narcotics Enforcement Division of the Department of Public Safety for prescribing practitioners who prescribe narcotic drugs;
- (3) Requiring that a pain medication agreement be executed between a patient and any prescriber within the State of a narcotic drug for use as a pain medication;
- (4) Requiring, beginning January 1, 2017, practitioners to request patient information from the central repository of controlled substance prescription information maintained by the Department of Public Safety prior to prescribing or dispensing a controlled substance to a new patient and to request patient information from the central repository three times each year for a patient receiving chronic pain therapy;
- (5) Establishing the Overdose Prevention and Emergency Response Act, which creates immunity for individuals who prescribe, possess, dispense, or administer an opioid antagonist to respond to an opioid-related drug overdose; and
- (6) Appropriating funds for drug overdose recognition, prevention, and response, including the distribution and administration of naloxone hydrochloride.

The Department of Public Safety, Queen's Health Systems; Walgreens; Kaiser Permanente testified in support of the intent of this measure. The Hawaii Orthopedic Association and a few individuals testified in opposition to this measure. The Hawaii Medical Association provided comments on this measure.

Your Committees have amended this measure by deleting its contents and inserting the original provisions of H.B. 1176 as introduced, with the following amendments:

- (1) Specifying that no person licensed pursuant to Chapters 453 and 463E, Hawaii Revised Statutes, relating to medicine and surgery and podiatrists, respectively, shall:
 - (A) Prescribe more than three thirty-day sequential prescriptions authorizing the patient to receive a total of up to a ninety-day supply of a narcotic drug included in schedule II of title 21 United States Code section 812; and
 - (B) Authorize a prescription refill for a schedule III narcotic drug more than five times; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

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 H.B. No. 1176, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1176, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Har, Hashem, Nakashima, Oshiro and McDermott.

SCRep. 778 Consumer Protection & Commerce on H.B. No. 264

The purpose of this measure is to require the Public Utilities Commission to initiate the process of establishing integrated energy districts.

Testimony in support of the measure was submitted by the Renewable Energy Action Coalition of Hawaii; Hawaii Solar Energy Association; Environmental Caucus; and two individuals. Testimony in opposition to the measure was submitted by Hawaiian Electric Company and its subsidiary utilities. Comments on the measure were submitted by the Public Utilities Commission; and the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy.

Your Committee finds that integrated energy districts are localized energy generation grids that allow for the collective generation and distribution of power from renewable sources. These "micro-grids" may be operated in "island mode" or connected to the larger utility grid when needed. Your Committee further finds that establishing a process for interconnection of grid-connected and island-able renewable generation is an important component of the larger statewide planning process for achieving one hundred percent renewable energy.

Your Committee notes that in their testimony, the Hawaiian Electric Company and its subsidiary utilities requested an amendment that would prohibit the measure from being construed to permit wheeling, which is the transportation of energy from one utility service area to another. Your Committee believes, however, that such an amendment might unduly restrict the authority of the Public Utilities Commission in establishing integrated energy districts.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to facilitate further discussion on the measure.

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 H.B. No. 264, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 264, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Har, Nakashima, Oshiro and McDermott.

SCRep. 779 Finance on H.B. No. 1051

The purpose of this measure is to help protect the identity of Hawaii's high-quality and high-value agricultural products by authorizing the Department of Agriculture to adopt rules relating to the declaration of Hawaii geographic origin for agricultural commodities.

The Department of Agriculture, Hawaii Farm Bureau Federation, Hawaii Macadamia Nut Association, Hawaii Coffee Association, Ulupono Initiative, Hawaii Coffee Growers Association, Royal Kona Coffee Visitor Center Mill and Museum, Intelligent Blends, Paradise Beverages Inc., and numerous concerned individuals supported 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 H.B. No. 1051, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 780 Finance on H.B. No. 1345

The purpose of this measure is to ensure that the East Kauai Water Users' Cooperative (Cooperative) has a steady and dependable supply of water by appropriating funds for the operation, repair, maintenance, and improvement of the Cooperative's irrigation systems.

The Department of Agriculture 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 is in accord with the intent and purpose of H.B. No. 1345, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 781 Finance on H.B. No. 1372

The purpose of this measure is to exclude from the definition of "public utility" any person who provides water solely to agricultural activities, including traditional Native Hawaiian agricultural practices.

The Department of Agriculture supported this measure. The Office of Hawaiian Affairs and Collaborative Leaders Network commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 1372, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1372, H.D. 2.

Signed by all members of the Committee.

SCRep. 782 Finance on H.B. No. 240

The purpose of this measure is to support the development of renewable and efficient energy systems in the State by expanding the types of businesses qualifying for business incentives under the state enterprise zone law to include businesses that provide air conditioning project services from seawater air conditioning district cooling systems.

Honolulu Seawater Air Conditioning, LLC; Ulupono Initiative; and Blue Planet Foundation provided testimony in support of this measure. The Department of the Attorney General; Department of Taxation; Department of Business, Economic Development & Tourism; and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 240, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 240, H.D. 1.

Signed by all members of the Committee except Representative Cullen.

SCRep. 783 Finance on H.B. No. 1028

The purpose of this measure is to authorize the establishment of a special innovative procurement process to provide the State with greater flexibility in the procurement of certain supplies, services, professional services, or construction to address new, unique, or unusual needs or situations, while maintaining the accountability and transparency afforded by the Hawaii Public Procurement Code.

The Hawaii Farm to School and School Garden Hui, Ulupono Initiative, Hawaii Cattlemen's Council, and an individual supported this measure. The American Council of Engineering Companies of Hawaii opposed this measure. The State Procurement Office, Department of Transportation, and Hawaii Operating Engineers Industry Stabilization Fund provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1028, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1028, H.D. 2.

Signed by all members of the Committee except Representative Cullen.

SCRep. 784 Finance on H.B. No. 1454

The purpose of this measure is to encourage economic development in the State through the promotion of manufacturing by establishing a temporary nonrefundable income tax credit for taxpayers who incur certain equipment and training expenses in the manufacture of products in Hawaii.

The Department of Business, Economic Development and Tourism; Chamber of Commerce of Hawaii; Maui Chamber of Commerce; Hawaii Food Industry Association; Meadow Gold Dairies; KYD, Inc. dba: K. Yamada Distributors; and a concerned individual testified in support of this measure. The Department of Taxation, Tax Foundation of Hawaii, and High Technology Development Corporation provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the amount of, and cap on, the tax credit to unspecified amounts to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1454, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1454, H.D. 2.

Signed by all members of the Committee except Representative Cullen.

SCRep. 785 Finance on H.B. No. 775

The purpose of this measure is to support programs that encourage international students to attend school in Hawaii by appropriating funds to the Department of Business, Economic Development, and Tourism for marketing, travel, and other recruitment related expenses to market Hawaii's institutions of higher education to international students.

The Department of Business, Economic Development, and Tourism and the University of Hawaii commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 775, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 786 Finance on H.B. No. 867

The purpose of this measure is to promote economic development in Hawaii by authorizing the issuance of general obligation bonds to support the Pacific International Space Center for Exploration Systems' Basalt Rebar Initiative, including construction of a basalt rebar plant and engineering assessments of the manufactured basalt rebar.

The Hawaii County Council Member for District 3 and five individuals supported this measure. The Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Pacific International Space Center for Exploration Systems; and an individual 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 H.B. No. 867, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 787 Finance on H.B. No. 1482

The purpose of this measure is to allow local investors to provide investment funds to small businesses in Hawaii via equity crowdfunding through third party internet portals by establishing an intrastate crowdfunding exemption from State securities registration.

The National Federation of Independent Business, Hawaii Tech Exchange, and several concerned individuals supported this measure. The Department of Commerce and Consumer Affairs and Chamber of Commerce 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 is in accord with the intent and purpose of H.B. No. 1482, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 788 Finance on H.B. No. 1282

The purpose of this measure is to establish a laser optical communications ground station (Station) in Hawaii by appropriating funds for an engineering assessment and study for the Station to be conducted jointly by the National Aeronautics and Space Administration and the Pacific International Space Center for Exploration Systems. The study would lead to infrastructure construction of the Station beginning in 2016, and appropriations made in this measure would be subject to matching federal funding.

The Pacific International Space Center for Exploration Systems, a Hawaii County Council Member, and two individuals supported this measure. The Department of Business, Economic Development, and Tourism and Department of Commerce and Consumer Affairs commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1282, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 789 Finance on H.B. No. 716

The purpose of this measure is to foster innovative business growth in Hawaii by providing more opportunities for innovative local and out-of-state business investors and talent to personally meet and interact with each other in conjunction with a large, organized event. Specifically, this measure:

- (1) Establishes an Innovative Business Interaction Program (Program) under the Department of Business, Economic Development and Tourism, with assistance from the Hawaii Tourism Authority; and
- (2) Increases the Transient Accommodations Tax revenues deposited into the Tourism Special Fund by \$500,000 to provide funds for the Program.

The Hawaii Strategic Development Corporation provided testimony in support of this measure. The Department of Business, Economic Development and Tourism, Department of Budget and Finance, State-County Functions Working Group, High Technology Development Corporation, and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Making the appropriation in an unspecified amount to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 716, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 716, H.D. 2.

Signed by all members of the Committee.

SCRep. 790 Finance on H.B. No. 1292

The purpose of this measure is to increase transparency and accountability in state contracts by establishing a task force to examine the issue of past performance and establish the factors that should be considered when evaluating a construction industry contractor's past performance for the purposes of awarding a construction contract under Chapter 103D, Hawaii Revised Statutes.

The State Procurement Office, Subcontractors Association of Hawaii, Hawaii Operating Engineers Industry Stabilization Fund, and the General Contractors Association of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Broadening the scope of the task force by requiring the task force to examine the issue of past performance and establish the factors that should be considered when evaluating past performance to:
 - (A) All contracts awarded under Hawaii's Procurement Code rather than only construction contracts; and
 - (B) All contracts made by state and county agencies to provide health services or human services to Hawaii's residents;
- (2) Changing the membership of the task force to include the directors of finance, health, human services, and public safety, or their designees;
- (3) Removing the representative from the Building Industry Association of Hawaii from the task force;
- (4) Revising the issues to be addressed by the task force when establishing the factors to be considered in evaluating a contractor's past performance;
- (5) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1292, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1292, H.D. 2.

Signed by all members of the Committee.

SCRep. 791 Finance on H.B. No. 1329

The purpose of this measure is to support the development of a motorsport industry in the State to diversify the economy by authorizing the issuance of special purpose revenue bonds to Paradise Ohana Automotive Training & Education, LLC; Paradise Ohana Automotive Technologies, LLC; Paradise Ohana Automotive Discovery Center, LLC; and Paradise Ohana Motorsports Center, LLC to assist in the development of a motorsports center and associated educational, training, manufacturing, and industrial facilities.

Paradise Ohana Automotive Training & Education, LLC; Paradise Ohana Automotive Technologies, LLC; Paradise Ohana Automotive Discovery Center, LLC; Paradise Ohana Automotive Motorsports Center, LLC; Paradise Ohana Centers, LLC; Kalaeloa Raceway Park; and a few individuals supported this measure.

Your Committee has amended this measure by:

- (1) Changing the authorized amounts of the special purpose revenue bonds to unspecified sums;
- (2) Changing its effective date to July 1, 2030; 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 H.B. No. 1329, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1329, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 792 Finance on H.B. No. 206

The purpose of this measure is to contribute to a Hawaiian sense of place, to reduce the use of non-native invasive plant species, and to support the preservation of Hawaii's cultural and ecological heritage by requiring that all publicly-funded landscaping projects include a minimum percentage of Hawaiian plants.

A Council Member for the Kauai County Council, Office of Hawaiian Affairs, Kalihi Palama Hawaiian Civic Club, The Nature Conservancy, Coordinating Group on Alien Pest Species, Hawaii Green Growth, Association of Hawaiian Civic Clubs, Kua'āina Ulu 'Auamo, Conservation Council for Hawaii, and numerous individuals supported this measure. The Department of Accounting and General Services opposed the measure. The Judiciary, Department of Land and Natural Resources, Department of Transportation, and State Procurement Office provided comments.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 206, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 206, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 793 Finance on H.B. No. 207

The purpose of this measure is to ensure that newly appointed members of certain State councils, boards, and commissions have sufficient knowledge of native Hawaiian and Hawaiian traditional and customary rights to properly fulfill their roles and responsibilities and uphold the public trust. Specifically, this measure requires the Office of Hawaiian Affairs to establish a training course on native Hawaiian and Hawaiian traditional and customary rights, resource protection, and public trust administration, which shall be mandatory for certain State council, board, and commission members and shall be available to all State officers and employees.

The Office of Hawaiian Affairs, Land Use Commission, Aha Moku Advisory Committee, Economic Development & Intergovernmental Relations Committee, a Councilmember of the Kaua'i County Council, Kalihi Palama Hawaiian Civic Club, Association of Hawaiian Civic Clubs, Kua'āina Ulu 'Auamo, Ka Huli Ao Center for Excellence in Native Hawaiian Law, Hawai'i Green Growth, King Kamehameha Hawaiian Civic Club, and numerous concerned individuals supported this measure. The Land Use Research Foundation of Hawaii, Center for Hawaiian Sovereignty Studies, and Puakukalo Hawaiian Homes Community Association opposed this measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
 (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 207, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 207, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 794 Finance on H.B. No. 393

The purpose of this measure is to streamline the permitting process for the restoration, repair, maintenance, and operation of traditional Hawaiian fishponds by waiving the Department of Health water certification permitting requirements for those projects that have been vetted through the statewide general programmatic permit process.

The Department of Land and Natural Resources; Office of Hawaiian Affairs; Land Use Research Foundation of Hawaii; Hui o Kuapa; Honua Consulting; and many concerned individuals provided testimony in support of this measure. The Department of Health provided comments.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 393, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 393, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 795 Finance on H.B. No. 10

The purpose of this measure is to support student health by:

- (1) Authorizing Department of Education (DOE) employees and agents, in an emergency situation, to volunteer to administer:
 - (A) Insulin, or assist a student in administering insulin via the insulin delivery system that the student uses, in addition to glucagon; and
 - (B) Auto-injectable epinephrine to students with anaphylaxis;
- (2) Allowing students to perform required diabetes self-monitoring and self-treatment activities pursuant to the student's medical management plan; and
- (3) Allowing advanced practice registered nurses to provide certain written certifications regarding the administration of medication to students.

The Special Education Advisory Council, Walgreen Co., Community Leadership Board of the American Diabetes Association, and numerous individuals testified in support of this measure. The Department of Education and Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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 H.B. No. 10, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 10, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 796 Finance on H.B. No. 11

The purpose of this measure is to improve public education in Hawaii by:

- (1) Authorizing an additional per year bonus for teachers who maintain current National Board certification under the National Board Certification Incentive Program and teach at a school in a focus, priority, or Superintendent's Zone, as determined by the Department of Education; and
- (2) Specifying that the National Board Certification Incentive Program provides \$1,500 upon a teacher's completion of all components of the certification program.

The Department of Education, Hawaii Teacher Standards Board, Hui for Excellence in Education, IMUAlliance, and several individuals provided testimony in support of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion. 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 H.B. No. 11, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 11, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 797 Finance on H.B. No. 95

The purpose of this measure is to increase the likelihood that Hawaii high school students will successfully attend and graduate from college by allowing broader student participation in dual credit programs in which students can earn both high school and college credit simultaneously. This measure broadens the eligibility of students, permits multiple measures of eligibility assessment, and appropriates funds for instruction, courses, and administration of college credits.

The University of Hawaii, State Office for Career and Technical Education, a Councilmember of the Kauai County Council, Waipahu High School, Kamehameha Schools, Hui for Excellence in Education, and a concerned individual supported this measure. The North Hawaii Education and Research Center and a concerned individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Making the appropriation in an unspecified amount;
- (2) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 95, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 95, H.D. 1.

Signed by all members of the Committee except Representative Cachola.

SCRep. 798 Finance on H.B. No. 820

The purpose of this measure is to establish the Executive Office on Early Learning Prekindergarten Program to serve children in the year prior to their eligibility for kindergarten. The voluntary program, which gives priority to underserved or at-risk children shall, among other things:

- (1) Prepare children for school and participation in society through the use of either of the State's two official languages; and
- (2) Provide access to high-quality early childhood education that addresses children's physical, cognitive, linguistic, social, and emotional development.

The Hawaii Teacher Standards Board, Democratic Party of Hawaii, Chamber of Commerce of Hawaii, Phocused, Good Beginnings Alliance, Aloha United Way, Early Learning Advisory Board, and two concerned individuals supported this measure. The Department of Education, Department of Human Services, Special Education Advisory Council, State Public Charter School Commission, Hui for Excellence in Education, 'Aha Pūnana Leo, and Kamehameha Schools provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 820, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 820, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 799 Finance on H.B. No. 821

The purpose of this measure is to clarify and amend State laws regarding early childhood education by:

- (1) Authorizing the Executive Office of Early Learning to expend federal funds for the purpose of early childhood education;
- (2) Defining "early childhood education" as a developmentally appropriate early childhood development and education program for children from birth until the time they enter kindergarten; and
- (3) Clarifying, for housekeeping purposes, the respective roles of the Department of Education and the Executive Office on Early Learning with respect to early childhood education.

The Department of Education, Early Learning Advisory Board, Democratic Party of Hawaii, Good Beginnings Alliance, Hui for Excellence in Education, The Chamber of Commerce Hawaii, PHOCUSED, and two individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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 H.B. No. 821, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 821, H.D. 1.

Signed by all members of the Committee except Representative Cachola.

SCRep. 800 Finance on H.B. No. 831

The purpose of this measure is to provide for an orderly process to close down a charter school in the event of financial insolvency or health and safety issues serious enough to dictate closure of the school.

A concerned citizen opposed this measure. The State Public Charter School Commission and Hawaii Public Charter Schools Network provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 831, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 831, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 801 Finance on H.B. No. 1412

The purpose of this measure is to make permanent the Department of Education's authority to supervise its own fiscal management and accounting and to make corresponding housekeeping amendments to the statutory provisions related to the Department of Education's fiscal operations.

The Department of Education provided testimony in support of the measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion. 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 H.B. No. 1412, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1412, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 802 Finance on H.B. No. 906

The purpose of this measure is to ensure affordable rental projects by the Hawaii Housing Finance and Development Corporation remain affordable for a certain minimum period of time as a condition to establishing eligibility for exemptions from general excise taxes.

Specifically, this measure requires those projects seeking certification for the exemption to enter into a regulatory agreement with the Corporation which ensures compliance with applicable exemption eligibility requirements for the applicable minimum period of time set in statute.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation supported this measure. The Department of Taxation and the Tax Foundation of Hawaii commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 906, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 803 Finance on H.B. No. 827

The purpose of this measure is to develop an underutilized State-owned site by authorizing the issuance of general obligation bonds and the appropriation of funds to finance plans, design, and construction of a juvenile services center as part of a mixed-use residential project at 902 Alder Street, Oahu.

The Judiciary and Catholic Charities Hawaii supported this measure. The Hawaii Housing Finance and Development Corporation provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriated amounts to unspecified amounts to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 827, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 827, H.D. 3.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 804 Finance on H.B. No. 180

The purpose of this measure is to clarify that lobbyists, persons who employ or contract with lobbyists for services, or persons who spend \$750 or more in specified activities, are required to file a statement of expenditure after adjournment sine die of a special session, only if the person engaged in lobbying activities or made expenditures to influence legislative action considered during the special session; provided that reported expenditures and contributions need not be included in any subsequent statement of expenditures.

The Hawaii State Ethics Commission and League of Women Voters of Hawaii supported this measure

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 H.B. No. 180, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 180, H.D. 1.

Signed by all members of the Committee.

SCRep. 805 Finance on H.B. No. 492

The purpose of this measure is to appropriate funds for the Judiciary to enter into contracts with community mediation centers for mediation services.

The Mediation Centers of Hawaii, Inc.; Ku'ikahi Mediation Center; and a concerned individual supported this measure. A concerned individual opposed this measure. The Judiciary commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 492 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 806 Finance on H.B. No. 792

The purpose of this measure is to amend the Hawaii Rules of Evidence to authorize nonresident misdemeanor or petty misdemeanor property crime victims to testify in criminal proceedings by a live two-way video connection.

The Council Chair of the Kauai County Council; Economic Development and Intergovernmental Relations Committee Chair and Council Member of the Kauai County Council; Office of the Prosecuting Attorney, County of Kauai; and the Department of the Prosecuting Attorney, County of Maui, testified in support of this measure. The Judiciary testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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 H.B. No. 792, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 792, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 807 Finance on H.B. No. 1185

The purpose of this measure is to propose an amendment to the State Constitution to require that the first installment of principal of general obligation bonds and reimbursable general obligation bonds shall mature no later than one year from the date of issuance.

The Department of Budget and Finance provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to facilitate 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 H.B. No. 1185, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1185, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 808 Finance on H.B. No. 1404

The purpose of this measure is to appropriate funds to the County of Hawaii Office of the Prosecuting Attorney for the Career Criminal Prosecution Unit and the Victim Witness Assistance Program.

The Department of the Attorney General, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kauai, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the City and County of Honolulu, and a concerned individual provided testimony in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2030, to facilitate 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 H.B. No. 1404, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1404, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 809 Finance on H.B. No. 1491

The purpose of this measure is to assure meaningful disclosure of the source of campaign funding by requiring SuperPACs to provide, for contributions from other than an individual, for-profit business entity, or labor union that are in excess of \$10,000 since the last election, either:

- (1) The internet address where the contributing entity's disclosure report may be publicly accessed;
- (2) The name, address, occupation, and employer of each funding source of \$100 or more to that contributing entity; or
- (3) An acknowledgment that the contributing entity is not subject to any state or federal disclosure requirements regarding the source of the contributing entity's funds.

The Campaign Spending Commission and a concerned individual provided comments on this bill.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1491, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1491, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 810 Finance on H.B. No. 966

The purpose of this measure is to correct the inadvertent repeal of the words "as such" from section 237-23(b), Hawaii Revised Statutes, which provides various general excise tax exemptions, and to apply the correction retroactively from the taxable years beginning after December 31, 2011. This correction ensures that General Excise Tax exemptions apply as intended to the not-for-profit activities of certain tax-exempt organizations.

The Department of Taxation provided testimony in support of this measure. The Tax Foundation 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 is in accord with the intent and purpose of H.B. No. 966, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 811 Finance on H.B. No. 26

The purpose of this measure is to clarify the method of calculating the compensation of trustees. This measure, among other things:

- (1) Clarifies that advanced written notice of any amendment of trustee bank and trust company fee schedules shall be provided to beneficiaries who are vested at the time of the notice;
- (2) Amends and specifies for clarity the method of calculating compensation for individual co-trustees;
- (3) Specifies that trustees shall be paid not more than once per quarter and are not required to be paid upon the trust's receipt of income; and
- (4) Repeals the cost of living adjustment of the asset value ranges upon which trustee compensation is calculated.

The Investment Services Group at Bank of Hawaii and an individual supported this measure. The Mark A. Robinson Trusts and two individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 26, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 26, H.D. 1.

Signed by all members of the Committee.

SCRep. 812 Finance on H.B. No. 124

The purpose of this measure is to require the Office of Elections to implement a system of elections by mail, starting with the 2016 primary elections in counties with a population of less than 100,000, then expanding to all counties in 2018 to cover all federal, state, and county primary, general, and special elections.

The Office of Elections, Office of Hawaiian Affairs, Disability and Communication Access Board, Common Cause Hawaii, League of Women Voters of Hawaii, and three concerned individuals supported this measure. The Office of the County Clerk, County of Maui; Office of the County Clerk, County of Hawaii; Office of the City Clerk, City and County of Honolulu; and the Office of the County Clerk, County of Kauai commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 124, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 124, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 813 Finance on H.B. No. 148

The purpose of this measure is to:

- (1) Establish a process for wrongly convicted and incarcerated individuals to be compensated by the State; and
- (2) Provide for immediate services for qualifying individuals upon release.

The Community Alliance on Prisons, Hawaii Innocence Project, and a concerned individual supported this measure. The Department of the Attorney General, Hawaii Paroling Authority, and the Department of the Prosecuting Attorney of the County of Maui opposed this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 148, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 148, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 814 Finance on H.B. No. 210

The purpose of this measure is to strengthen law-enforcement efforts by appropriating funds to restore currently unfunded positions and the capacity to provide the full array of services required of the Career Criminal Prosecution Unit and Victim Witness Assistance Program of the Department of the Prosecuting Attorney of the City and County of Honolulu.

The Department of the Attorney General, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kauai, and a concerned individual supported the measure.

Your Committee has amended this measure by inserting blank appropriation amounts and changing the effective date to July 1, 2030, to encourage further discussion. Technical, nonsubstantive amendments for clarity, consistency, and style were also made.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 210, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 210, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 815 Finance on H.B. No. 346

The purpose of this measure is to increase the fees of the sheriff, deputy sheriff, police officer, or independent civil process server for the service of any civil summons, warrant, attachment, or other civil process, or any attachment and inventory of property, execution, subpoena, subpoena duces tecum, or garnishee summons. In addition, this measure increases the mileage fee and minimum agreed upon hourly rate for the service of process.

All Civil Process and numerous concerned individuals supported this measure. The Hawaii State Bar Association Collection Law Section and Hawaii Bankers Association opposed this measure. The Department of Public Safety; Mortgage Bankers Association of Hawaii; Hawaii Credit Union League; Hawaii Financial Services Association; and a concerned individual commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the fees for any civil summons, warrant, attachment, or other civil process, or any attachment and inventory of property, execution, subpoena, subpoena duces tecum, or garnishee summons to unspecified amounts;
- (2) Changing the mileage fee and minimum agreed upon hourly rate for the service of process to unspecified amounts; 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 H.B. No. 346, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 346, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 816 Finance on H.B. No. 376

The purpose of this measure is to bolster public confidence in the election process by increasing the accountability of the Chief Election Officer. This measure specifies that the Chief Election Officer is an at-will employee, and requires the Elections Commission to:

- (1) Provide written notification of any removal of the Chief Election Officer, including a statement of the reason for removal;
- (2) Conduct a performance evaluation of the Chief Election Officer within two months after the date a general election is certified; and
- (3) Hold a public hearing on the performance of the Chief Election Officer and consider the information gathered at the hearing when deliberating reappointment of the Chief Election Officer.

Common Cause Hawaii and a concerned individual supported this measure. A concerned individual opposed this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 376, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 376, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 817 Finance on H.B. No. 401

The purpose of this measure is to increase voter registration and participation by requiring an applicant for a driver's license or civil registration card to either explicitly decline to register to vote or to complete voter registration information on their application so that the Examiner of Drivers may transmit the information directly to the County Clerk.

The Elections Division of the County of Kauai Office of the County Clerk and a concerned individual supported this measure. The Office of Elections, Office of Hawaiian Affairs, and Common Cause provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 H.B. No. 401, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 401, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 818 Finance on H.B. No. 414

The purpose of this measure is to appropriate funds for the Career Criminal Prosecution Unit and Victim Witness Assistance Program for the Office of the Prosecuting Attorney of the County of Kauai.

The Attorney General, Crime Victim Compensation Commission, County of Kauai Office of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, County of Hawaii Office of the Prosecuting Attorney, City and County of Honolulu Department of the Prosecuting Attorney, and a concerned individual provided testimony in support of this measure.

Your Committee has amended the measure by:

- (1) Changing the appropriations for the Career Criminal Prosecution Unit and Victim Witness Assistance Program for the Office of the Prosecuting Attorney of the County of Kauai to unspecified amounts;
- (2) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 414, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 414, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 819 Finance on H.B. No. 452

The purpose of this measure is to appropriate funds to the Department of the Attorney General for the current fiscal biennium for statewide sexual assault services and to establish a minimum base budget amount for future fiscal years.

The Crime Victim Compensation Commission, Sex Abuse Treatment Center, Kokua Council & AARP 60, YWCA of Hawaii Island, YWCA of Kauai, and Child & Family Service supported this measure. The Department of the Attorney General commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated to the Department of the Attorney General and the minimum base budget amount to unspecified amounts; 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 H.B. No. 452, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 452, H.D. 1.

Signed by all members of the Committee.

SCRep. 820 Finance on H.B. No. 612

The purpose of this measure is to promote fairness in the conduct of postponed elections by prohibiting the public disclosure of voting results from every precinct for any ballot contest or question affected by the postponement, until voting for the postponed election has been concluded.

Common Cause Hawaii provided testimony in support of this measure. The League of Women Voters of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 612, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 612, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 821 Finance on H.B. No. 1010

The purpose of this measure is to authorize the counties to adopt an ordinance establishing a commuter benefits program consisting of one or more of the following options:

- (1) A program allowing covered employees to elect to exclude from taxable wages, costs incurred for transit passes, vanpool charges, and bicycle commuting costs up to the maximum amount allowed by federal tax law;
- (2) A program in which the employer offers employees a subsidy to offset the monthly costs of commuting via transit, vanpool, or bicycle; or
- (3) Transportation furnished by the employer at no cost or low cost, as determined by the designated authority, to employees in a vanpool, bus, or similar multi-passenger vehicle operated by or for the employer.

The County of Kauai, Hawaii Energy Policy Forum, Ulupono Initiative, Blue Planet Foundation, and several individuals supported this measure. The Land Use Research Foundation of Hawaii and an individual opposed this measure. Enterprise Holdings, LLC commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 H.B. No. 1010, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1010, H.D. 1.

Signed by all members of the Committee.

SCRep. 822 Finance on H.B. No. 1408

The purpose of this measure is to address the ownership of private roads that are regularly used by the public by:

- (1) Requiring the counties to accept the surrender of a private road in cases where there has been an absence of any act of private ownership over the road for five years; and
- (2) Exempting the State and counties from liability arising from the use of the road until the State or county performs maintenance work on the road.

The Bank of Hawaii and a concerned individual supported this measure. The Department of Land and Natural Resources, Department of Design and Construction of the City and County of Honolulu, and the Hawaii Association for Justice opposed this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion. 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 H.B. No. 1408, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1408, H.D. 3.

Signed by all members of the Committee.

SCRep. 823 Finance on H.B. No. 1489

The purpose of this measure is to increase recognition of the importance of national parks in Hawaii, give residents the opportunity to show their pride and support of the parks, and provide a revenue source to fund park projects by authorizing the issuance of special license plates commemorating Haleakalā National Park and Hawaii Volcanoes National Park.

The Mayor of the County of Maui; Land Use Research Foundation of Hawaii; Hawaii Volcanoes National Park; Haleakalā National Park; Maui Tomorrow Foundation, Inc.; a member of the County Council of Maui; and several concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1489, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1489, H.D. 1.

Signed by all members of the Committee.

SCRep. 824 Finance on H.B. No. 805

The purpose of this measure is to exempt federal veterans service connected disability benefits from attachment, seizure, or award to enforce a court judgment except for the portion of the benefits that is not considered disability benefits, which shall remain subject to enforcement for child or spousal support, pursuant to federal law.

Two concerned individuals provided testimony opposing this measure. The Office of Veterans Services; National Association for Uniformed Services Hawaii Chapter; and a concerned individual provided comments on this measure.

Your Committee has amended the measure by:

- (1) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 805, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 805, H.D. 2.

Signed by all members of the Committee.

SCRep. 825 Finance on H.B. No. 1256

The purpose of this measure is to improve the management of the State Foundation on Culture and the Arts (Foundation) to ensure accountability, accessibility, and protection of its art and cultural resources by establishing and funding four full-time equivalent positions in the Foundation.

Several individuals testified in support of this measure. The Department of Accounting and General Services testified in opposition to this measure. The State Foundation on Culture and the Arts and the Office of the Auditor provided comments.

Your Committee has amended this measure by:

- (1) Specifying that the four full-time equivalent positions within the Foundation will be funded by a biennium appropriation from the Works of Art Special Fund, rather than the general revenues of the State; 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 H.B. No. 1256, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1256, H.D. 2.

Signed by all members of the Committee.

SCRep. 826 Judiciary on H.B. No. 152

The purpose of this measure is to adopt the Uniform Partition of Heirs Property Act to establish procedures and remedies for use in actions for partition of real property held in tenancy in common by heirs to the property.

The Commission to Promote Uniform Legislation and a concerned individual provided comments on this measure.

Your Committee has amended this measure by changing the effective date to March 15, 2039 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 H.B. No. 152, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 152, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 827 Judiciary on H.B. No. 715

The purpose of this measure is to increase the use of alternative means of transportation by including low-speed bicycles powered by an electric motor in the definition of "bicycle," thereby allowing the use of low-speed electric bicycles on Hawaii's streets, sidewalks, and multi-use paths.

An individual provided testimony in support of this measure. The Department of Transportation, Department of Transportation Services, Ebikes Hawaii, Bicycle Product Suppliers Association, PeopleForBikes and Hawaii Cycling League provided testimony in support with recommendations.

Your Committee has amended this measure by:

- (1) Changing the definition of bicycle to include low-speed electric bicycles for purposes of county bicycle registration fees;
- (2) Applying bicycle identification and dealer records requirements to low-speed electric bicycles; and
- (3) Changing the effective date to March 15, 2038, 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 H.B. No. 715, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 715, H.D. 1.

Signed by all members of the Committee except Representative Belatti.

SCRep. 828 Judiciary on H.B. No. 858

The purpose of this measure is to assist victims of domestic violence by:

- (1) Allowing for the early termination of residential rental agreements in certain cases where the tenant or an immediate family member is a victim of domestic violence;
- (2) Specifying the procedures and rights of the landlord and tenants under the Residential Landlord-Tenant Code for such instances of domestic abuse; and
- (3) Allowing the landlord to terminate the rental agreement, under certain conditions, if the landlord finds that any remaining tenants do not demonstrate the ability to pay rent.

The Hawaii Women's Coalition; PHOCUSED; Ala Kuola; Hawaii State Coalition Against Domestic Violence; Catholic Charities Hawaii; and two concerned individuals supported this measure. Two concerned individuals opposed this measure. The Hawaii Association of Realtors and the Domestic Violence Action Center commented on this measure.

Your Committee has amended this measure by:

- (1) Limiting the right to early termination of the lease to rental agreements of one year or less;
- (2) Adding a definition of "domestic violence", which has the same meaning as "domestic abuse" as used in Chapter 586, Hawaii Revised Statutes, for purposes of protective orders and the Victims Leave Act;
- (3) Requiring that the tenant must state in writing that the tenant reasonably believes that the perpetrator of the domestic violence knows where the tenant or immediate family member residing in the dwelling unit lives, unless the perpetrator also lives at the rental unit as part of the documentation provided to the landlord;
- (4) Providing for the return of the security deposit when there are multiple tenants and not all are vacating early, and requiring that the landlord equally divide the security deposit and return the divided portion to the vacating tenants; 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 H.B. No. 858, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 858, H.D. 2.

Signed by all members of the Committee except Representative Belatti.

SCRep. 829 Judiciary on H.B. No. 1272

The purpose of this measure is to remove communication barriers at motion picture theaters for individuals who are deaf, hard of hearing, blind, or have low vision by requiring motion picture theaters that operate more than two facilities in the State and are open to the general public to provide open movie captioning and descriptive narration during at least two showings per week of each motion picture that is offered for viewing and making a violation of these requirements a discriminatory practice.

The Hawaii Deaf Surfers Association, Hawaii Association of the Blind, Hawaii School for the Deaf and the Blind Alumni Club, Aloha State Association of the Deaf, and numerous individuals supported this measure. The State Council on Developmental Disabilities supported the intent of this measure. The Hawaii Civil Rights Commission and Disability and Communication Access Board supported the intent of the measure and suggested amendments.

Your Committee has amended this measure by:

- (1) Removing the provision requiring the Director of Labor and Industrial Relations to adopt rules; and
- (2) Providing definitions for "motion picture theater" and "facilities."

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 H.B. No. 1272, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1272, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Lee, Nakashima, Woodson and McDermott.

SCRep. 830 Judiciary on H.B. No. 1422

The purpose of this measure is to protect consumers by providing them with more information to make informed decisions regarding service contracts purchased for service or repairs for a product.

Specifically, this measure:

- (1) Requires that extended warranty contract providers disclose that contract holders making a claim for the first time under an extended warranty will no longer be entitled to a refund of the full purchase price of the extended warranty; and
- (2) Includes extended warranties within the definition of "service contract," and thereby includes extended warranties within the scope of all state laws regulating service contracts.

The Department of Commerce and Consumer Affairs submitted testimony in support of the intent of this measure. The Property Casualty Insurers Association of America supported the intent of this measure and recommended amendments.

Your Committee has amended this measure by:

- (1) Clarifying that the provider of a service contract or the obligor of a service contract buyback agreement shall inform the consumer that filing a claim against the contract voids the contract holder's right to a full refund of the contract's purchase price;
- (2) Defining "service contract buyback agreement" to mean a contract that refunds the purchase price of a service contract to the consumer if the consumer made no claim on the service contract; and
- (3) Specifying that an extended warranty is a service contract subject to regulation as such by the Insurance Commissioner only if it meets the definition of service contract.

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 H.B. No. 1422, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1422, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 831 Judiciary on H.B. No. 819

The purpose of this measure is to protect youth in Hawaii from bullying by:

- (1) Requiring all youth-serving agencies and grantees of the State to adopt, enforce, and report on anti-bullying policies and procedures;
- (2) Prohibiting a public charter school from discriminating against a student or limiting admission to a student based on gender identity or expression; and
- (3) Establishing and funding a Bullying Prevention Task Force within the Department of Education.

The Honolulu Police Department, Hawaii State Teachers Association, Hawaii Youth Services Network, Hawaii State Democratic Women's Caucus, Best Buddies Hawaii, Human Rights Campaign, Democratic Party of Hawaii, Office of LGBT Student Services at the University of Hawaii at Manoa, Equality Hawaii, IMUAlliance, GLSEN Hawaii, Rainbow Family 808, GLBT Caucus of the Democratic Party of Hawaii, MoveOn.org Honolulu Council, and numerous concerned individuals testified in support of this measure. The Hawaii Civil Rights Commission testified in support and recommended an amendment. The American Civil Liberties Union of Hawaii testified in support and provided comments. The Special Education Advisory Council supported the intent of this measure and provided recommendations. The Department of Education and the State Council on Developmental Disabilities supported the intent of this measure and provided comments. The State Public Charter School Commission and several concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Clarifying the definition of bullying;
- (2) Clarifying that this measure is not intended to apply to private schools, except to the extent that they receive state funding;
- (3) Removing repetitive language regarding the enforcement of the bullying prevention policy on an agency or grantee's property;
- (4) Providing that the bully prevention policy requirements set forth are a minimum standard;
- (5) Requiring that each agency or grantee inform youth about their right to be free from bullying and available remedies in age appropriate language;
- (6) Adding representatives from the Judiciary and law enforcement to the task force;
- (7) Removing reference to Chapter 84, Hawaii Revised Statutes, so that the task force falls under regular provisions regarding task force members;
- (8) Amending anti-discrimination requirements for public charter schools to align with requirements for bullying prevention policies; and
- (9) Making technical and stylistic non-substantive changes.

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 H.B. No. 819, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 819, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 832 Judiciary on H.B. No. 767

The purpose of this measure is to clarify the offense of trespassing in the second degree as it applies to conduct at Hawaii Public Housing Authority (HPHA) housing projects. This bill amends the elements of the offense to apply to unlawful or unauthorized presence or entry by a nonresident and amends notice and signage requirements to comport with requirements applicable to other locations.

The Department of the Attorney General and the Department of Human Services testified in support of this measure with their recommended amendments.

Your Committee has amended this measure to:

- (1) Establish that all HPHA housing projects are closed to the public;
- (2) Amend the Hawaii Penal Code to expand the offense of criminal trespass in the second degree to prohibit an unauthorized member of the public from entering or remaining on HPHA housing project properties that are closed to the public and provided with signs warning that the property is closed and there shall be no trespassing;
- (3) Define terms and conditions relating to the restricted entry, signs, and HPHA's authority as are necessary for the implementation of this measure; and
- (4) Make 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 H.B. No. 767, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 767, H.D. 2.

Signed by all members of the Committee except Representatives Nakashima, Woodson and McDermott.

SCRep. 833 Finance on H.B. No. 1453

The purpose of this measure is to appropriate funds for land acquisition, plans, design, and construction for a new well at Moloa'a on the island of Kauai, and for:

- (1) Alternative energy development to power the well to supplement the existing water resources at Moloa'a; and
- (2) An onsite, state-of-the-art post-harvest facility at Moloa'a to meet the new standards established by the Food Safety Modernization Act.

The Department of Agriculture supported 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 H.B. No. 1453, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 834 Finance on H.B. No. 894

The purpose of this measure is to assist the operations of the Enhanced 911 Board ("Board") by providing the Board with the ability to hire its own staff to perform administrative functions.

The Honolulu Police Department and Hawaii Police Department submitted testimony in support of this measure. An individual submitted testimony in opposition. The Department of Accounting and General Services, Enhanced 911 Board, and Maui Police Department provided comments.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 894, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 894, H.D. 2.

Signed by all members of the Committee except Representative Pouha.

SCRep. 835 Finance on H.B. No. 746

The purpose of this measure is to strengthen the State's cybersecurity by:

- (1) Exempting the Hawaii Cybersecurity, Economic, Education, and Infrastructure Security Coordinator position from civil service requirements under Chapter 76, Hawaii Revised Statutes;
- (2) Authorizing the coordinator to hire a secretary; and
- (3) Appropriating funds for the coordinator and secretary positions.

The State of Hawaii Department of Defense and Hawaii Government Employees Association, AFSCME Local 152, AFL-C10, 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 is in accord with the intent and purpose of H.B. No. 746, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 836 Finance on H.B. No. 1370

The purpose of this measure is to allow the Employees' Retirement System (ERS) Administrator to make direct payments of a portion of a member's pension, annuity, or retirement allowance to a non-member former spouse if the ERS is ordered to do so by a final judgment, order, or divorce decree.

The Employees' Retirement System 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 H.B. No. 1370, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 837 Finance on H.B. No. 391

The purpose of this measure is to amend Hawaii's prevailing wage law to ensure that laborers and mechanics working on public works projects receive fair wages. Specifically, this measure:

- (1) Allows overtime compensation to exceed time and one-half and specifies that if the Department of Labor and Industrial Relations determines that a prevailing wage is subject to collective bargaining, overtime will be at rates set by the applicable collective bargaining agreement; and
- (2) Specifies that overtime compensation and other premium pay rates are those rates specified in an applicable collective bargaining agreement when the basic hourly rate is established in a collective bargaining agreement.

The Hawaii Construction Alliance supported this measure. The Department of Labor and Industrial Relations and General Contractors Association of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 391, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 391, H.D. 1.

Signed by all members of the Committee.

SCRep. 838 Finance on H.B. No. 520

The purpose of this measure is to provide leadership and flexibility in implementing the federal Workforce Innovation and Opportunity Act by allowing the Director of Labor and Industrial Relations to establish workforce advisory boards to improve the State's workforce development system.

The Department of Labor and Industrial Relations supported this measure. The Kauai Chamber of Commerce and a concerned individual opposed this measure. The Workforce Investment Boards of Kauai, Maui, Hawaii Island, and Oahu commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 520, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 520, H.D. 2.

Signed by all members of the Committee.

SCRep. 839 Finance on H.B. No. 546

The purpose of this measure is to require the University of Hawaii to provide nonsupervisory employees in blue collar positions and similarly situated officers and employees who are excluded from collective bargaining with the same educational benefits provided to faculty of the University of Hawaii and the community college system.

The United Public Workers, AFSCME, Local 646, AFL-CIO and Americans for Democratic Action Hawai'i supported this measure. The University of Hawai'i opposed this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provided comments.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 546, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 546, H.D. 1.

Signed by all members of the Committee.

SCRep. 840 Finance on H.B. No. 1186

The purpose of this measure is to allow premiums received from the sale of any general obligation bonds to be used for capital expenditures approved by the Legislature in addition to being deposited into the general fund.

The Department of Budget and Finance testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1186, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1186, H.D. 2.

Signed by all members of the Committee.

SCRep. 841 Finance on H.B. No. 1268

The purpose of this measure is to condition the receipt of vocational rehabilitation benefits under a public employer's workers' compensation coverage upon continued employment, including by requiring eligible injured public employees to take part in a Return To Work Priority Program as a prerequisite to receiving vocational rehabilitation benefits.

The Department of Education, Department of Human Resources Development, Department of Human Resources of the City and County of Honolulu, University of Hawaii, and Department of Human Resources of the County of Hawaii provided testimony in support of this measure. The Department of Labor and Industrial Relations provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1268, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1268, H.D. 2.

Signed by all members of the Committee.

SCRep. 842 Finance on H.B. No. 1349

The purpose of this measure is to align the probationary period for licensed charter school teachers, who are not yet tenured in the Department of Education, with the probationary period of all other licensed, but not yet tenured, teachers in the Department of Education. Specifically, this measure specifies that probationary periods will be determined pursuant to policies and practices established by the Department of Education, the Board of Education, and applicable collective bargaining agreements.

The Department of Education, Hawaii Public Charter Schools Network, and a concerned individual provided testimony in support of this measure. The State Public Charter School Commission provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1349, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1349, H.D. 2.

Signed by all members of the Committee.

SCRep. 843 Judiciary on H.B. No. 268

The purpose of this measure is to protect the public by granting the Board of Dentistry the power to summarily suspend the license of a licensee upon a specific determination that the failure to take action may result in an immediate and unreasonable threat to personal safety or of fraud that jeopardizes or endangers the health or safety of patients.

The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Hawaii Dental Association, and two concerned individuals testified in support of this measure. The Board of Dental Examiners provided comments.

Your Committee has amended this measure to:

- (1) Authorize the Director of Commerce and Consumer Affairs to issue cease and desist orders to stop the unlicensed practice of dentistry or any act that violates the dentist licensing laws under the same terms and subject to the same conditions that the prior version of this measure authorized the Board of Dental Examiners to issue summary suspensions of a licensee's license;
- (2) Specify that violation of a cease and desist order is a Class C felony;

- (3) Change the effective date to March 15, 2038 to encourage further discussion; and
- (4) Make 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 H.B. No. 268, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 268, H.D. 2.

Signed by all members of the Committee except Representative Belatti.

SCRep. 844 Judiciary on H.B. No. 613

The purpose of this measure is to protect the data and privacy of students in public schools by limiting the purposes for which computer service providers can process student data and prohibiting the sale, disclosure, and processing of student data for commercial or advertising purposes by computer service providers without parental consent.

The Hawaii State PTSA and Microsoft supported this measure. The Department of Education; State Privacy & Security Coalition, Inc.; and TechAmerica commented on this measure.

Your Committee has amended this measure by changing the effective date to March 15, 2038, to encourage further discussion.

Your Committee respectfully requests that the subject matter committees consider protecting the privacy of all students from grades kindergarten to twelve and consider California legislation, the Student Online Personal Information Protection Act, as a model for this measure.

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 H.B. No. 613, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 613, H.D. 1.

Signed by all members of the Committee except Representative Belatti.

SCRep. 845 Finance on H.B. No. 155

The purpose of this measure is to address the shortage of space for state agencies in the Wailuku State Office Building and Old Courthouse Building by:

- (1) Requiring the Department of Accounting and General Services to develop a comprehensive Wailuku State Office Master Plan and report its findings to the Legislature before the Regular Session of 2016; and
- (2) Appropriating funds for the development of the comprehensive Wailuku State Office Master Plan.

The Department of Accounting and General Services provided comments on this measure.

Your Committee has amended this measure by changing the appropriation amount to an unspecified sum and 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 H.B. No. 155, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 155, H.D. 1.

Signed by all members of the Committee.

SCRep. 846 Finance on H.B. No. 440

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for projects related to watershed management plans; equipment for fire, natural disaster, and emergency response; and forest and outdoor recreation improvements.

The State Fire Council, Honolulu Fire Department, Maui Fire Department, Hawaii County Fire Department, Land Use Research Foundation, Conservation Council For Hawaii, Oahu Invasive Species Committee, Hawaii Green Growth, The Nature Conservancy, Kauai Watershed Alliance, West Maui Mountains Watershed Partnership, Ben Dyre Family Limited Partnership, and numerous individuals supported this measure. The Hawaii Hunting Association and many individuals opposed this measure. The Department of Land and Natural Resources, Society for Hawaii Heritage Animals, and an individual commented on the measure.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated to the Department of Land and Natural Resources to unspecified amounts; 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 H.B. No. 440, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 440, H.D. 1.

Signed by all members of the Committee.

SCRep. 847 Finance on H.B. No. 438

The purpose of this measure is to meet the unique challenges of restoring, preserving, and determining the appropriate uses of Kaho‘olawe Island Reserve by appropriating funds to the Kaho‘olawe Island Reserve Commission for projects to restore and preserve the natural, cultural, and historic resources of Kaho‘olawe Island Reserve and its meaningful and safe use by the people of Hawaii.

The Maui County Mayor, a Maui County Council Member, Kaho‘olawe Island Reserve Commission, Conservation Council for Hawaii, Land Use Research Foundation of Hawaii, and several individuals supported this measure. The Center for Hawaiian Sovereignty Studies opposed this measure. The Office of the Auditor and the Aha Moku Advisory Committee commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified amount to promote continued discussion; and
- (2) Making technical, nonsubstantive amendments for clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 438, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 438, H.D. 1.

Signed by all members of the Committee.

SCRep. 848 Finance on H.B. No. 443

The purpose of this measure is to appropriate funds to the Office of Planning to update, in conjunction with the Land Use Commission, the agricultural soil classification system and soil classification maps that serve as a guide to regulating uses within the State agricultural district.

The Hawaii Farm Bureau submitted testimony in support of the measure. The Office of Planning, Land Use Commission, and the Department of Planning and Permitting of the City and County of Honolulu provided comments.

Your Committee has amended this measure by changing the appropriation amounts to unspecified sums and 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 H.B. No. 443, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 443, H.D. 1.

Signed by all members of the Committee.

SCRep. 849 Finance on H.B. No. 444

The purpose of this measure is to conserve and restore Hawaii's beaches by expanding the scope of the Department of Land and Natural Resources' Beach Restoration Plans and Beach Restoration Special Fund to include beach conservation and increasing the allocation of funds from the Transient Accommodations Tax for beach restoration and conservation.

The Nature Conservancy, Outrigger Enterprises Group, and Hawaii Lodging & Tourism Association provided testimony in support of this measure. The Department of Land and Natural Resources, Department of Budget and Finance, Office of the Auditor, Hawaii Tourism Authority, and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the annual allocation and the required balance amount from the Transient Accommodations Tax to be made to the Beach Restoration and Conservation Special Fund to unspecified amounts;
- (2) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 444, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 444, H.D. 3.

Signed by all members of the Committee.

SCRep. 850 Finance on H.B. No. 515

The purpose of this measure is to ensure that public lands that are currently deemed remnant parcels are treated and disposed of in a manner consistent with constitutional mandates by clarifying the defining elements and characteristics of and the restrictions on the disposition of remnant parcels.

The Office of Hawaiian Affairs supported this measure. The Department of Land and Natural Resources opposed this measure. The Aha Moku Advisory Committee provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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 H.B. No. 515, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 515, H.D. 3.

Signed by all members of the Committee.

SCRep. 851 Finance on H.B. No. 611

The purpose of this measure is to improve the management of records at the State Historic Preservation Division by appropriating moneys to implement an acceptable data management plan for the digitization of historic preservation records as required by the National Park Service and to hire necessary staff.

The Historic Hawaii Foundation, the Land Use Research Foundation of Hawaii, and the Society for Hawaiian Archaeology supported this measure. An individual opposed this measure. The Department of Land and Natural Resources commented on this measure.

Your Committee has amended this measure by:

- (1) Changing all appropriated amounts to unspecified amounts;
- (2) Changing the number of positions to be hired in the State Historic Preservation Division to an unspecified number; 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 H.B. No. 611, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 611, H.D. 2.

Signed by all members of the Committee.

SCRep. 852 Finance on H.B. No. 719

The purpose of this measure is to help reduce the damage and costs associated with repetitive flooding in Lahaina, Maui, by authorizing the issuance of general obligation bonds and appropriating funds for Phases 3B, 4, and 5 of the Lahaina Flood Control Project. The measure also requires matching funding from the County of Maui for the Project.

An individual provided testimony in opposition. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by changing the appropriation amounts to unspecified sums and 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 H.B. No. 719, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 719, H.D. 1.

Signed by all members of the Committee.

SCRep. 853 Finance on H.B. No. 722

The purpose of this measure is to assist the Department of Land and Natural Resources in its new acquisition of Lipoa Point by establishing a Lipoa Point Management Council to collaborate with relevant agencies and entities and make recommendations on the development of Lipoa Point.

A concerned individual supported this measure. The Department of Land and Natural Resources and the Aha Moku Advisory Committee commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts to unspecified sums to encourage further discussions; 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 H.B. No. 722, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 722, H.D. 2.

Signed by all members of the Committee.

SCRep. 854 Finance on H.B. No. 822

The purpose of this measure is to appropriate moneys to the Hawaii Association of Conservation Districts to assist with its staffing and operating costs while providing time for the Districts to develop sustainable funding mechanisms.

The Waiakea Soil and Water Conservation District, Mayor of The County of Maui, Oahu Resource Conservation & Development Council, HARC, Land Use Research Foundation of Hawaii, Maui County Farm Bureau, Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, The Chamber of Commerce of Hawaii, Ponoholo Ranch, Ltd, Island Princess Macadamia Nut Company, 4-H Dirt Devils, and numerous concerned individuals supported this measure. The Department of Land and Natural Resources and Department of Agriculture provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum;
- (2) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for style, consistency, and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 822, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 822, H.D. 2.

Signed by all members of the Committee.

SCRep. 855 Finance on H.B. No. 830

The purpose of this measure is to expedite the building permit process for homes older than 50 years that have not been entered or nominated by the owner for entry onto the Hawaii Register of Historic Places by exempting them from the Department of Land and Natural Resources' historic property review process and specifying that the Department is not required to subject those homes to its review process.

The Native Hawaiian Chamber of Commerce, Hawaii Association of Realtors, The Chamber of Commerce of Hawaii, General Contractors Association of Hawaii, Building Industry Association of Hawaii, Hawaii Bankers Association, and numerous concerned individuals supported this measure. The Department of Land and Natural Resources, Historic Hawaii Foundation, and Society for Hawaiian Archaeology opposed this measure. The Office of Hawaiian Affairs and Land Use Research Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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 H.B. No. 830, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 830, H.D. 1.

Signed by all members of the Committee.

SCRep. 856 Finance on H.B. No. 1099

The purpose of this measure is to ensure the University of Hawaii Rainbow Wahine Soccer Team remains compliant with National Collegiate Athletic Association requirements regarding a non-conforming scoreboard by authorizing the display of an outdoor advertising device, displayed with county authorization, attached to or supported by any scoreboard structure, at the Waipio Peninsula Soccer Complex, as long as the outdoor advertising device is not visible from any thoroughfare.

Outrigger Enterprises Group and an individual supported this measure. An individual opposed this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1099, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1099, H.D. 2.

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

SCRep. 857 Finance on H.B. No. 1168

The purpose of this measure is to authorize the use of the Boating Special Fund to pay for the hiring of full- or part-time staff for planning, developing, managing, operating, or maintaining lands and improvements under the control and management of the Board of Land and Natural Resources.

The Department of Land and Natural Resources and the Ocean Tourism Coalition supported this measure. An individual opposed this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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 H.B. No. 1168, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1168, H.D. 1.

Signed by all members of the Committee.

SCRep. 858 Finance on H.B. No. 1325

The purpose of this measure is to encourage the protection of water resources by authorizing the counties to establish and charge user fees to create and maintain stormwater management systems or infrastructure.

The Department of Health, Conservation Council for Hawaii, Hawaii Community Foundation, The Nature Conservancy, Hawaii Green Growth, Surfrider Foundation, and several individuals supported this measure. An individual opposed this measure. The Department of Land and Natural Resources, County of Maui Department of Public Works, Tax Foundation of Hawaii, and Hawaii Farm Bureau Federation commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 H.B. No. 1325, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1325, H.D. 1.

Signed by all members of the Committee.

SCRep. 859 Finance on H.B. No. 1469

The purpose of this measure is to clarify conveyance tax revenue distribution by setting maximum amounts to be distributed to various non-general funds.

The Department of Land and Natural Resources, Hawaii Housing Finance and Development Corporation, PHOCUSED, Hawaii Appleseed Center for Law and Economic Justice, Catholic Charities Hawaii, Faith Action for Community Equity, Alii Pauahi Hawaiian Civic Club, The Nature Conservancy, and an individual provided testimony in opposition to the measure. Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure:

- (1) To leave unspecified, for purposes of further discussion, the maximum dollar amounts of tax revenues designated for distribution to certain non-general funds; and
 (2) 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 H.B. No. 1469, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1469, H.D. 1.

Signed by all members of the Committee.

SCRep. 860 Finance on H.B. No. 139

The purpose of this measure is to support the development of renewable and efficient energy systems by supporting two projects to be built, owned, and operated by Anaergia, Inc. through the issuance of special purpose revenue bonds.

The Office of the Mayor for the County of Maui; a Council Member for the Maui County Council; Maui Chamber of Commerce; Ulupono Initiative; Go Maui, Inc.; and a few individuals supported the measure. Zero Waste Kauai and many individuals provided testimony in opposition to this measure. The Department of Budget and Finance; Anaergia Services, LLC; and two concerned individuals submitted comments.

Your Committee has amended this measure by:

- (1) Changing the amount of the bond authorization to an unspecified amount;
 (2) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 139, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 139, H.D. 1.

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

SCRep. 861 Finance on H.B. No. 619

The purpose of this measure is to establish standards and criteria for the Public Utilities Commission and the Division of Consumer Advocacy to apply when determining whether to approve a merger or consolidation of an electric utility.

The Hawaii Solar Energy Association; Environmental Caucus; and a concerned individual supported this measure. NextEra Energy and Hawaiian Electric Company, Hawaii Electric Light Company, and Maui Electric Company opposed this measure. The Public Utilities Commission; Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Hawaii Renewable Energy Alliance; and The Alliance for Solar Choice commented on this measure.

Your Committee has amended this measure by:

- (1) Restoring existing section 269-19(a), Hawaii Revised Statutes, language regarding the types of transactions that require an order of approval from the Public Utilities Commission;
- (2) Specifying that the purpose of this measure is to clarify rather than establish standards to evaluate a proposed sale, lease, assignment, mortgage, disposition, encumbrance, merger, or consolidation of an electric utility;
- (3) Incorporating the proposed amendments from the Division of Consumer Advocacy, which clarify the factors to be considered when evaluating a covered transaction; 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 H.B. No. 619, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 619, H.D. 3.

Signed by all members of the Committee.

SCRep. 862 Finance on H.B. No. 623

The purpose of this measure is to further reduce Hawaii's dependence on imported fossil fuels and promote the growth of the State's renewable energy industry by:

- (1) Updating and extending renewable portfolio standards and renewable standard goals, including a 100-percent renewable energy goal by December 31, 2045;
- (2) Applying the same renewable energy goals for electric utility companies to large self-generators, along with reporting requirements and penalties for non-compliance;
- (3) Clarifying exemptions and qualifications for large self-generators to request waivers or extensions of time for compliance to avoid penalties; and
- (4) Updating the Public Utilities Commission's independent study requirement on renewable portfolio standards to include the impact of renewable standards on developers' renewable energy prices.

The Hawaiian Electric Vehicle Network; Hawaii Clean Energy Foundation; Hawaii Solar Energy Association; Sierra Club Hawaii Chapter; and many individuals provided testimony in support of this measure. The Hawaii Renewable Energy Alliance; Hawaii Lodging & Tourism Association; Hawaii Independent Energy; Westin Maui Resort & Spa; Westin Princeville Ocean Resort Villas; Aloha Beach Hotel; Sheraton Kauai Resort; Sheraton Maui Resort & Spa; Sheraton Kona Resort & Spa at Keahou Bay; Waikiki Parc Hotel; Kaha Lani by Castle Resorts & Hotels; Pono Kai Resort Association; and many individuals opposed this measure. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Office of the Auditor; Public Utilities Commission; AES Hawaii, Inc.; The International Brotherhood of Electrical Workers Local Union 1260; Kauai Island Utility Cooperative; Hawaiian Electric Company; Maui Electric Company; Hawaii Electric Light Company; Starwood Hawaii; Blue Planet Foundation; Ulupono Initiative; Valley Consulting LLC, and a concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Removing all provisions related to large scale energy generators; 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 H.B. No. 623, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 623, H.D. 2.

Signed by all members of the Committee.

SCRep. 863 Finance on H.B. No. 1296

The purpose of this measure is to promote the expansion of hydrogen-based energy in Hawaii by:

- (1) Designating the Director of the Hawaii Center for Advanced Transportation Technologies of the High Technology Development Corporation as the State Hydrogen Implementation Coordinator to facilitate the establishment of hydrogen energy infrastructure and policies;

- (2) Requiring the State Hydrogen Implementation Coordinator to convene a Hydrogen Implementation Working Group and submit a report of the working group's findings to the Legislature; and
- (3) Amending the expenditure authorization for the Hydrogen Investment Capital Special Fund to specify that it shall fund the implementation of hydrogen infrastructure.

The Department of Business, Economic Development & Tourism, Hawaii Automobile Dealers' Association, Hawaii Energy Policy Forum, Blue Planet Research, Hawaii Clean Energy Foundation, and a concerned individual provided testimony supporting this measure. The Hawaii Strategic Development Corporation, The Alliance of Automobile Manufacturers, Life of the Land, and High Technology Development Corporation submitted comments.

Your Committee has amended the measure by:

- (1) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 1296, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1296, H.D. 2.

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

SCRep. 864 Finance on H.B. No. 1393

The purpose of this measure is to expand the types of renewable energy generating and distribution facilities that an eligible customer-generator may own or operate to qualify for participation in the Net Energy Metering Program.

A concerned individual supported this measure. The Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company opposed this measure. The Public Utilities Commission provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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 H.B. No. 1393, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1393, H.D. 2.

Signed by all members of the Committee.

SCRep. 865 Finance on H.B. No. 1394

The purpose of this measure is to explore the sustainability and conservation potential of water scalping in Hawaii by requiring the Department of Accounting and General Services to conduct a feasibility study on the use of water scalping technology in state facilities and submit a report to the Legislature.

Kennedy/Jenks Consultants and Mele Associates, Inc. supported this measure. The Department of Health, Department of Accounting and General Services, and the Department of Land and Natural Resources commented on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Department of Transportation to undertake the feasibility study instead of the Department of Accounting and General Services;
- (2) Changing the effective date to July 1, 2030, 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 H.B. No. 1394, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1394, H.D. 2.

Signed by all members of the Committee.

SCRep. 866 Finance on H.B. No. 1509

The purpose of this measure is to reduce energy costs for public facilities in Hawaii by, among other things:

- (1) Directing the University of Hawaii to establish a collective goal of becoming net-zero with respect to energy use by January 1, 2035;

- (2) Establishing the University of Hawaii Net-zero Special Fund and its financing, expenditure, and reporting procedures, to facilitate energy efficient capital improvement projects;
- (3) Appropriating funds for the retrofit of two buildings each at the University of Hawaii at Manoa and University of Hawaii at Hilo; and
- (4) Appropriating funds for two positions within the University of Hawaii system to provide necessary financial, technical, and other support to advance the University's net-zero energy goal.

The Department of Business, Economic Development and Tourism; University of Hawaii; University of Hawaii Professional Assembly; LGBT Student Services – University of Hawaii at Manoa; Democratic Party of Hawaii; Sustainable UH; and numerous individuals testified in support of this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Deleting the appropriation for the retrofit of Kuykendall Hall;
- (2) Specifying that the appropriation from the Hawaii net-zero special fund for the University of Hawaii at Manoa may also be used for other campus small energy efficiency projects with high return on investment in addition to the retrofit of Klum Gym; 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 H.B. No. 1509, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1509, H.D. 3.

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

SCRep. 867 Finance on H.B. No. 763

The purpose of this measure is to improve and maintain the health of the elderly population by requiring and providing funding to the Executive Office on Aging for the purpose of establishing, in consultation with the Department of Health, county agencies, elderly service providers, and others, a three-year Senior Playground Pilot Program and requiring the Executive Office on Aging to submit annual progress reports to the Legislature.

Four individuals supported this measure. The Executive Office on Aging and two 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 H.B. No. 763, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 868 Finance on H.B. No. 1195

The purpose of this measure is to increase the capacity of Type I Expanded Adult Residential Care Homes by increasing the number of allowable nursing facility level residents to three from two residents.

The Alliance of Residential Care Administrators and three concerned individuals supported this measure. The Department of Health 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 H.B. No. 1195, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 869 Finance on H.B. No. 1377

The purpose of this measure is to:

- (1) Support a well-functioning early intervention system of services for children from birth to age three; and
- (2) Improve the social-emotional and behavioral outcomes for children from birth to age five,

by appropriating funds to develop the specifications and pricing, and an implementation plan, for a web-based data system in the Department of Health (DOH) Early Intervention Section; and for operating expenses and the establishment of a coordinator position in the DOH Special Health Needs Branch to improve social-emotional and behavioral outcomes for children.

The Hawaii Early Intervention Coordinating Council, Project Vision Hawaii, and Easter Seals Hawaii supported this measure. An individual opposed this measure. DOH and the State Council on Developmental Disabilities 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 H.B. No. 1377, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 870 Finance on H.B. No. 943

The purpose of this measure is to establish the Civil Monetary Penalty Special Fund to retain civil monetary penalty funds collected by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services when health care facilities do not meet Medicare certification requirements, pursuant to Department of Health Medicare certification surveys or complaint investigations.

The Department of Health testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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 H.B. No. 943, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 943, H.D. 1.

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

SCRep. 871 Finance on H.B. No. 1063

The purpose of this measure is to assist the City and County of Honolulu Emergency Medical Services Division with expanding emergency medical services and ambulance services in the Moanalua, Aliamanu, Salt Lake, and Foster Village communities by appropriating funds to operate an additional emergency medical service unit.

The Honolulu Emergency Services Department, Emergency Medical Service Division; United Public Workers, AFSCME Local 646, AFL-CIO; American Medical Response; and a few individuals testified in support of this measure. The Department of Health provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$2,374,237.98 to an unspecified amount to facilitate 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 H.B. No. 1063, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1063, H.D. 2.

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

SCRep. 872 Finance on H.B. No. 600

The purpose of this measure is to authorize the Department of Health to permit two private-pay individuals who are married to be cared for in the same community care foster family home, provided that certain requirements are met.

The Big Island Adult Foster Home Operators, Adult Foster Home of the Pacific, and numerous concerned individuals supported this measure. The Department of Health and the Department of Human Services commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 600, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 873 Finance on H.B. No. 1432

The purpose of this measure is to provide stability to state-funded assistance programs by establishing the Interim Assistance Reimbursement Special Fund to allow the Department of Human Services to preserve from one fiscal year to the next any interim assistance reimbursements received from the federal government for general assistance recipients who are awarded retroactive supplemental security income benefits.

PHOCUSED testified in support of this measure. The Department of Human Services and Department of Budget and Finance provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from the Interim Assistance Reimbursement Special Fund to an unspecified amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1432, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1432, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 874 Finance on H.B. No. 1098

The purpose of this measure is to attain the \$750,000 target balance for the Mortgage Loan Recovery Fund (Fund) by allowing the Commissioner of Financial Institutions to adjust fees for license renewals without being required to comply with the rulemaking process when the Fund's funding level exceeds \$750,000.

The Department of Commerce and Consumer Affairs and The Hawaii Association of Mortgage Professionals provided testimony in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to facilitate 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 H.B. No. 1098, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1098, H.D. 2.

Signed by all members of the Committee.

SCRep. 875 Finance on H.B. No. 1384

The purpose of this measure is to require additional review by the Land Use Commission of any permit plan application for wind turbines that are capable of generating more than one hundred kilowatts of energy and proposed to be sited within three-quarters of a mile from any residential, school, hospital, or business property line. This review shall be in addition to any other requirements that must be met prior to issuance of a permit, and shall include consideration of:

- (1) The potential impacts on the community in which the wind turbine is to be located; and
- (2) How the permitted use or establishment of the wind turbine conforms to existing State and county land use policies.

Waihuena Farm and many concerned individuals supported this measure. The Land Use Commission, Office of Planning, Land Use Research Foundation of Hawaii, Tawhiri Power LLC, and a concerned individual opposed this measure. The Department of Business, Economic Development, and Tourism, Department of Commerce and Consumer Affairs, and Blue Planet Foundation provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1384, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1384, H.D. 2.

Signed by all members of the Committee.

SCRep. 876 Finance on H.B. No. 1141

The purpose of this measure is to protect the environment by prohibiting the issuance of a permit for a new installation of a cesspool or new construction of a structure, building, or residence to be served by a cesspool after December 31, 2016.

The Office of Hawaiian Affairs; Council Member from District 8 of The County of Hawaii, The Nature Conservancy, Surfrider Foundation, and one concerned individual provided testimony in support of this measure. The Department of Health provided comments.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 1141, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1141, H.D. 2.

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

SCRep. 877 Finance on H.B. No. 1286

The purpose of this measure is to plan for the State's facility systems with regard to energy objectives by:

- (1) Eliminating Hawaii's dependence on imported fuels for electrical generation and ground transportation;

- (2) Diversifying energy generation;
- (3) Considering utility models that place the social and financial interests of Hawaii's ratepayers first;
- (4) Increasing energy efficiency and decreasing energy use in public infrastructure; and
- (5) Ensuring that fossil fuels such as liquefied natural gas be used only as a transitional, limited-term replacement of petroleum for electricity generation and do not impede the development of renewable energy sources.

The Hawaii Renewal Energy Alliance, Hawaii Solar Energy Association, Environmental Caucus of the Democratic Party of Hawaii, and a concerned individual provided testimony in support of this measure. The Department of Business, Economic Development & Tourism; AES Hawaii, Inc.; Hawaiian Electric Company, Inc.; Hawaii Electric Light Company, Inc.; and Maui Electric Company, Ltd. submitted comments on this measure.

Your Committee has amended the measure by:

- (1) Changing the effective date to July 1, 2030, to allow for 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 H.B. No. 1286, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1286, H.D. 2.

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

SCRep. 878 Judiciary on H.B. No. 586

The purpose of this measure is to promote positive health practices that protect the occupants of Hawaii Health Systems Corporation's (HHSC) health facilities from exposure to secondhand smoke and other potentially harmful substances by:

- (1) Prohibiting the use of any tobacco product or e-cigarette, also known as an "electronic smoking device," on the premises of all health facilities operated by HHSC; and
- (2) Requiring HHSC to provide tobacco cessation programs for public employees of its health facilities.

The American Heart Association, Coalition for a Tobacco Free Hawaii, Healthcare Association of Hawaii, and many concerned individuals testified in support of this measure. The Department of Health and HHSC testified in support and recommended amendments. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, testified in support of the intent, but had concerns with parts of this measure. One concerned individual testified in opposition.

Your Committee has amended this measure to:

- (1) Clarify that HHSC is responsible for the cost of tobacco cessation programs for its public employees;
- (2) Specify that prohibition of tobacco and electronic smoking device use by public employees shall be subject to consultation with collective bargaining units;
- (3) Clarify the definitions of "electronic smoking device" and "tobacco product"; and
- (4) Change the effective date of this measure to July 1, 2050 to encourage 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 H.B. No. 586, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 586, H.D. 2.

Signed by all members of the Committee except Representative McDermott.

SCRep. 879 Judiciary on H.B. No. 1008

The purpose of this measure is to increase pedestrian safety for blind and visually impaired individuals by:

- (1) Requiring the driver's license examination to test an applicant's knowledge of exercising due care when driving a motor vehicle toward pedestrians who are blind or visually impaired; and
- (2) Specifying in the Traffic Code that every driver of a vehicle shall exercise due care toward pedestrians who are blind or visually impaired.

The Hawaii Association of the Blind and several concerned individuals testified in support of this measure. The Disability and Communication Access Board and a concerned individual testified in support and recommended amendments. The Department of Transportation and two concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Deleting from section 291C-74, Hawaii Revised Statutes, amendments that would have added language regarding the exercise of due care for blind or visually impaired pedestrians, since the existing statutory language of that section already encompasses the exercise of due care for blind or visually impaired pedestrians; 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 H.B. No. 1008, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1008, H.D. 1.

Signed by all members of the Committee except Representatives Brower, Nakashima, Woodson and McDermott.

SCRep. 880 Consumer Protection & Commerce on H.B. No. 864

The purpose of this measure is to expand health insurance coverage for in vitro fertilization by removing the requirement that the patient's oocytes be fertilized with the sperm from the patient's spouse.

The Hawaii State Commission on the Status of Women, Healthy Mothers Healthy Babies, American Society for Reproductive Medicine, Hawaii Women Lawyers, Hawaii State Democratic Women's Caucus, RESOLVE, California Cryobank, and numerous individuals testified in support of this measure. Kaiser Permanente Hawaii testified in support of the intent of this measure. The Hawaii Catholic Conference testified in opposition to this measure. The Department of Human Services and Hawaii Medical Service Association provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that it is the intent of the Legislature to exempt:
 - (A) Religious institutions and organizations that believe the covered procedures violate their religious and moral teachings and beliefs; and
 - (B) The federal Medicaid program from the requirements of this measure;
- (2) Removing the requirement that the patient have a history of infertility of at least five years' duration;
- (3) Adding the definition of "infertility" and removing the definition of "spouse";
- (4) Changing its effective date to July 1, 2112, 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 864, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 864, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Yamane and McDermott.

SCRep. 881 Finance on H.B. No. 825

The purpose of this measure is to regulate transient vacation rentals by establishing licensing requirements and enforcement provisions for transient vacation rentals under the Department of Commerce and Consumer Affairs.

The Hawaii Tourism Authority and Hawai'i Lodging & Tourism Association provided testimony in support of this measure. Two Palms Properties; SunQuest Vacations; Hawaiian Haven, LLC; Timberline Land Co. Hawaii, LLC; Bridges to Paradise Rentals Inc.; King Realty; South Kohala Management; Rental By Owner Awareness Association; Honua Kai 415, LLC; Condominium Rentals Hawaii; Kauai Island Vacations; Hawaii Association of Vacation Rental Mangers; Hawai'i Association of Realtors; Cienga Ventures; and numerous individuals provided testimony in opposition. The Department of Commerce and Consumer Affairs, Department of Taxation, Department of Planning and Permitting of the City and County of Honolulu, Hawaii Government Employees Association, Grassroot Institute of Hawaii, and many individuals 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 H.B. No. 825, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 882 Finance on H.B. No. 1327

The purpose of this measure is to permit a taxpayer that provides transient accommodations on real property leased from a related entity to claim a general excise tax deduction from the amount of gross proceeds or gross income received from providing the transient accommodations.

The Hawaii Lodging & Tourism Association and Host Hotels & Resorts, L.P. provided testimony in support of the measure. The Department of Taxation and Tax Foundation 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 is in accord with the intent and purpose of H.B. No. 1327, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 883 Finance on H.B. No. 197

The purpose of this measure is to assist the counties financially so they can better support tourism and tourism-related services by:

- (1) Removing the dollar amount caps of the Transient Accommodations Tax (TAT) revenues allocated to the counties; and
- (2) Allocating to the counties, 44.8 percent of the TAT revenues collected in order for the counties to address visitor industry impacts on county services and tourism-related infrastructure.

The Hawaii County Council Chair; Maui County Council Chair; Hawaii County Council Members of Districts 1, 3, 6, 8 and 9; Maui County Council Member - East Maui; Maui County Council Member - Pukalani/Kula/Ulupalakua; Maui Chamber of Commerce; Kona-Kohala Chamber of Commerce; and several individuals testified in support of this measure. The Mayor of the County of Maui, Kauai County Council Chair, Kauai County Council Member – At-Large; Department of Budget and Finance; State-County Functions Working Group; Hawaii Tourism Authority; Tax Foundation of Hawaii; and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Changing to an unspecified amount, the percentage of collected TAT revenues that are allocated to the counties to address visitor industry impacts on county services and tourism-related infrastructure;
- (2) Changing the effective date to July 1, 2030, to facilitate 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 H.B. No. 197, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 197, H.D. 2.

Signed by all members of the Committee.

SCRep. 884 Finance on H.B. No. 999

The purpose of this measure is to exempt from the Transient Accommodations Tax, accommodations provided solely for use as temporary lodging by an individual, or the individual's immediate family members, spouse, or civil union partner, while the individual receives health care services in a county where the individual does not reside.

The Department of Taxation, Tax Foundation of Hawaii, and Outrigger Hotels Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 H.B. No. 999, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 999, H.D. 2.

Signed by all members of the Committee.

SCRep. 885 Finance on H.B. No. 562

The purpose of this measure is to improve pedestrian safety by requiring that any plan or design for a newly constructed, reconstructed, resurfaced, or renovated intersection of two crossing arterial streets shall include a marked crosswalk.

The Department of Transportation supported this measure. An individual opposed this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making a technical, nonsubstantive amendment 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 H.B. No. 562, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 562, H.D. 2.

Signed by all members of the Committee.

SCRep. 886 Finance on H.B. No. 1154

The purpose of this measure is to cover the administrative costs of issuing parking placards that enable individuals with mobility disabilities to park in accessible parking stalls. Specifically, this measure increases the State vehicle registration fee by \$1 to fund the disabled person parking program.

The Disability and Communication Access Board supported this measure. The Department of Transportation provided comments.

Your Committee has amended this measure by changing the vehicle registration fee increase to an unspecified amount to facilitate 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 H.B. No. 1154, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1154, H.D. 1.

Signed by all members of the Committee.

SCRep. 887 Finance on H.B. No. 1471

The purpose of this measure is to apply a fair and equitable taxation policy to all fossil fuels to advance Hawaii's clean energy, food security, and climate change policies by expanding the application of the environmental response, energy, and food security tax to all fossil fuels.

The Department of Business, Economic Development, and Tourism; Office of Hawaiian Affairs; Hawaii Renewable Energy Alliance; and Blue Planet Foundation supported this measure. The Department of Taxation; Tax Foundation of Hawaii; Hawaii Gas; Hawaiian Electric Company, Inc.; Hawaii Electric Light Company, Inc.; and Maui Electric Company, Ltd.; and AES Hawaii, Inc. commented on this measure.

Your Committee has amended this measure by:

- (1) Adopting the proposed amendment provided by Hawaii Gas, which allows for a gas utility to recover the cost of the tax imposed as part of its fuel cost in its Fuel Adjustment Charge without further approval by the Public Utilities Commission;
- (2) Adopting the proposed amendment provided by AES Hawaii, Inc., which clarifies the ability of an independent power producer to pass the tax on to an electric utility; 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 H.B. No. 1471, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1471, H.D. 2.

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

SCRep. 888 Finance on H.B. No. 145

The purpose of this measure is to establish a refundable income tax credit for costs incurred by qualified cigar producers in Hawaii.

The Kauai Cigar Company, Hawaii Cigar Association, Hawaii Food Industry Association, Hawaii Farm Bureau, and numerous individuals supported this measure. The Department of Health; Coalition for a Tobacco Free Hawaii; Cigar Association of America, Inc.; American Heart Association; and an individual opposed this measure. The Department of the Attorney General, Department of Taxation, and Tax Foundation of Hawaii commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 145, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 889 Finance on H.B. No. 968

The purpose of this measure is to ensure that taxpayers, who itemize and pass on taxes to consumers, remit those taxes to the State. Specifically, this measure:

- (1) Creates a conclusive presumption that a taxpayer is liable for any amounts passed on to consumers as payment for any tax authorized by title 14, Hawaii Revised Statutes, unless the taxpayer returns the overpayment to the consumer;
- (2) Requires the Department of Taxation to adopt administrative rules stating the maximum rates at which taxes may be passed on to consumers;
- (3) Provides for a civil penalty for passing on taxes in excess of the maximum rates established by administrative rules; and
- (4) Provides for notice to the Department of Commerce and Consumer Affairs of violations.

The Department of Taxation provided testimony in support of this measure. A concerned individual opposed this measure. The Tax Foundation of Hawaii and Chamber of Commerce Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to facilitate 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 H.B. No. 968, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 968, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 890 Consumer Protection & Commerce on H.B. No. 253

The purpose of this measure is to expand the role of certain health care professionals by:

- (1) Authorizing pharmacists to administer vaccines to persons between 14 and 17 years of age who have a prescription from a collaborating physician or advanced practice registered nurse; and
- (2) Increasing the authority of advanced practice registered nurses to do certain health care procedures and services.

Walgreen Co., and a few individuals testified in support of this measure. The American Academy of Pediatrics and numerous individuals testified in opposition to this measure. The Department of Health, Board of Nursing, Board of Pharmacy, and several individuals provided comments on this measure.

Your Committee notes that the testimony in opposition to this measure centered around the term "collaborative physician" when it should have referred to a patient's "medical home." Your Committee also finds that expanding the authority of advanced practice registered nurses to perform certain health care procedures and services goes beyond the scope of this measure's title and could render the measure unconstitutional.

After careful consideration, your Committee has amended this measure by:

- (1) Removing the reference that allows a pharmacist to administer a vaccine pursuant to a valid prescription issued by the person's primary care physician or collaborating physician, or advanced practice registered nurse;
- (2) Restoring the reference to a patient's "medical home," which is defined in section 461-11.4(e), Hawaii Revised Statutes;
- (3) Removing the expansion of the authority of advanced practice registered nurses to perform certain health care procedures and services; and
- (4) Changing its effective date to July 1, 2112, to encourage further discussion.

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 H.B. No. 253, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 253, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Brower and Fukumoto Chang.

SCRep. 891 Consumer Protection & Commerce on H.B. No. 737

The purpose of this measure as received by your Committee is to authorize the Hawaii Property Insurance Association to:

- (1) Expend funds in the Hawaii Hurricane Relief Fund to pay for extraordinary losses caused by the flow of lava or other volcanic activity; and
- (2) Reduce assessments to its member insurers using funds from the Hawaii Hurricane Relief Fund.

An individual provided testimony in support of this measure in the form in which it was received by your Committee. The Board of Directors of the Hawaii Hurricane Relief Fund and Hawaii Independent Insurance Agents Association provided testimony in opposition. The Department of Budget and Finance provided comments.

Your Committee held a public hearing on February 18, 2015, and deferred action on this measure. Subsequently, your Committee held another public hearing on a Proposed House Draft 2 (Proposed H.D. 2) of this measure. Prior to public hearing on March 4, 2015, the Proposed H.D. 2 was circulated for public review and comment.

The purpose of the Proposed H.D. 2 is to:

- (1) Define lava zones as volcanic hazard zones in the County of Hawaii;
- (2) Limit, when a state of emergency exists, the total number of property insurance policies that an insurer may non-renew in a lava zone for each calendar year to five percent of the total number of covered policies of the insurer in force in that lava zone; provided that if approved by the Insurance Commissioner, the five per cent limit may be exceeded as a result of nonpayment of premiums or to avoid impairment to the insurer's financial soundness; and
- (3) Bar any moratorium in place during a state of emergency caused by lava flow on the issuance of new residential property insurance by the Hawaii Property Insurance Association for property situated in lava zones and require new policies to become effective within six months from policy acceptance.

The Department of Commerce and Consumer Affairs testified in support of the Proposed H.D. 2. The Hawaii Insurers Council provided comments.

After careful consideration, your Committee has further amended the Proposed H.D. 2 by clarifying that cancellations or non-renewals of policies due to non-payment of premiums or to avoid impairment to the insurer's financial stability are not subject to the five percent annual limit.

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 H.B. No. 737, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 737, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Brower and Fukumoto Chang.

SCRep. 892 Consumer Protection & Commerce on H.B. No. 271

The purpose of this measure is to assist time share purchasers and time share developers by:

- (1) Providing cancellation rights to persons who contract to buy short-term products that grant a time-limited right to time share accommodations in Hawaii under Hawaii's time share law; and
- (2) Allowing for the disbursement prior to closing of purchasers' funds to a developer provided that the developer first posts a bond, letter of credit, or other financial assurance.

Starwood Vacation Ownership; American Resort Development Association Hawaii; Marriot Vacations Worldwide Corporation; and Wyndham Vacation Ownership supported this measure. The Department of Commerce and Consumer Affairs and the Regulated Industries Complaint Office of the Department of Commerce and Consumer Affairs commented on this measure.

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

- (1) Requiring a short-term product seller to disclose in the contract to all short-term buyers that the short-term product buyer will be required to pay transient accommodations tax for the occupancy of accommodations in Hawaii;
- (2) Requiring specified disclosure for a contract to purchase a short-term product in conspicuous type on the same page as the short-term product buyer's signature and specifying that the disclosure is not required on any addendum to the contract;
- (3) Removing the limitation of the time that an action may be brought for any violation of the purchasing and selling of a short-term product;
- (4) Removing the requirement that the offer or sale of short-term products by the developer or affiliate not be subject to Chapter 468L, Hawaii Revised Statutes (HRS);
- (5) Specifying that a developer of a time share plan may be entitled to the release of 90 percent of a time share purchaser's funds from escrow to be used for costs associated with time share development in this State if certain conditions are met;
- (6) Specifying the requirements for surety bonds for developers of a time share plan that are filed with the Director of Commerce and Consumer Affairs;
- (7) Requiring that if a developer fails to refund a purchaser's funds within thirty days pursuant to Chapter 514E, HRS, that a surety deposit with the escrow agent funds sufficient to pay any refunds due and payable to purchasers that a developer has failed to pay;
- (8) Deleting provisions concerning the bond, letter of credit, or other financial assurances for accommodations of a time share plan located outside of the State;
- (9) Specifying that if a purchaser is entitled to receive a refund of the purchaser's deposits, then the amount of the refund shall not be reduced to pay the cost of any surety bond or letter of credit;
- (10) Specifying the disclosure requirements if an escrow agreement permits the release of a purchaser's funds;
- (11) Inserting a new section on the closing deadline for a sales contract for the sale of a time share interest;
- (12) Amending the definition of "short-term product";
- (13) Removing references to escrow agents in connection with sales made out of the State;
- (14) Adding a five-year sunset to the provisions of this measure relating to the release of a purchaser's funds pursuant to a bond or letter of credit and the closing deadline;
- (15) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (16) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 271, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 271, H.D. 2.

Signed by all members of the Committee except Representatives Belatti and Fukumoto Chang.

SCRep. 893 Consumer Protection & Commerce on H.B. No. 727

The purpose of this measure is to amend the definition of "qualified plan" for the purposes of inclusion in the Hawaii Health Connector by requiring that a qualified plan be deemed to be a silver, gold, or platinum plan.

The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association provided comments on this measure.

Your Committee has amended this measure by:

- (1) Amending the definition of "qualified plan" under the Hawaii Health Connector to specify that a plan must be a bronze plan, silver plan, gold plan, or platinum plan for individual plans and a gold plan or platinum plan for small business health options program plans pursuant to the Federal Patient Protection and Affordable Care Act;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, non-substantive amendments for clarity and consistency.

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 H.B. No. 727, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 727, H.D. 2.

Signed by all members of the Committee except Representative Hashem.
(Representative McDermott voted no.)

SCRep. 894 Consumer Protection & Commerce on H.B. No. 501

The purpose of this measure is to assist farmers and ranchers in remaining competitive and self-sustaining by providing them with means to request and the Public Utilities Commission the authority to approve preferential rates not only for potable water, but for all public utility services for agricultural activities on lands within an agricultural district.

The Hawai'i Farm Bureau Federation, Ulupono Initiative, Land Use Research Foundation of Hawaii, and an individual testified in support of this measure. The Department of Agriculture testified in support of the intent of this measure. Hawaiian Telcom testified in opposition to this measure. The Public Utilities Commission provided comments on this measure.

Your Committee has amended this measure by:

- (1) Limiting the services for which the Public Utilities Commission may establish preferential rates for agricultural activities on lands within an agricultural district to water, electricity, and freight transport; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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 H.B. No. 501, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 501, H.D. 1.

Signed by all members of the Committee except Representatives Hashem and Oshiro.

SCRep. 895 Judiciary on H.B. No. 837

The purpose of this measure, as received by your Committee, is to prevent the extinction of animals with ivory teeth and tusks and the rhinoceros by prohibiting the sale and trade of ivory and rhinoceros horn within the State. This measure does not apply to certain items with less than 20 percent ivory content, whale teeth, and Ming's jewelry.

The Animal Legal Defense Fund, Animal Rights Hawai'i, Conservation Council for Hawai'i, Elephants DC, Gordon Consulting, Hawaiian Humane Society, Humane Society of the United States – Humane Society International, In Defense of Animals, International Fund for Animal Welfare, The Nature Conservancy of Hawai'i, Save Endangered Elephants.Org, Hawaii Chapter of the Sierra Club, Wildlife Conservation Society, and many concerned individuals testified in support of this measure. The Department of Land and Natural Resources (Department) supported the intent of the measure and provided comments. Hawaii Rifle Association, National Rifle Association of America, and many concerned individuals testified in opposition.

Your Committee believes that a registry of ivory and rhinoceros horn articles to be sold in the State is a significant and reasonable approach to address the global plight of elephants and other ivory-toothed and tusked animals and rhinoceros. Rather than a blanket prohibition of the sale and trade of ivory and rhinoceros horn, as originally proposed in this measure, your Committee finds that it would be better to monitor the trade of ivory and rhinoceros horn by establishing a registry program to control the sale and purchase of ivory and rhinoceros horn in the State. Accordingly, your Committee has amended this measure to:

- (1) Establish a registry program to be administered by the Department to allow the sale and purchase of ivory or rhinoceros horn articles that have proper documentation of the species of animal and the age of the article;
- (2) Clarify that this measure adopts the purposes of the federal Endangered Species Act of 1973, African Elephant Conservation Act, Marine Mammal Protection Act, and the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- (3) Establish the rebuttable presumption that the sale or purchase of an ivory article without prior registration with the Department is illegal. The seller of the article may rebut the presumption with proper documentation that establishes the merchantability of the article;

- (4) Clarify that the exception for guns, knives, and musical instruments is for articles that have less than 20 percent content by volume of ivory or rhinoceros horn;
- (5) Exempt the personal use and possession of ivory or rhinoceros, bequests of ivory or rhinoceros horn, and employees or agents of the federal or state government undertaking any law enforcement activities pursuant to federal or state law or any mandatory duties required by federal or state law;
- (6) Give officers or agents authorized under title 12, Hawaii Revised Statutes, enforcement authority relative to the registry of ivory and rhinoceros horn;
- (7) Change the effective date to March 15, 2038, to encourage further discussion; and
- (8) Make technical, nonsubstantive amendments for clarity, consistency, and style.

If the next committee intends to take further action on the measure, your Committee respectfully requests that consideration be given to including the weight of the ivory and rhinoceros horn articles in the information required by the registry.

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 H.B. No. 837, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 837, H.D. 2.

Signed by all members of the Committee except Representative Belatti.

SCRep. 896 Judiciary on H.B. No. 483

The purpose of this measure is to provide conservation officers of the Department of Land and Natural Resources with the means to administratively enforce conservation and resource extraction requirements in the West Hawai'i Regional Fishery Management Area. This measure grants the Department the authority to conduct administrative inspections of commercial licensees' and wholesale dealers' records, permitting documents, catch, equipment, and premises and to administratively suspend or revoke commercial licenses for noncompliance.

The Aha Moku Advisory Committee of the Department of Land and Natural Resources, Office of Hawaiian Affairs, a member of the Kaua'i County Council, Conservation Council for Hawai'i, and many concerned individuals testified in support of this measure. The Department of Land and Natural Resources supported the intent of the measure and offered comments. The Department of the Attorney General and many concerned individuals testified in opposition.

Your Committee has amended this measure to:

- (1) Clarify that authority is granted to the Department to conduct administrative inspections based on an officer's reasonable belief of misconduct related to licensed activities in the West Hawai'i Regional Fishery Management Area;
- (2) Clarify that this measure is intended to apply to the West Hawai'i Regional Fishery Management Area and is separate, independent, and in addition to the Department's authority to protect aquatic life and levy sanctions pursuant to Chapters 187A and 189, Hawaii Revised Statutes;
- (3) Clarify that administrative inspections may be conducted on an officer's reasonable belief to support administrative enforcement and sanctions, but the evidence obtained from that search may not be used to support charges of criminal law violations; and
- (4) Make 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 H.B. No. 483, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 483, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Hashem and Nakashima.

SCRep. 897 Education on H.B. No. 458

The purpose of this measure is to improve the overall health of the population of Hawaii and reduce the incidence of cervical and other cancers by:

- (1) Requiring the Department of Health to develop accurate, educational information on:
 - (A) Human papillomavirus;
 - (B) Tetanus, diphtheria, and pertussis;
 - (C) The meningococcal conjugate vaccine; and
 - (D) The annual influenza vaccine; and
- (2) Requiring each public school to disseminate this information to each parent or guardian of a student entering the sixth grade, beginning with the 2017-2018 school year.

The University of Hawaii, Hawaii State Commission on the Status of Women, Hawaii Youth Services Network, Healthy Mothers Healthy Babies Coalition of Hawaii, Planned Parenthood of Hawaii, American Association of University Women - Hawaii, American Association of University Women –

Windward, Hawaii Women Lawyers, Hawaii State Democratic Women's Caucus, Hawaii Women's Coalition, and numerous concerned individuals supported this measure. The Department of Education and Hawaii Immunization Coalition supported the intent of the measure. A concerned individual testified in opposition. The Department of Health submitted comments.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Health must produce materials for distribution, in addition to developing information;
- (2) Specifying that the materials provided by the Department of Health must be disseminated, at a minimum, to parents or guardians of public school students entering the sixth grade;
- (3) Requiring the Department of Education to post on its public website the information and materials provided by the Department of Health; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee respectfully asks that the provisions of this measure do not displace the Department of Education's existing budget requests.

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 H.B. No. 458, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 458, H.D. 2.

Signed by all members of the Committee except Representative Ito.

SCRep. 898 Education on H.B. No. 459

The purpose of this measure is to further clarify Hawaii's sexuality health education law by, among other things:

- (1) Specifying additional elements to be included in sexuality health education in public schools;
- (2) Requiring that beginning with the 2016-2017 school year, each public elementary, middle, intermediate, high, and alternative school operated by the Department of Education must provide sexuality health education;
- (3) Expressly granting teachers the discretion to answer in good faith any question initiated by a student that is reasonably related to and consistent with the material of a sexuality health education course;
- (4) Requiring the Department of Education to develop, maintain, and make available to the public a current list of sexuality health education curricula; and
- (5) Requiring the Department of Education, beginning on January 1, 2016, to provide to the Legislature an annual report on the participation rates and outcomes of the Department of Education's policy to allow parents to opt-in to participate in sexuality health education programs during the previous school year.

The Hawaii State Commission on the Status of Women, Hawaii Youth Services Network, Healthy Mothers Healthy Babies Coalition of Hawaii, Planned Parenthood of Hawaii, American Association of University Women – Hawaii, Hawaii State Democratic Women's Caucus, Gay Lesbian Bisexual and Transgender Caucus of the Democratic Party of Hawaii, Hawaii Women Lawyers, Hawaii Women's Coalition, IMUAlliance, and numerous concerned individuals supported this measure. The Ohana Project of the Hawaii Family Coalition and numerous concerned individuals testified in opposition. The Department of Education and numerous concerned individuals submitted comments.

Your Committee has amended this measure by including monogamy as an additional element of sexuality health education in public schools.

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 H.B. No. 459, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 459, H.D. 2.

Signed by all members of the Committee except Representative Ito.
(Representative Tupola voted no.)

SCRep. 899 Judiciary on H.B. No. 631

The purpose of this measure is to establish the documentation required when a birth registrant requests the Department of Health to issue a new birth certificate with a sex designation change.

The Hawaii Civil Rights Commission, Hawaii State Commission on the Status of Women, American Civil Liberties Union of Hawaii, The CHOW Project, Community Alliance on Prisons, Democratic Party of Hawaii, Gay Lesbian Bisexual and Transgender Caucus, Hawaii State Democratic Women's Caucus, Equality Hawaii, Hawaii Women's Coalition, Planned Parenthood of Hawaii, Rainbow Family 808, and many concerned individuals supported this measure. The Hawaii Catholic Conference, Hawaii Family Advocates, Hawaii Family Forum, and several concerned individuals opposed this measure. The Department of the Attorney General and Department of Health provided comments and proposed amendments.

Your Committee has amended this measure by permitting the birth registrant, who has a new certificate of birth with a sex designation change, to request the disclosure of the birth registrant's original birth certificate.

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 H.B. No. 631, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 631, H.D. 2.

Signed by all members of the Committee except Representative McDermott.

SCRep. 900 Finance on H.B. No. 174

The purpose of this measure is to promote accessibility to quality health care procedures in the State by requiring health insurance coverage of medically necessary orthodontic treatment of orofacial anomalies.

The State Council on Developmental Disabilities; Kapiolani Medical Center for Women & Children; Family Voices of Hawaii; American Academy of Pediatrics, Hawaii Chapter; and numerous individuals supported this measure. The Department of Health, Department of Commerce and Consumer Affairs, and two individuals 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 H.B. No. 174, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 901 Finance on H.B. No. 1147

The purpose of this measure is to assist in the effective case management of emergency medical situations and enhance communication among patients, medical providers, and families by:

- (1) Establishing and funding a two-year, 24-hour, on-call pilot Emergency Services Failsafe Program to assist physicians and patients in obtaining the opinion of another physician in high-risk cases, in situations when consultation is warranted, and when a patient, a patient's family member, or hospital patient advocate disagrees with a diagnosis or treatment plan; and
- (2) Authorizing the Department of Health to convene a committee to facilitate the sharing of best practices and benchmarking data for patient advocacy in the emergency department setting.

A former state senator, former state representative, and two individuals testified in support of this measure. An individual opposed this measure. The Department of Health and an individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1147, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Pouha.

SCRep. 902 Finance on H.B. No. 1467

The purpose of this measure is to amend policy and insurer requirements for the Hawaii Health Connector (the Connector) by, among other things:

- (1) Authorizing the Connector to offer large group coverage to insurers, beginning January 1, 2017;
- (2) Requiring insurers with a small group market share that exceeds twenty percent of the State's market to offer specified gold and platinum level qualified health plans coverage through the Connector;
- (3) Encouraging full participation in the Connector by prohibiting the issuance of transitional renewal policies beginning January 1, 2016, and expanding notice requirements for group health plans offering continuation coverage;
- (4) Expanding the small business market in the Connector by increasing the maximum number of employees to qualify as a "small employer" from 50 to 100, pursuant to federal law; and
- (5) Requiring health insurers offering qualified plans to offer federally-qualified health centers the opportunity to contract for services covered by the qualified plan.

Hawaii Primary Care Association supported this measure. The Chamber of Commerce of Hawaii and Hawaii Medical Service Association opposed this measure. The Department of Commerce and Consumer Affairs and the Hawaii Health Connector commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1467, H.D. 2, and recommends that it pass Third Reading.

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

SCRep. 903 Finance on H.B. No. 1075

The purpose of this measure is to ensure continued access to health care services in the County of Maui by authorizing the Hawaii Health Systems Corporation (HHSC) Maui Regional System, in collaboration with a private entity, to transition one or more of its facilities, which include Maui

Memorial Medical Center, Kula Hospital and Clinic, and Lanai Community Hospital, into a new private nonprofit corporation operated by the private entity and subject to HHSC oversight.

The Mayor of the County of Maui, Department of Management of the County of Maui, Hawaii Health Systems Corporation (HHSC) Corporate Board, HHSC – Maui Region, HHSC – Kauai Regional Board, HHSC – West Hawaii Region, Maui Memorial Medical Center, Maui Chamber of Commerce, Hawaii Pacific Health, Maui Hotel & Lodging Association, Healthcare Association of Hawaii, Hawaii Academy of Family Physicians, HHSC Primary Care Training Program, Hawaii Lodging & Tourism Association, The Chamber of Commerce of Hawaii, Goodfellow Bros., Inc., Condominium Rentals Hawaii, and numerous individuals supported this measure. Lanai Community Health Center; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Primary Care Association; and numerous individuals opposed this measure. The Office of Hawaiian Affairs, Department of Budget and Finance, Department of the Attorney General, Grassroot Institute of Hawaii, ILWU Local 142, and one individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1075, H.D. 2, and recommends that it pass Third Reading.

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

SCRep. 904 Finance on H.B. No. 1112

The purpose of this measure is to restructure and facilitate the operations of the Hawaii Health Systems Corporation (HHSC) by, among other things:

- (1) Reconsolidating HHSC operational administration and oversight by eliminating regional system boards and setting new membership guidelines for the HHSC corporation board;
- (2) Repealing certain limitations on operational authority within HHSC, consistent with the consolidated administration; and
- (3) Establishing new voting and approval requirements for HHSC supplemental bargaining agreements for units (1), (2), (3), (4), (9), (10), and (13).

Lanai Community Health Center and several individuals supported this measure. The HHSC West Hawaii Region, HHSC East Hawaii Region, Maui Memorial Medical Center, Hawaii Academy of Family Physicians, HHSC Primary Care Training Program, and numerous individuals opposed this measure. The HHSC Corporate Board of Directors; HHSC Maui Region; Department of the Attorney General; Hawaii Primary Care Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and an individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1112, H.D. 2, and recommends that it pass Third Reading.

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

SCRep. 905 Finance on H.B. No. 1072

The purpose of this measure is to address the need for mental health services in rural and underserved areas of the State by authorizing the Board of Psychology to issue certificates of prescriptive authority to medical psychologists who meet certain education, training, and registration requirements.

The Hawaii Psychological Association, Maui County Branch of Mental Health America/Hawaii, Ohana Psychological Services, Na Pu‘uwai Native Hawaiian Health Care System, Mental Health America of Hawaii, Big Island Substance Abuse Council, and numerous individuals testified in support of this measure. Hawaii Medical Association, The Queen's Health Systems, American Psychiatric Association, and several individuals opposed this measure. The Board of Psychology and two individuals 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 H.B. No. 1072, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.
(Representatives Cullen, Pouha and Ward voted no.)

SCRep. 906 Finance on H.B. No. 321

The purpose of this measure is to establish a system of medical marijuana dispensaries and production centers in the State by setting, among other things:

- (1) Production, licensing, and regulatory requirements for the establishment and operation of dispensaries and production centers;
- (2) Public safety and health standards for the establishment and operation of dispensaries and production centers, including background check requirements, public education requirements, advertising standards, manufacturing quality and distribution standards, unauthorized uses, security standards, dispensary and production center location restrictions, and penalties for violations; and
- (3) Administrative and financial requirements for State oversight of dispensaries and production centers, including the setting of licensing fees and procedures, training and certification standards, inventory controls, and the funding and personnel required by the State to operate the system.

The Americans for Safe Access, Big Island Chapter; Drug Policy Action Group; Drug Policy Forum of Hawaii; Green Futures; Hawaii Cannabis Care; Community Alliance on Prisons; Association of Hawaiian Civic Clubs; Hawaiian Standard; Hawaii Safe Access Group; and numerous individuals supported this measure. The Honolulu Police Department, Hawaii Police Department, Maui Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, State of Hawaii Organization of Police Officers, Hawaii Catholic Conference, Coalition for a Drug-Free Hawaii, Patients Without Time, and several individuals opposed this measure. The Department of the Attorney General; Department of Health; a Hawaii County Council Member; Hawaii Substance Abuse Coalition; Hawaii Family Forum; Capitol Consultants of Hawaii, LLP; and a few individuals commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 321, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.
(Representatives Tokioka and Ward voted no.)

SCRep. 907 Tourism on H.R. No. 22

The purpose of this measure is to request the Auditor to conduct an analysis of the need for licensing and regulating transient vacation rentals as proposed in H.B. No. 825 and S.B. No. 1237, Regular Session of 2015, as required by section 26H-6, Hawaii Revised Statutes.

Hawai'i Association of Realtors and a concerned individual supported this measure. Outrigger Enterprises Group, Rental By Owner Awareness Association, Condominium Rentals Hawaii, South Kohala Management, and two individuals opposed this measure. The Department of Commerce and Consumer Affairs, Hawaii Association of Vacation Rental Managers, and two concerned individuals offered comments.

Your Committee has amended this measure by:

- (1) Clarifying that the Auditor is requested to conduct the analysis independently, while leaving intact language that requests the Auditor to consider data and information gathered by other agencies; 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 Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 22, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 22, H.D. 1.

Signed by all members of the Committee except Representative Cachola.

SCRep. 908 Tourism on H.C.R. No. 48

The purpose of this measure is to request the Auditor to conduct an analysis of the need for licensing and regulating transient vacation rentals as proposed in H.B. No. 825 and S.B. No. 1237, Regular Session of 2015, as required by section 26H-6, Hawaii Revised Statutes.

The Hawaii Tourism Authority, Hawai'i Association of Realtors, and a concerned individual supported this measure. Outrigger Enterprises Group, Rental By Owner Awareness Association, and two individuals opposed this measure. The Department of Commerce and Consumer Affairs, Hawaii Association of Vacation Rental Managers, and several concerned individuals offered comments.

Your Committee has amended this measure by:

- (1) Clarifying that the Auditor is requested to conduct the analysis independently, while leaving intact language that requests the Auditor to consider data and information gathered by other agencies; 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 Tourism 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 that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 48, H.D. 1.

Signed by all members of the Committee except Representative Cachola.

SCRep. 909 Finance on H.B. No. 209

The purpose of this measure is to appropriate funds for the operating costs of the Office of Hawaiian Affairs for fiscal year (FY) 2015-2016 and FY 2016-2017.

The Aha Moku Advisory Committee; Mediation Centers of Hawaii; Association of Hawaiian Civic Clubs; Ko'olauloko Hawaiian Civic Club; Ko'olau Foundation; REACH Out; Hawai'i Green Growth; and several individuals testified in support of this measure.

The Center for Hawaiian Sovereignty Studies and an individual testified in opposition to this measure.

The Office of Hawaiian Affairs and several individuals provided comments.

The Office of Hawaiian Affairs submitted a budget that totaled:

	<u>FY 2016</u>	<u>FY 2017</u>
General Funds	\$3,741,574	\$3,741,574

All Means of Financing \$10,921,848 \$10,921,848

Your Committee on Finance has amended this budget to appropriate:

	<u>FY 2016</u>	<u>FY 2017</u>
General Funds	\$2,491,007	\$2,491,007
All Means of Financing	\$8,420,714	\$8,420,714

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 209, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 209, H.D. 2.

Signed by all members of the Committee except Representative Pouha.

SCRep. 910 Finance on H.B. No. 290

The purpose of this measure is to appropriate funds for the operating and capital improvement costs of the Judiciary for fiscal year (FY) 2015-2016 and FY 2016-2017.

The Judiciary; Office of the Prosecuting Attorney of the County of Hawai'i; Hawaii State Bar Association; Hawaii State Bar Association, Hawaii County; West Hawaii Bar Association; Legal Aid Society of Hawaii; West Hawaii Mediation Center; Policy Advisory Board for Elder Affairs; Ku'ikahi Mediation Center; Kona-Kohala Chamber of Commerce; Ala Kuola; Hawaii Leeward Planning Conference; Volunteer Legal Services Hawaii; and several individuals testified in support of this measure.

The Domestic Violence Action Center; DeCosta Hempey Meyers, LLC; and an individual provided comments.

The Judiciary submitted a budget that totaled:

	<u>FY 2016</u>	<u>FY 2017</u>
General Funds	\$159,473,296	\$162,003,867
All Means of Financing	\$171,937,549	\$174,487,290

Following the initial budget submittal, the Judiciary modified its request and submitted a budget that appropriated:

	<u>FY 2016</u>	<u>FY 2017</u>
General Funds	\$156,560,157	\$159,341,437
All Means of Financing	\$169,024,410	\$171,824,860

Your Committee on Finance has amended this budget to appropriate:

	<u>FY 2016</u>	<u>FY 2017</u>
General Funds	\$155,359,309	\$158,077,762
All Means of Financing	\$167,823,562	\$170,561,185

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 290, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 290, H.D. 2.

Signed by all members of the Committee except Representative Pouha.

SCRep. 911 Finance on H.B. No. 500

The purpose of this measure is to appropriate funds for the operating and capital improvement costs of the Executive Branch for fiscal year (FY) 2015-2016 and FY 2016-2017.

The Office of the Lieutenant Governor; Department of Agriculture; Department of Accounting and General Services; Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; Hawaii Strategic Development Corporation; High Technology Development Corporation; Department of Commerce and Consumer Affairs; Public Utilities Commission; Department of Defense; Department of Education; Department of Human Resources Development; Hawaii Public Housing Authority; Hawaii Health Systems Corporation; State Council on Developmental Disabilities; Department of Land and Natural Resources; Kahoolawe Island Reserve Commission; Department of Public Safety; Department of Transportation; Hawaii Invasive Species Council; Kauai Invasive Species Committee; Big Island Invasive Species Committee; Oahu Invasive Species Committee; Maui Invasive Species Committee; Maui County Office on Aging; Mauna Kea Watershed Alliance; Kauai Watershed Alliance; Partners in Care; Waikiki Health; Hawaii Appleseed Center for Law and Economic Justice; Community Alliance Partners of Hawaii Island; Catholic Charities Hawaii, Hawaii Island; Catholic Charities Hawaii; Hui for Excellence in Education; Community Health Outreach Work Project; Nature Conservancy; PHOCUSED; Princeville Utilities Company; Good Beginnings Alliance; REACH Out; Hawaii Association for Infant Mental Health; Ben Dyre Family Limited Partnership; Hawaii Green Growth; Pacific Rim Land, Inc.; and several individuals testified in support of this measure.

The Department of Hawaiian Home Lands; Hawaii Tourism Authority; State Public Charter School Commission; University of Hawaii; Hawaii Educational Policy Center; KCAA Preschools of Hawaii; Early Learning Advisory Board; Waianae Coast Early Childhood Services; Childcare Business Coalition; American Association of Retired Persons, Hawaii; Maui County Early Childhood Resource Center; COFACAN; Sex Abuse Treatment Center; Kamehameha Schools; Micronesian Health Advisory Coalition; and several individuals provided comments.

The Administration submitted a budget that totaled:

	<u>FY 2016</u>	<u>FY 2017</u>
General Funds	\$6,595,907,791	\$6,920,503,616
All Means of Financing	\$12,963,517,646	\$13,473,466,599

Your Committee on Finance has amended this budget to appropriate:

	<u>FY 2016</u>	<u>FY 2017</u>
General Funds	\$6,503,532,599	\$6,786,347,598
All Means of Financing	\$12,660,768,592	\$13,121,907,502

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 500, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 500, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 912 Public Safety on H.C.R. No. 10

The purpose of this measure is to address periodic staffing shortages at State correctional facilities and ensure that daily staffing levels are adequate and consistent by requesting the Auditor to review and report on all State correctional facilities' leave policies and correctional officers' leave usage rates.

A Councilmember of the Maui County Council; Community Alliance on Prisons; Hoomana Pono, LLC; and two concerned individuals supported this measure. The Department of Public Safety offered comments.

Your Committee has amended this measure by updating the figures for annual overtime costs incurred at State correctional facilities. Other 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 Public Safety that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 10, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 10, H.D. 1.

Signed by all members of the Committee except Representatives Aquino and Har.

SCRep. 913 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 181

The purpose of this measure is to allow the Department of Education to continue, until June 30, 2020, awarding high school diplomas to qualified veterans who did not receive a diploma due to compulsory induction into the United States armed services or an interruption due to wartime practices.

The Office of Veterans' Services; Department of Hawaii, Veterans of Foreign Wars of the United States; and two concerned individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 181, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Education.

Signed by all members of the Committee except Representative Woodson.

SCRep. 914 Economic Development & Business on H.R. No. 33

The purpose of this measure is to request a study to increase the dollar threshold that determines whether a small purchase is exempt from small purchase procurement procedures.

The State Procurement Office submitted written testimony with comments on this measure. There was no other testimony at the hearing.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 33 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Cachola, Ohno, Woodson, Matsumoto and Ward.

SCRep. 915 Economic Development & Business on H.C.R. No. 65

The purpose of this measure is to request a study to increase the dollar threshold that determines whether a small purchase is exempt from small purchase procurement procedures.

The State Procurement Office submitted written testimony with comments on this measure. There was no other testimony at the hearing.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 65 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Cachola, Ohno, Woodson, Matsumoto and Ward.

SCRep. 916 Economic Development & Business/Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 28

The purpose of this measure is to commemorate the thirtieth anniversary of the Hawaii sister-state relationship with the Guangdong province in China.

The Department of Business, Economic Development & Tourism submitted written testimony in support of the measure.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Veterans, Military, & International Affairs, & Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 28 and recommend its adoption.

Signed by all members of the Committee except Representatives Brower, Cachola, Woodson, Matsumoto and Ward.

SCRep. 917 Judiciary on H.C.R. No. 53

The purpose of this measure is to request that the Congress of the United States (Congress) convene a Constitutional Convention to propose amendments to the Constitution of the United States (Constitution) to address the concerns raised by the decision of the Supreme Court of the United States in *Citizens United v. Federal Election Commission* (*Citizens United*).

The Hawaii Farmers Union United Kona Chapter, Wolf PAC, League of Women Voters of Hawaii, Upspring Media, LLC, and many concerned individuals testified in support of this measure. The Libertarian Party of Hawaii and two concerned individuals testified in opposition. The Department of the Attorney General provided comments.

Your Committee has amended this measure to:

- (1) Amend the title of this measure to clarify that this resolution requests that Congress convene a Constitutional Convention to propose amendments that overturn the decision of *Citizens United*;
- (2) State that New Jersey has requested Congress convene a Constitutional Convention to overturn *Citizens United*;
- (3) Specify that the Legislature retains its authority to determine the composition of the membership of its delegation. Furthermore, the Legislature retains its authority to restrict or expand the power of its delegates and the delegates shall be limited by the Legislature's directives;
- (4) Specify that the Constitutional Convention shall address (a) whether expenditures on candidate elections constitute "speech" that is protected by the Constitution; (b) whether independent expenditures on candidate elections "corrupt" the democratic process; and (c) whether the regulation of expenditures advances the public interest to prevent "corruption" and protect the democratic process; and
- (6) Make 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. 53, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 53, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Nakashima and Thielen.
(Representative McDermott voted no.)

SCRep. 918 Tourism/Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 29

The purpose of this measure is to facilitate the growth of the Chinese tourism market in Hawaii by urging the Hawaii Tourism Authority to coordinate with the hospitality industry to create a more welcoming environment for Chinese visitors.

APEC Hawaii and a concerned individual supported this measure. The Hawaii Tourism Authority offered comments.

Your Committees have amended this measure by:

- (1) Requesting Hawaii's congressional delegation to assist in recruiting and employment of a suitable workforce by taking steps to enable foreign workers with specialized knowledge in the language and culture of international visitor markets to qualify for H-1B non-immigrant visas, which provide for employment eligibility;
- (2) Adding Hawaii's congressional delegation to the list of resolution recipients; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Tourism and Veterans, Military, & International Affairs, & Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 29, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 29, H.D. 1.

Signed by all members of the Committee except Representatives Ito, Matsumoto and Ward.

SCRep. 919 Tourism/Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 59

The purpose of this measure is to facilitate the growth of the Chinese tourism market in Hawaii by urging the Hawaii Tourism Authority to coordinate with the hospitality industry to create a more welcoming environment for Chinese visitors.

APEC Hawaii and a concerned individual supported this measure. The Hawaii Tourism Authority offered comments.

Your Committees have amended this measure by:

- (1) Requesting Hawaii's congressional delegation to assist in recruiting and employment of a suitable workforce by taking steps to enable foreign workers with specialized knowledge in the language and culture of international visitor markets to qualify for H-1B non-immigrant visas, which provide for employment eligibility;
- (2) Adding Hawaii's congressional delegation to the list of resolution recipients; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Tourism and Veterans, Military, & International Affairs, & Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 59, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 59, H.D. 1.

Signed by all members of the Committee except Representatives Ito, Matsumoto and Ward.

SCRep. 920 Agriculture on H.R. No. 35

The purpose of this measure is to review Hawaii's laws relating to quarantine facilities by requesting the State Auditor to conduct an audit, in consultation with interested stakeholders, to assess the current operations and procedures at the Department of Agriculture's Animal Quarantine Station and submit a report of findings and recommendations.

The Hawaiian Humane Society, Animal Rights Hawai'i, and three concerned individuals supported this measure. The Department of Agriculture provided comments.

Your Committee has amended this measure by:

- (1) Changing its title to read:
"REQUESTING A PROGRESS REPORT AND PLAN FOR IMPLEMENTATION OF U.S. DEPARTMENT OF AGRICULTURE RECOMMENDATIONS FOR THE DEPARTMENT OF AGRICULTURE ANIMAL QUARANTINE STATION";
- (2) Deleting the provisions relating to the audit of the Animal Quarantine Station and in place thereof, requesting the Department of Agriculture to submit a status report on its actions and timeline to implement recommendations resulting from an inspection by the Animal and Plant Health Inspection Service of the United States Department of Agriculture;
- (3) Making conforming amendments necessitated by the new purpose of the measure; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

Your Committee requests that the Department of Agriculture conduct unannounced inspections of its Animal Quarantine Station, keep statistics on the reasons for placing an animal in quarantine, and provide any other information that may be useful to this Committee in determining whether operational and other changes should be implemented at the Animal Quarantine Station.

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. 35, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 35, H.D. 1.

Signed by all members of the Committee except Representatives Ito, Matsumoto and Ward.

SCRep. 921 Labor & Public Employment on S.B. No. 675

The purpose of this measure is to improve medical coverage for firefighters by:

- (1) Providing firefighters with comprehensive medical coverage through workers' compensation benefits by establishing a rebuttable presumption that a firefighter who suffers from cancer, a blood-borne infectious disease, or exposure to biomedical substances, contracted the condition in the course of employment; and
- (2) Requiring the State Fire Council to develop standards and procedures to ensure the health and safety of firefighters and first responders who are or may be exposed to hazardous materials or situations in the course of their employment.

The Fire Fighter Cancer Support Network; Honolulu Fire Department; and the Hawaii Fire Fighters Association, Local 1463, AFL-CIO submitted testimony in support. The Hawaii Insurers Council submitted testimony in opposition. The Department of Human Resources Development; Department of Labor and Industrial Relations; Hawaii State Fire Council; City and County of Honolulu; and the State of Hawaii Organization of Police Officers submitted comments.

Your Committee has amended this measure by:

- (1) Removing the provisions that required the State Fire Council to develop minimum standards and procedures to ensure the health and safety of firefighters and first responders who are or may be exposed to hazardous materials or situations in the course of their employment; and
- (2) Changing the effective date to July 1, 2115, to encourage further discussion.

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. 675, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 675, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino and Tupola.

SCRep. 922 Labor & Public Employment on S.B. No. 133

The purpose of this measure is to authorize a court to decree a forfeiture of retirement benefits by a member, former member, or retirant of the Employees' Retirement System based on conviction of a felony that the court finds is related to employment by the State or any county.

The Employees' Retirement System submitted testimony in support of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2115, to encourage further discussion.

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. 133, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 133, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino and Tupola.

SCRep. 923 Labor & Public Employment on S.B. No. 1011

The purpose of this measure is to change the manner in which disputes over State and county Hawaii Employer-Union Health Benefits Trust Fund (EUTF) contributions are resolved by repealing:

- (1) The prohibition on using arbitration to resolve disputes and impasses;
- (2) Provisions that set forth the Legislature's role in resolving EUTF contribution disputes through an enactment of law; and
- (3) The prohibition on the right to strike over such contributions.

The University of Hawaii Professional Assembly; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and the Hawaii State Teachers Association submitted testimony in support of this measure. The Department of Budget and Finance submitted testimony in opposition to this measure. The Office of Collective Bargaining submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii Labor Relations Board, rather than the American Arbitration Association, upon the failure to timely select the neutral third member of an arbitration panel, to furnish the list of qualified arbitrators from which the neutral third member is to be selected and requiring State arbitrators to be included in that list;
- (2) Changing the effective date to July 1, 2115, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1011, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1011, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino and Tupola.

SCRep. 924 Labor & Public Employment on S.B. No. 1346

The purpose of this measure is to align the Department of Education's (Department) probationary requirements for incoming teachers by amending the probationary period required of licensed charter school teachers, who are not tenured in the Department, upon entering or returning to the Department.

The Department and two concerned individuals submitted testimony in support of this measure. The State Public Charter School Commission submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that tenured Department licensed teachers, who transfer to charter schools, shall be subject to the appropriate collective bargaining agreement;
- (2) Changing the effective date to July 1, 2030, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1346, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1346, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee except Representatives Aquino and Tupola.

SCRep. 925 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 343

The purpose of this measure is to:

- (1) Exempt qualifying totally and permanently disabled veterans from the State's annual vehicle registration fee commencing September 1, 2015; and
- (2) Require the Office of Veterans' Services to annually submit a report on the number of disabled veterans qualifying for the exemption to the Legislature and Department of Taxation.

The Advisory Board of the Office of Veterans' Services; Department of Hawaii, Veterans of Foreign Wars of the United States; and two concerned individuals supported this measure. The Office of Veterans' Services supported the intent of this measure. The Department of Transportation and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by changing the date upon which the registration fee exemption commences to September 1, 2020, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 343, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 343, H.D. 1, and be referred to the Committee on Transportation.

Signed by all members of the Committee except Representative Woodson.

SCRep. 926 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 1177

The purpose of this measure is to appropriate funds from the Works of Art Special Fund for four full-time equivalent positions in the State Foundation for Culture and the Arts. These new positions are established within the Foundation and funded through a Foundation special fund in response to the Auditor's findings in Report No. 14-11, that the Foundation is unable to adequately fulfil its mission and manage its assets, both financial and artistic, due partly to insufficient staff and insufficient institutional expertise.

The State Foundation on Culture and the Arts supported this measure. The Department of Accounting and General Services provided comments.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1177, 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 Woodson.

SCRep. 927 Human Services on S.B. No. 64

The purpose of this measure is to appropriate moneys to the Department of Human Services for the Preschool Open Doors Program to fund three positions, contract services for the continued implementation of the Program, and for subsidies for the Program.

The Department of Human Services, State Early Learning Advisory Board, Kokua Council & AARP 60, Hui for Excellence in Education, PHOCUSED, Parents and Children Together, Good Beginnings Alliance, Family Programs Hawaii, Seagull Schools, and numerous individuals supported this measure. An individual provided comments on 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 is in accord with the intent and purpose of S.B. No. 64, S.D. 3, and recommends that it pass Second Reading and be referred to the Committee on Education.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 928 Human Services on S.B. No. 980

The purpose of this measure is to establish a standardized framework and funding mechanism for afterschool programs in public middle and intermediate schools. Specifically, this bill:

- (1) Statutorily establishes the Resources for Enrichment, Athletics, Culture, and Health (R.E.A.C.H.) Program within the Office of Youth Services and specifies the role of the Office with regards to the program and its reporting requirements; and
- (2) Establishes the R.E.A.C.H. Program Special Fund to receive fees and other moneys to supplement the costs of administering and operating the R.E.A.C.H. Program.

The Office of the Lieutenant Governor, Office of Youth Services, Office of Hawaiian Affairs, REACH Out Hawai'i, and two individuals supported this measure. Kokua Council & AARP 60 commented on this measure.

Your Committee has amended this measure by:

- (1) Adding a definition of "public middle schools" to clarify that the R.E.A.C.H. program serves public middle schools, including charter schools;

- (2) Clarifying that the Office of Youth Services shall establish program requirements and participation fees or other charges through administrative rules pursuant to Chapter 91, Hawaii Revised Statutes; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 980, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 980, S.D. 1, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 929 Education on S.B. No. 854

The purpose of this measure is to ensure that the pilot program for the lease of public school lands supports public education in Hawaii by, among other things:

- (1) Requiring lessees of such lands to benefit public educational purposes when modifying, constructing, using, and operating facilities on those lands; and
- (2) Authorizing the Department of Education to enter into leaseback agreements that lease back all or a portion of improvements constructed or allow lease or sublease of the property to a third party.

The Department of Education, Hawaii State Teachers Association, Building Industry Association of Hawaii, The Chamber of Commerce of Hawaii, and a concerned individual supported the measure. The Land Use Research Foundation of Hawaii supported the intent of the measure. Malama Learning Center supported the measure with amendments.

Your Committee has amended the measure by:

- (1) Providing that this measure will not preclude the Department of Education from entering into a lease or other agreement with nonprofit organizations that provide educational benefits primarily for the school, complex, or district within which the lands are located; 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. 854, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 854, S.D. 2, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Ito and Tupola.

SCRep. 930 Education on S.B. No. 1098

The purpose of this measure is to amend the Hawaii Revised Statutes to more accurately reflect long-standing practices of the Board of Education, Hawaii State Public Library System, and State Librarian by transferring library-related duties from the Board of Education to the Hawaii State Public Library System and State Librarian.

The Hawaii State Public Library System supported the measure.

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. 1098, 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 Ito and Tupola.

SCRep. 931 Housing on S.B. No. 971

The purpose of this measure is to ensure that affordable rental housing projects remain affordable by requiring a rental housing project with a general excise tax exemption to enter into a regulatory agreement for a specified minimum time period with the Hawaii Housing Finance and Development Corporation (Corporation) to qualify for the tax exemption.

The Corporation and two individuals supported this measure. The Department of Taxation and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

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. 971, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 971, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 932 Housing on S.B. No. 477

The purpose of this measure is to improve the quality of existing public housing stock in the State by authorizing the issuance of general obligation bonds and appropriating funds for the plans, design, construction, and equipment to develop, upgrade, or renovate public housing facilities.

The Hawaii Public Housing Authority, Hawaii Primary Care Association, Land Use Research Foundation of Hawaii, and several individuals supported 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. 477, 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 Representatives Belatti and Oshiro.

SCRep. 933 Housing on S.B. No. 975

The purpose of this measure is to give rental housing projects or units in projects that are awarded federal low-income housing tax credits, regardless of volume caps, secondary preference among rental housing projects that are eligible to receive loans or grants from the Rental Housing Trust Fund.

The Hawaii Housing Finance and Development Corporation, Land Use Research Foundation of Hawaii, and an individual supported this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage discussion; and
- (2) Making technical, nonsubstantive amendments for clarity and consistency.

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. 975, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 975, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 934 Judiciary on S.B. No. 779

The purpose of this measure is to raise the District Court's jurisdictional limit for civil actions involving specific performance to \$40,000, which aligns with the District Court's overall jurisdictional limit of \$40,000 for civil actions.

The Collection Law Section of the Hawaii State Bar Association testified in support of this measure.

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. 779 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 935 Housing on S.B. No. 974

The purpose of this measure is to support the development of mixed-use residential development by:

- (1) Authorizing the Rental Housing Trust Fund (RHTF) to be used for spaces for public uses within mixed-use residential developments in which the residential component consists of rental housing units; and
- (2) Establishing a separate mixed-use residential development subaccount within the RHTF to fund the development, pre-development, construction, acquisition, preservation, and substantial rehabilitation of spaces for public uses within mixed-use residential developments in which the residential component consists of rental housing units.

The Hawaii Housing Finance and Development Corporation, Land Use Research Foundation of Hawaii, PHOCUSED, and Catholic Charities Hawaii supported this measure. The Chamber of Commerce of Hawaii and the Building Industry Association of Hawaii supported the intent of this measure.

Your Committee has amended this measure by deleting its substance and inserting language that:

- (1) Allows the RHTF to fund the development of spaces for public uses within mixed-use residential developments, provided that the rental housing component is the primary use and the rental housing component meets the eligibility criteria for project funding under the RHTF;
- (2) Limits the amount of funding for loans and grants for the development of spaces for public uses unless otherwise authorized by the Legislature;
- (3) Requires the Hawaii Housing Finance and Development Corporation to include in its annual report to the Legislature any loans or grants provided for spaces for public uses;
- (4) Retains the definition of "spaces for public uses," but adds health care as one of the uses allowed within this definition; and

- (5) Incorporates an effective date of July 1, 2050.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider \$5,000,000 as the maximum loan or grant amount for the development of spaces for public uses within a mixed-use residential housing development.

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. 974, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 974, S.D. 1, H.D. 1, and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 936 Housing on S.B. No. 1101

The purpose of this measure is to extend the availability of the state civil service exemption for persons hired or contracted by the Hawaii Public Housing Authority to perform repair, maintenance, or capital improvement project work on vacant state housing units. This measure extends the expiration date of the exemption from June 30, 2015, to June 30, 2018.

The Hawaii Public Housing Authority and an individual supported this measure. United Public Workers, AFSCME, Local 646, AFL-CIO opposed this measure.

Your Committee has amended this measure by:

- (1) Changing the proposed expiration date of the state civil service exemption from June 30, 2018, to June 30, 2017; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

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. 1101, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1101, S.D. 1, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 937 Human Services on H.R. No. 14

The purpose of this measure is to assess the proper use and application of Section 571-46(a)(9)-(14), Hawaii Revised Statutes, by Family Court judges to address problems of family violence in child custody disputes by requesting the Auditor to review and report on all child custody proceedings where family violence has been alleged to have been committed by a parent and that were heard by the Family Courts from January 1, 2004, to December 31, 2009.

Safe Kids International and many individuals supported this measure. The Judiciary provided comments on 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. 14 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 938 Human Services on H.C.R. No. 37

The purpose of this measure is to assess the proper use and application of Section 571-46(a)(9)-(14), Hawaii Revised Statutes, by Family Court judges to address problems of family violence in child custody disputes by requesting the Auditor to review and report on all child custody proceedings where family violence has been alleged to have been committed by a parent and that were heard by the Family Courts from January 1, 2004, to December 31, 2009.

Safe Kids International and many individuals supported this measure. The Judiciary provided comments on 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. 37 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 939 Housing on H.C.R. No. 17

The purpose of this measure is to approve the sale of the leased fee interest in 41-655 Inoaole Street, Waimanalo, Hawaii, tax map key number 1-4-1-33-21 to its current leasehold owner pursuant to section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism supported this measure. The Hawaii Housing Finance and Development Corporation supported this measure, but recommended amendments to correct the street address of the property. The Office of Hawaiian Affairs and an individual who currently resides in the subject property commented on this measure.

Your Committee has amended this measure by:

- (1) Amending its title to read: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-665 INOAOLE STREET, WAIMANALO, HAWAII";

- (2) Correcting the street address number of the subject property to 41-665 Inoaole Street, instead of 41-655 Inoaole Street; 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 Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 17, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 17, H.D. 1.

Signed by all members of the Committee except Representatives Belatti and Oshiro.
(Representative Jordan voted no.)

SCRep. 940 Housing on H.C.R. No. 18

The purpose of this measure is to approve the sale by the Hawaii Housing Finance and Development Corporation of the leased fee interest in 41-575 Inoaole Street, Waimanalo, Hawaii, to its current leasehold owner pursuant to section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development and Tourism and Hawaii Housing Finance and Development Corporation testified in support of this measure. The Office of Hawaiian Affairs submitted comments.

Your Committee finds that the property in question is a single family home built in 1975 as part of the Hale Aupuni affordable for-sale development. Only 20 of the 190 homes in the Hale Aupuni development remain in leasehold.

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. 18 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.
(Representative Jordan voted no.)

SCRep. 941 Housing on H.C.R. No. 19

The purpose of this measure is to approve the sale of the leased fee interest in 41-543 Inoa Street, Waimanalo, Hawaii, tax map key number 1-4-1-33-141 to its current leasehold owner pursuant to section 171-164.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation supported this measure. The Office of Hawaiian Affairs commented on 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 concurs with the intent and purpose of H.C.R. No. 19 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.
(Representative Jordan voted no.)

SCRep. 942 Housing on H.C.R. No. 20

The purpose of this measure is to approve the sale of the leased fee interest in 95-944 Meheula Parkway, No. 153, Mililani, Hawaii, tax map key number 1-9-4-5-34-0052 to its current leasehold owner pursuant to section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism supported this measure. The Hawaii Housing Finance and Development Corporation supported this measure, but recommended amendments to correct the street address of the property. The Office of Hawaiian Affairs commented on this measure.

Your Committee has amended this measure by:

- (1) Amending its title to read: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-944 MEHEULA PARKWAY, NO. 153, MILILANI, HAWAII;"
- (2) Correcting the street address number of the subject property to 94-944 Meheula Parkway, instead of 95-944 Meheula Parkway; 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 Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 20, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 20, H.D. 1.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 943 Housing on H.C.R. No. 21

The purpose of this measure is to approve the sale of the leased fee interest in 95-015 Kuahelani Avenue, No. 319, Mililani, Hawaii, tax map key number 1-9-4-5-34-0154 to its current leasehold owner, pursuant to section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation supported this measure. The Office of Hawaiian Affairs commented on 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 concurs with the intent and purpose of H.C.R. No. 21 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 944 Human Services on H.C.R. No. 14

The purpose of this measure is to recognize the fiftieth anniversary of the Older Americans Act and all the contributions made by older Americans in the State of Hawaii by designating the month of May of each year as "Older Americans Month" in Hawaii.

The Executive Office on Aging, Hawaiian Alliance for Retired Americans, AARP, and several individuals 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. 14 and recommends its adoption.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 945 Human Services on S.B. No. 1066

The purpose of this measure is to update the Uniform Interstate Family Support Act to comply with the requirements of the Hague Convention of the International Recovery of Child Support and Other Forms of Family Maintenance. This measure establishes procedures for registration, recognition, enforcement, and modification of support orders from countries that are parties to the Hague Convention.

The Department of the Attorney General and the Commission to Promote Uniform Legislation supported this measure.

Your Committee has amended this measure by:

- (1) Clarifying that a support order or income withholding order issued outside of the State is registered and enforceable in this State upon filing in Family Court; 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1066, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1066, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 946 Human Services on S.B. No. 1107

The purpose of this measure is to provide an emergency appropriation of \$2,514,822 to the Department of Human Services for the General Assistance Program to address budgetary shortfalls in order to maintain monthly maximum general assistance payments for clients.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 171 to the Legislature, requested immediate consideration and passage of this bill by the Legislature.

The Department of Human Services, Catholic Charities Hawaii, PHOCUSED, and Hawaii Appleseed Center for Law and Economic Justice supported this measure.

Your Committee has amended this measure by changing the amount appropriated for general assistance payments to an unspecified amount to encourage further 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 is in accord with the intent and purpose of S.B. No. 1107, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1107, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 947 Higher Education on S.B. No. 1144

The purpose of this measure is to support economic development and diversification in the State by clarifying the application of the State Ethics Code to technology transfer activities of the University of Hawaii.

The University of Hawaii, Hawaii Business Roundtable, and The Chamber of Commerce of Hawaii supported the measure. The Hawaii State Ethics Commission testified in opposition.

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

- (1) Limiting the exemption from the State Ethics Code to only faculty and professional and technical staff of the University of Hawaii while they are engaged in technology transfer activities;
- (2) Specifying that the regulatory framework and research compliance program and policies approved by the University of Hawaii Board of Regents must also be used by the United States federal government and providing examples of what those policies must address;

- (3) Amending the definition of "technology transfer activities" to mean the process of transferring scientific findings from the public sector to the private sector for the purpose of commercial development and application for personal or financial gain;
- (4) Requiring the University of Hawaii Board of Regents to submit a written report to the Legislature every two years regarding the technology transfer activities of the University of Hawaii and their status;
- (5) Changing its effective date to upon its approval, and repealing it on June 30, 2025; 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1144, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1144, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Say, Matsumoto and Tupola.

SCRep. 948 Judiciary on S.B. No. 452

The purpose of this measure is to require candidate committees to file supplemental campaign spending reports annually on January 31 rather than only after an election year.

The Campaign Spending Commission, Common Cause Hawaii, and several concerned individuals testified in support of this measure.

Your Committee has amended this measure to take effect upon its approval.

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. 452, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 452, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 949 Judiciary on S.B. No. 508

The purpose of this measure is to increase the effectiveness of noncandidate committee reports by requiring an additional preliminary report. In addition to filing the preliminary report 10 days before the general election, another report must be filed on October 1 of a general election year.

Your Committee finds that the additional noncandidate committee report proposed by this measure will increase disclosure of noncandidate committee activity between the primary and general elections. The additional report will assist the voting public to become more knowledgeable about the entities seeking to influence their votes and especially aid the increasing numbers of voters who vote well in advance of election day and prior to the current report deadline.

The Campaign Spending Commission, Common Cause Hawaii, The League of Women Voters of Hawaii, and several concerned individuals testified in support of this measure.

Your Committee has amended this measure to be effective upon its approval.

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. 508, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 508, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 950 Judiciary on S.B. No. 654

The purpose of this measure is to increase the effectiveness of campaign contribution disclosures for anonymous calabash-style contributions. Specifically, this measure reduces from less than \$500 to less than \$100, the aggregate contribution amount that a candidate may receive from ten or more anonymous persons at the same political function.

Your Committee finds that reducing the aggregate amount of anonymous contributions that a candidate or noncandidate committee may receive at a group fundraiser will result in increased disclosure of the identities of the donors to a particular campaign. This measure achieves a reasonable balance between the voting public's right to information about the donors of campaign contributions and the candidate or noncandidate committee's interest in encouraging donors of small sums at a fundraising event to contribute without the burden of reporting the donor's identity. Your Committee notes that anonymous calabash-style donations are the exception to the State's long-standing public policy that disfavors anonymous donations.

The Campaign Spending Commission, The League of Women Voters of Hawaii, and a concerned individual testified in support of this measure. The Department of the Attorney General provided comments.

Your Committee has amended the effective date of this measure to November 9, 2016.

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. 654, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 654, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 951 Tourism on S.B. No. 1009

The purpose of this measure is to require that hotels notify customers that portage service charges are being used for other purposes unless they are distributed in full to employees as tip income.

UNITE HERE Local 5 and several concerned individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1009, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee.

SCRep. 952 Economic Development & Business on S.B. No. 1064

The purpose of this measure is to improve the efficiency and effectiveness of the procurement of professional services by state agencies. Specifically, this bill authorizes a request to be submitted to the Chief Procurement Officer for an alternative procurement to be made in accordance with administrative rules adopted by the Procurement Policy Board in the event there are fewer than three qualified persons that can be sent to the head of a purchasing agency.

The State Procurement Office and a concerned individual testified in support of this measure. The American Institute of Architects, American Council of Engineering Companies of Hawaii, American Society of Civil Engineers, and Kukulu, LLC, testified in opposition to this measure.

The Procurement Policy Board has the authority and responsibility to adopt rules governing the procurement of professional services by state agencies. In 2014, the Hawaii Supreme Court ruled that, under the current statutes, a selection committee must identify and rank a minimum of three qualified professional service providers in order for a state agency to proceed with procurement. While many professional services in Hawaii have adequate numbers of qualified professionals to address this requirement, a number of highly specialized professional services do not. According to the State Procurement Office, this has often resulted in the need to repeat solicitation of bids until bids from three qualified applicants were received. This process is inefficient and is a detriment in both time and money to the State and qualified applicants.

Your Committee understands the concerns raised by several industry groups that simply allowing for a request to be submitted to the Chief Procurement Officer for an alternative procurement for professional services to be made in accordance with administrative rules adopted by the Procurement Policy Board without identification and ranking by the selection committee does not serve the procurement code's purpose of ensuring that professional services are procured in a fair and equitable manner.

Upon further consideration, your Committee has amended this measure by deleting its substance and inserting the provisions of H.B. No. 895, H.D. 1, a similar bill that your Committee passed earlier this session. As amended, this measure provides an effective procurement process for situations where a selection committee is not able to send a list of three qualified persons to provide professional services to the head of the purchasing agency. Specifically, when there are fewer than three qualified persons on the list to provide professional services, the selection committee would be required to rank the qualified persons based on selection criteria and send the ranking to the Chief Procurement Officer, who may proceed in accordance to administrative rules adopted by the Procurement Policy Board.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1064, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1064, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 953 Economic Development & Business on S.B. No. 1295

The purpose of this measure is to improve government operations and efficiency, as well as Hawaii's economy, by:

- (1) Allowing the Department of Business, Economic Development, and Tourism (DBEDT) to enter into inter-agency agreements with the Natural Energy Laboratory of Hawaii Authority (NELHA) without entering into a memorandum of agreement or memorandum of understanding; and
- (2) Incentivize the research, development, and commercialization of renewable energy technology in Hawaii by allowing business activities relating to energy produced by ocean thermal energy conversion, solar, or hydrogen and to technologies, including hydrogen research and development, to qualify a business for incentives under the State Enterprise Zone Program.

NELHA and a concerned individual testified in support of this measure. DBEDT supported the intent of this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee finds that it is important to promote efficiency in government. Providing state agencies with a framework for coordinating resources and eliminating waste is an important step toward saving money that can be more productively used elsewhere.

Your Committee also finds that research, development, and commercialization of renewable energy technology in Hawaii should be incentivized. Renewable energy technology is important for Hawaii's economy as it generates demand for jobs in science and engineering and promises to produce clean energy that will help Hawaii gain greater independence from oil for energy production.

However, your Committee notes that the Enterprise Zone Program was intended to assist economically challenged areas through the creation of jobs and that according to the Department of Business, Economic Development, and Tourism, energy related commercialization and research and development historically has not created large numbers of employment opportunities. Furthermore, your Committee notes concerns raised by the

Department of Taxation that the Enterprise Zone incentives provided in this measure lack oversight by DBEDT, the agency charged with administration of the Enterprise Zone program. Nevertheless, your Committee notes that this measure is a work in progress that deserves further consideration.

Your Committee has amended this measure by changing its effective date to February 19, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1295, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1295, S.D. 1, H.D. 1, and be referred to the Committee on Energy & Environmental Protection.

Signed by all members of the Committee.

SCRep. 954 Economic Development & Business on S.B. No. 887

The purpose of this measure is to increase economic development in Hawaii by improving Hawaii's high speed broadband infrastructure. Specifically, this measure:

- (1) Amends the definition of "industrial park" under chapter 206M, Hawaii Revised Statutes, relating to the High Technology Development Corporation (HTDC), to include broadband cable landing and connectivity infrastructure facility development, thus allowing HTDC to develop such facilities;
- (2) Requires the Board of Directors of HTDC to establish advisory subcommittees when developing an industrial park with a broadband cable landing and connectivity infrastructure facility; and
- (3) Requires the Board of Directors of HTDC to submit a report to the Legislature and the Governor in 2016 on the formation of the advisory subcommittees and their plans to develop industrial parks in conjunction with broadband cable landing and connectivity infrastructure facilities.

The United States Pacific Command, Enterprise Honolulu, HTDC, and Pacific-Asia Institute for Resilience and Sustainability testified in support of this measure. The Chamber of Commerce of Hawaii supported the intent of this measure.

Industrial parks and broadband cable landing sites developed through public private partnerships can be an effective way to advance the State's broadband infrastructure and bring stakeholders together to position Hawaii as a world leader in innovation. This would have a positive impact on Hawaii's economy, not only in the establishment of technological research and development businesses, but also through the creation of high wage jobs.

Your Committee finds that prioritizing broadband infrastructure and increasing broadband capacity is critical to businesses and the growth of Hawaii's economy. Increased broadband capacity is also crucial to providing more secure, reliable, and resilient internet and data connectivity to Hawaii, which can lead to a higher quality of life for all of Hawaii's residents.

Your Committee has amended this measure by changing its effective date to February 19, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 887, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 887, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 955 Economic Development & Business on S.B. No. 868

The purpose of this measure is to clarify regulations regarding dancing in establishments licensed to serve alcohol by:

- (1) Authorizing each county Liquor Commission to regulate dancing in licensed premises; and
- (2) Requiring each county Liquor Commission that chooses to regulate dancing to adopt or amend rules regarding limitations on dancing in licensed premises and define the term "dancing", no later than October 1, 2015.

Maui Dance Advocates and a concerned individual testified in support of this measure. The Grassroot Institute of Hawaii provided comments.

Under current law, county Liquor Commissions have the sole jurisdiction, power, authority, and discretion, to control, supervise, and regulate the manufacture, importation, and sale of liquor by individuals and establishments, including through licensure. However, your Committee was informed that different county Liquor Commissions have established different rules regarding dancing on the premises of establishments that are licensed to serve alcohol. This has led to confusion among both establishment owners and patrons as to whether dancing in any location on the establishment's premises, other than a designated dance floor, is permissible.

Your Committee has amended this measure by:

- (1) Clarifying county Liquor Commissions' express authority to regulate dancing on the premises of an establishment serving alcohol;
- (2) Clarifying that jurisdiction, power, authority, and discretion to regulate establishments that serve alcohol does not rest solely with a county Liquor Commission; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

This measure, as amended, provides each county Liquor Commission with the express authority to regulate dancing in licensed premises through administrative rules and requires each county Liquor Commission that chooses to regulate dancing to have rules in place regarding limitations on dancing

and define the term "dancing" by a certain date. This will address confusion and enable county Liquor Commissions to provide establishments and patrons with an understanding of, and guidelines regarding, any dancing regulations.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 868, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 868, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 956 Economic Development & Business on S.B. No. 1154

The purpose of this measure is to simplify the liquor license application public hearing process, thereby assisting liquor license applicants in opening their establishments in a more timely manner, while maintaining sufficient time for public concerns regarding the establishment to be brought forth by requiring that, for counties with a population of 500,000 or more, a notice of a public hearing on an application for a liquor license before a county liquor commission be mailed at least 30 days prior to the date set for the hearing.

The Liquor Commission of the City and County of Honolulu and two concerned individuals testified in support of this measure.

Establishing a liquor licensed business in Hawaii requires a considerable amount of time and a significant financial investment. Obtaining a liquor license is a critical step in commencing operations and generating revenue to offset these costs. Currently, in Honolulu, the wait time between a notice of a public hearing on a liquor license application and the actual hearing itself is 45 days. While your Committee understands that this wait time was established to ensure that individuals have sufficient time to determine the impact the issuance of a liquor license would have on the community, your Committee finds that reducing the wait time to 30 days would enable approved liquor license applicants to commence operations sooner, while providing ample time for individuals to evaluate and comment on the liquor license application.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1154 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 957 Economic Development & Business on S.B. No. 892

The purpose of this measure is to assist businesses and improve Hawaii's economic growth, as well as promote public safety, by making various appropriations for a Hawaii resilience and sustainability strategy in the areas of broadband and joint emergency management. Specifically, this measure:

- (1) Appropriates funds for the Hawaii Broadband Initiative; and
- (2) Authorizes the issuance of general obligation bonds to finance the:
 - (A) Design, construction, and materials for broadband cable landing sites and for the preparation of environmental impact statements for seven of those sites; and
 - (B) Planning, land acquisition, design, and construction of a joint emergency management center in Mililani High Technology Park.

The United States Pacific Command, Enterprise Honolulu, Pacific-Asia Institute for Resilience and Sustainability, and several concerned individuals testified in support of this measure. The Department of Business, Economic Development, and Tourism, Hawaii Emergency Management Agency, State Fire Council, Honolulu Fire Department, High Technology Development Corporation, and Hawaii Farm Bureau supported the intent of this measure.

Your Committee finds that prioritizing broadband infrastructure and increasing broadband capacity is critical to businesses and the growth of Hawaii's economy. Increased broadband capacity is also crucial to providing more secure, reliable, and resilient Internet and data connectivity to Hawaii. The concurrent development of a joint emergency management center will allow emergency responders to greatly improve cross-jurisdictional communications between various emergency agencies enhancing emergency preparedness and improving public safety. This measure will facilitate the development of public-private partnerships to provide increased broadband infrastructure, thereby improving Hawaii's economic growth and enhancing public safety.

However, your Committee also finds that improving the reliability and security of the power grid and the water and sewer distribution systems on each island are necessary steps to support Hawaii's sustainability and economic growth, promote public safety, and enable Hawaii's resilience and sustainability strategy.

Your Committee has amended this measure by:

- (1) Changing the means of financing for the design, construction, and materials for broadband cable landing sites and for the preparation of environmental impact statements for seven of those sites and for the planning, land acquisition, design, and construction of a joint emergency management center from general obligation bonds to general funds;
- (2) Inserting language appropriating general funds for the State of Hawaii's Resilience and Sustainability's Initiative Management Team to continue its collaborative research efforts in exploring methods to improve energy efficiency and grid operations in Hawaii;
- (3) Inserting language appropriating funds to support plans by the State of Hawaii's Resilience and Sustainability's Initiative Management Team to expedite county water improvement projects and target the water and sewer distribution systems on each island in the State; 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 892, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 892, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 958 Economic Development & Business on S.B. No. 1228

The purpose of this measure is to provide the State with greater flexibility in the procurement of certain goods and services to meet unique or unusual needs or situations while maintaining the accountability and transparency afforded by the State Procurement Code. Among other things, this measure:

- (1) Establishes the special innovative procurement process for procurement of supplies, services, professional services, and construction;
- (2) Requires the Procurement Policy Board to establish procedures for use of the special innovative procurement process;
- (3) Requires the Procurement Policy Board to develop draft rules regarding special innovative procurements, including public-private partnerships in Hawaii, and to submit a report of its draft rules and any proposed legislation to the 2017 Legislature; and
- (4) Appropriates funds for a temporary position to assist the Procurement Policy Board in drafting rules.

The Department of Agriculture, State Procurement Office, Department of Transportation, City and County of Honolulu, Ulupono Initiative, The Kohala Center, Hawaii Farm to School and School Garden Hui, and Local Food Coalition testified in support of this measure.

Currently, when unique or unusual circumstances arise in the public procurement process, the State lacks the flexibility to respond in an effective, efficient, and timely manner. According to the State Procurement Office, exemptions from the Procurement Code are provided in many of these instances, which has resulted in millions of dollars of goods and services being procured with minimal accountability. The creation of a new process for the procurement of goods and services in these situations would provide the State with the flexibility it needs to balance the reality of an ever changing marketplace with the guiding principles of government contracting and the State's responsibility to the public.

Your Committee finds that the Samuel Mahelona Memorial Hospital and Kauai Veterans Memorial Hospital, both part of the Hawaii Health Systems Corporation (HHSC), serve the rural communities of Kauai by providing numerous medical services. These facilities are integral to the public health and safety of the Kauai communities. However, the HHSC faces dire financial realities that continue to escalate, placing an ever increasing burden on state revenues.

One possible solution to the long-term financial sustainability of HHSC would be through the establishment of a long-term public-private partnership that would provide HHSC with financial security while allowing for the continuation of services provided by these hospitals. However, your Committee finds that the development of a master plan to allow for this type of public-private partnership to develop lands under the jurisdiction of the HHSC require the procurement of specialized services. Accordingly, your Committee has amended this measure by:

- (1) Appropriating \$750,000 for the procurement of services to develop a master plan for the design and expansion of Samuel Mahelona Memorial Hospital and the Kauai Veterans Memorial Hospital; and
- (2) Requiring the master plan to be established using a collaborative project management system that spans the entire pre-construction period and involves community input.

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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1228, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1228, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Brower and Tokioka.

SCRep. 959 Education on S.B. No. 841

The purpose of this measure is to improve the delivery of school health services by establishing an interagency working group, jointly convened by the Department of Education and Department of Health, to create a comprehensive school health program.

The University of Hawaii at Manoa School of Nursing, Hawaii Primary Care Association, Hawaii Public Health Institute, Hawaii Island School Garden Network, and two concerned individuals supported the measure. The Department of Education supported the intent of the measure. The Department of Health submitted comments.

Your Committee has amended this measure by:

- (1) Making an unspecified appropriation to the Department of Education for the work of the interagency working group; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee requests that as part of its comprehensive school health program, the interagency working group also consider issues relating to peanut and other food allergies.

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. 841, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 841, S.D. 2, H.D. 1, and be referred to the Committee on Health.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito, Kong, Say and Tupola.

SCRep. 960 Energy & Environmental Protection on S.B. No. 717

The purpose of this measure is to repeal the requirement that gasoline sold in Hawaii for use in motor vehicles contain ten percent ethanol.

Aloha Shell Service and two concerned individuals supported the measure. The Hawaii Crop Improvement Association, DuPont, Growth Energy, and Bioenergy Associates LLC testified in opposition. The Department of Business, Economic Development, and Tourism; Chevron; POET Biofuel; Biotechnology Industry Organization; and Grassroot Institute of Hawaii submitted comments.

Your Committee respectfully requests that the issue of whether the repeal of the ethanol requirement will save money for Hawaii consumers should be considered.

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 is in accord with the intent and purpose of S.B. No. 717, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Transportation.

Signed by all members of the Committee except Representatives Say and Yamane.

SCRep. 961 Energy & Environmental Protection on S.B. No. 488

The purpose of this measure is to encourage energy conservation and efficiency by:

- (1) Requiring separate electricity utility metering of both residential and nonresidential units in all mixed-use condominium projects; and
- (2) Authorizing the board of directors of condominium projects to install separate meters to determine the use by each unit of other utilities, including water, gas, fuel, oil, sewerage, and drainage.

The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Blue Planet Foundation, and two concerned individuals supported the measure.

Your Committee has amended this measure by changing its effective date to July 1, 2015.

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 is in accord with the intent and purpose of S.B. No. 488, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 488, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Say.

SCRep. 962 Energy & Environmental Protection on S.B. No. 1096

The purpose of this measure is to ensure that electric utilities serving as billing and collections agents in a purely "pass-through" capacity for any on-bill financing or repayment program are exempt from various state or county taxes and state laws regulating financial institutions, escrow depositories, and collection agencies.

The Department of Taxation; Department of Business, Economic Development, and Tourism; Blue Planet Foundation; Hawaiian Electric Company; Hawaii Electric Light Company; Maui Electric Company; Hawaii Solar Energy Association; and two concerned individuals supported the measure. The Public Utilities Commission supported the measure with amendments. The Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by broadening the definitions of "on-bill obligation" and "on-bill program" to also include the acquisition of renewable energy, energy efficiency, or energy conservation systems. Other technical, nonsubstantive amendments were made for 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 is in accord with the intent and purpose of S.B. No. 1096, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1096, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Say.

SCRep. 963 Energy & Environmental Protection on S.B. No. 1050

The purpose of this measure is to make the benefits of renewable energy more accessible to a greater number of Hawaii residents by, among other things:

- (1) Requiring the Public Utilities Commission to establish a community-based renewable energy tariff or tariffs, to take effect no later than January 1, 2016;
- (2) Requiring that community-based renewable energy projects:

- (A) Equal to or less than one megawatt in size be subject to streamlined and standardized interconnection approval processes established by the Public Utilities Commission; and
- (B) Greater than one megawatt in size be subject to the Public Utilities Commission's individualized review and approval;
- (3) Allowing an electric utility to develop and implement its own community-based renewable energy project or projects, as long as the project or projects are subject to the Public Utilities Commission's review and approval; and
- (4) Requiring that the community-based renewable energy tariff and related interconnection processes be, to the extent possible, standardized.

The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Democratic Party of Hawaii, Blue Planet Foundation, Hawaii Solar Energy Association, Ulupono Initiative, Hawaii PV Coalition, and numerous concerned individuals supported the measure. The Department of Business, Economic Development, and Tourism and Public Utilities Commission supported the intent of the measure. The Hawaii Renewable Energy Alliance supported the measure with amendments. The Office of Hawaiian Affairs, Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, Kauai Island Utility Cooperative, and Clean Energy Collective submitted comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to take effect 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1050, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1050, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Say.

SCRep. 964 Transportation on S.B. No. 871

The purpose of this measure is to facilitate the ability of foreign individuals to operate a motor vehicle in Hawaii by providing for driver licensing reciprocity with other countries. Specifically, this measure:

- (1) Allows a nonresident operator of a motor vehicle, who holds a current and valid license and international driving permit to operate a motor vehicle in the country in which the nonresident operator resides, to obtain a Hawaii driver's license to operate a car or truck, if certain conditions are met; and
- (2) Repeals the Driver's License Reciprocity Committee established under section 286-11, Hawaii Revised Statutes.

The Department of Transportation testified in support of the intent of this measure.

The ability to drive adds to a person's quality of life. Your Committee finds that this measure facilitates the ability of foreign individuals to drive in Hawaii by providing driver's license reciprocity with foreign countries under specified conditions. Your Committee further finds that the existing Driver's License Reciprocity Committee is cumbersome, costly, and complicated to administer. As a result, it has never been used since its enactment by Act 314, Session Laws of Hawaii 2012, despite public interest in driver's license reciprocity.

Your Committee has amended this measure by:

- (1) Authorizing the examiner of drivers to waive the actual demonstration of an individual's ability to operate a motor vehicle as a licensure requirement in instances where the individual holds a license from a country to which the Director of Transportation has granted reciprocal licensing privileges; 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 is in accord with the intent and purpose of S.B. No. 871, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 871, S.D. 1, H.D. 1, and be referred to the Committee on Veterans, Military, & International Affairs, & Culture and the Arts.

Signed by all members of the Committee.

SCRep. 965 Transportation on S.B. No. 16

The purpose of this measure is to clarify the scope and application of existing consumer protections related to towing of unattended vehicles by:

- (1) Clarifying the circumstances under which a tow truck operator is required to release a vehicle that has already been hooked up to the tow truck to its owner or driver; and
- (2) Applying requirements for release of a vehicle, notification, and compensation to drivers of rented or borrowed vehicles.

The Office of Consumer Protection and Honolulu Police Department testified in support of this measure. A concerned individual testified in opposition to this measure. The Finance Department of the County of Hawaii, Ace Towing Service, and Waialae Towing provided comments.

Hawaii's law regulating towing was initially established in 1973, and has since been amended numerous times. Unfortunately, these numerous amendments have led to confusion and unintended consequences. Your Committee finds that the existing law is in need of clarification regarding when a

hookup of a vehicle by a towing company occurs, what constitutes the scene from which a tow is initiated, and who is the vehicle owner entitled to benefit from existing consumer protections. This measure clarifies the rights of vehicle owners and drivers and the duties of tow companies. Your Committee finds that this measure should reduce confusion and diminish the number of disputes related to towing unattended vehicles from private or public property.

Your Committee has amended this measure by clarifying that a "vehicle owner" includes any person in lawful possession of the key or remote keyless ignition system to the vehicle.

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. 16, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 16, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 966 Transportation on S.B. No. 1280

The purpose of this measure is to preserve alternative forms of transportation services available to consumers while affording consumers the protection of law by regulating transportation network companies. Among other things, this measure:

- (1) Requires the Public Utilities Commission (PUC) to regulate transportation network companies and transportation network company drivers;
- (2) Establishes motor vehicle insurance requirements for the transportation network company industry;
- (3) Establishes minimum qualifications for transportation network company drivers; and
- (4) Appropriates funds for the PUC to carry out the regulation of transportation network companies and their drivers.

The American Insurance Association and a concerned individual testified in support of this measure. The Hawaii Transportation Association, Hawaii Insurers Council, Property Casualty Insurers Association of America, National Association of Mutual Insurance Companies, State Farm Mutual Automobile Insurance Company, Liberty Mutual Insurance, and Charley's Taxi supported the intent of this measure. Uber Technologies, Robert's Hawaii Inc., Roberts Taxi, and several concerned individuals testified in opposition to this measure. The Attorney General, PUC, USAA, The Cab, and EcoCab provided comments.

Transportation network companies are operating across the country, including in Hawaii, and have expanded transportation options for the benefit of the public. A transportation network company uses a digital network or software application service to connect passengers to drivers. While the public is receptive to this innovation in transportation services, transportation network companies are not licensed or regulated in Hawaii and therefore, the public is not afforded the full and necessary protection of law when doing business with a transportation network company.

Your Committee finds that, although a transportation network company may operate under a different business model for connecting customers with drivers, their primary service is that of transporting passengers or property for compensation which is a commercial activity virtually indistinguishable from that of a traditional motor carrier. Thus, your Committee finds that a transportation network company should be regulated.

Finally, your Committee finds that this measure is a work in progress and that numerous questions were raised by the Attorney General and the PUC concerning the lack of specifics contained in the regulatory framework established by this measure. As such, your Committee respectfully requests that these regulatory issues including rate regulation, e-receipt requirements, identification requirements for vehicles, fee establishment, penalties provisions for violations including fines, and PUC regulatory requirements, be investigated and discussed further by the Committees on Consumer Protection and Commerce and Judiciary should they consider this measure.

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

- (1) Requiring that transportation network company drivers register as a business entity with the Business Registration Division of the Department of Commerce and Consumer Affairs;
- (2) Clarifying that transportation network companies must disclose in writing that a driver's personal automobile insurance policy might not provide any required or optional insurance coverage because the driver uses their vehicle for transportation network company activities;
- (3) Clarifying that transportation network company drivers are simply required to maintain a primary motor vehicle insurance policy rather than a primary commercial motor vehicle insurance policy;
- (4) Stipulating that the requirement for transportation network company drivers to submit evidence of physical examination be completed every four years instead of just once;
- (5) Establishing additional requirements transportation network company drivers must adhere to in order to be permitted to act as a transportation network company driver, including having at least one year of driving experience in Hawaii, submitting fingerprints for analyses by a local law enforcement agency, and using only a hands free device when conducting a transportation network company activity;
- (6) Requiring transportation network companies to retain specified records for a period of at least five years;
- (7) Specifying that the specified records that are required to be maintained by a transportation network company be made available upon written request no later than ten days after the receipt of the request; and
- (8) 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. 1280, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1280, S.D. 2, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee.

SCRep. 967 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 778

The purpose of this measure is to require and provide funding for the Department of Education to develop and implement annual assessments in the Hawaiian language, in accordance with established standards and state and federal assessment requirements, for students in the Ka Papahana Kaiapuni, Hawaiian language immersion program.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Association of Hawaiian Civic Clubs, Kalihi Palama Hawaiian Civic Club, Ewa Puuloa Hawaiian Civil Club, King Kamehameha Hawaiian Civic Club, Hui Maka'ainana O Makana, and numerous individuals. The Department of Education, Laboratory School Program of the College of Hawaiian Language of the University of Hawai'i at Hilo, and 'Aha Punana Leo submitted comments.

Your Committee acknowledges that the Department of Education is currently developing Hawaiian language assessments for students in certain elementary school grades and that the Department has undertaken this important task even though it tests the limits of the Department's capacity. However, your Committee also finds that in the absence of adequate Hawaiian language assessments, many families choose to opt their students out of assessments altogether, which may have repercussions for the funding and ranking of Ka Papaha Kaiapuni schools.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Education shall implement Hawaiian language assessments beginning with the 2020-2021 school year; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 778, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 778, S.D. 2, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee except Representative Yamane.

SCRep. 968 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 1248

The purpose of this measure is to enable the Hawaiian Language College at the University of Hawaii at Hilo to realize the benefits of revenues generated by the College and its various programs by expanding the statutory scope of the Hawaiian Language College Revolving Fund.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, College of Hawaiian Language at the University of Hawaii at Hilo, 'Aha Punana Leo, and several individuals. The University of Hawai'i at Hilo and an individual submitted comments.

Your Committee finds that this measure increases the Hawaiian Language College's financial self-sufficiency by permitting the College to realize the revenues generated by its own enterprises, including fees for services and training and the sale of publications. Your Committee notes that the impact of this measure on the State's revenues is neutral-to-positive, as it increases the College's capacity without expending general revenues of the State.

Your Committee has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1248, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1248, S.D. 1, H.D. 1, and be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representative Yamane.

SCRep. 969 Agriculture on S.B. No. 774

The purpose of this measure is to improve protections for wetland taro lands and related historic agricultural structures by:

- (1) Adding to the Board of Land and Natural Resources' Intensive Agricultural Use classification of public lands, a Fourth Class—Taro Lands classification comprising undeveloped public lands in the land use conservation district that were in wetland taro cultivation prior to statehood or traditional taro lands that retain historic structural evidence of wetland taro lands; and
- (2) Authorizing and appropriating funds for the Board of Land and Natural Resources, in conjunction with the Taro Security and Purity Task Force, to create an inventory of Fourth Class—Taro Lands.

The Office of Hawaiian Affairs, Department of Land and Natural Resources, Aha Moku Advisory Committee, Taro Security and Purity Task Force, Waianae Neighborhood Board, Hydroponics Alternative LLC, E kūpaku ka 'āina-The Hawaii Land Restoration Institute, Hawaii Farmers Union United, Association of Hawaiian Civic Clubs, and numerous concerned individuals supported this measure. The Department of Agriculture and Land Use Research Foundation of Hawaii 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 is in accord with the intent and purpose of S.B. No. 774, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Ito, Ohno, Woodson, Matsumoto and Ward.

SCRep. 970 Consumer Protection & Commerce on S.B. No. 514

The purpose of this measure is to establish a class C felony for theft of any personal electronic device that is a computer capable of storing or retrieving personal information.

The Department of the Attorney General and an individual testified in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu testified in support of this measure with amendments.

Your Committee has amended this measure by:

- (1) Specifying that the felony established by this measure shall be for the theft of any computer, rather than any personal electronic device, that contains or has access to personal information;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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. 514, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 514, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 971 Human Services on S.B. No. 384

The purpose of this measure is to:

- (1) Establish the Address Confidentiality Program (Program) within the Crime Victim Compensation Commission to assist victims of domestic violence and sexual assault to relocate to new addresses and keep their new addresses confidential; and
- (2) Create the Address Confidentiality Program Surcharge Fund.

The Hawaii State Commission on the Status of Women, PHOCUSED, Hawaii Women Lawyers, and an individual supported this measure. The Crime Victim Compensation Commission and Sex Abuse Treatment Center supported this measure and offered additional comments. The Department of the Attorney General supported the intent of this measure. The Department of Budget and Finance commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the definition of "domestic violence" and adding a definition for "domestic abuse" based on section 586-1, Hawaii Revised Statutes;
- (2) Clarifying the definition of "stalking" to mean an act of harassment as described in sections 711-1106, 711-1106.4, and 711-1106.5, Hawaii Revised Statutes;
- (3) Changing the effective date of the Program to enable qualified persons to apply for participation starting July 1, 2017, rather than July 1, 2015;
- (4) Requiring the Crime Victim Compensation Commission to report back to the Legislature on the progress of the Program and any recommendations for improving the implementation of the Program; 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 384, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 384, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 972 Legislative Management on S.B. No. 451

The purpose of this measure is to expand the scope of conflict of interest provisions of the State Ethics Code by prohibiting state employees from taking any official action directly affecting a business or other undertaking in which a parent, sibling, or adult child of the employee has a substantial financial interest.

The Hawaii State Ethics Commission and Common Cause Hawaii testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 451, S.D. 1, and recommends that it pass Second Reading and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

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

SCRep. 973 Legislative Management on S.B. No. 476

The purpose of this measure is to increase transparency by requiring the State Ethics Commission to provide a confidential copy of board and commission members' most recent financial disclosures to the Governor, the executive director of the applicable agency, and all other members of the filer's board or commission.

The Hawaii State Ethics Commission commented on this measure. The Hawaii Strategic Development Corporation opposed this measure.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 476, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

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

SCRep. 974 Public Safety on S.B. No. 213

The purpose of this measure is to bring parity to the treatment of defendants sentenced to multiple terms of imprisonment by requiring the Department of Public Safety to notify defendants sentenced prior to June 18, 2008 about the possible recalculation of their multiple terms of imprisonment and their right to petition the court for clarification or correction when there is good cause.

The Department of the Prosecuting Attorney of the City and County of Honolulu and Hoomana Pono, LLC, supported this measure. The Department of the Attorney General, Department of Public Safety, and Community Alliance on Prisons offered comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring service of petitions on the Department of Public Safety and Attorney General, as parties in interest; 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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 213, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 213, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 975 Public Safety on S.B. No. 193

The purpose of this measure is to establish an E911 surcharge on each retail transaction of a prepaid wireless telecommunications service, similar to the enhanced 911 surcharge imposed on postpaid wireless communication services.

The Enhanced 911 Board, Honolulu Police Department, Hawaii Police Department, CTIA-The Wireless Association, and Verizon supported this measure. The Hawaii Food Industry Association opposed this measure. The Department of Taxation and Tax Foundation of Hawaii offered comments on this measure.

Your Committee has amended this measure by:

- (1) Removing a reference to section 237-13.8, Hawaii Revised Statutes, to prevent confusion between the general excise tax and the proposed surcharge; and
- (2) Clarifying when retail transactions are considered to have occurred within the state.

Should the Committee on Consumer Protection and Commerce deliberate this measure further, your Committee on Public Safety respectfully requests, and strongly suggests, that if the prepaid wireless E911 surcharge is imposed, an appropriate reduction of the 66 cent postpaid wireless enhanced 911 surcharge be enacted. Your Committee on Public Safety finds that this would be fair and equitable while still ensuring adequate funding to the Enhanced 911 fund.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 193, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 193, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 976 Tourism on S.B. No. 519

The purpose of this measure is to strengthen the Department of Taxation's ability to enforce registration requirements and tax collections for transient accommodations. Specifically, this measure:

- (1) Extends imminently expiring requirements under Act 326, Session Laws of Hawaii 2012, for maintenance and disclosure of local contact information, display of registration certificates, and reporting of information to the Department of Taxation for an additional five years;
- (2) Authorizes the Department of Taxation to enforce civil penalties for operators of transient accommodations and plan managers of resort time share vacation plans who fail to conspicuously display the required certificate of registration or notice; and

- (3) Requires the Department of Taxation to submit an annual report to the Legislature regarding the implementation of Act 326, Session Laws of Hawaii 2012, and recommendations to improve the enforcement of that Act.

Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Rental By Owner Awareness Association; Maui Hotel and Lodging Association; and numerous concerned individuals supported this measure. Hawaii Tourism Authority; Department of Taxation; Outrigger Enterprises Group; Hawaii Association of Vacation Rental Managers; Kona Coast Property Management LLC dba Kona Coast Vacations; Abbey Vacation Rentals; Hawaiian Dream Properties; West Hawaii Property Services, Inc.; Boundless Hawaii; South Kohala Management; Sullivan Properties; Condominium Rentals Hawaii; Rentals Maui, Inc.; and several concerned individuals offered comments.

Your Committee has amended this measure by:

- (1) Extending the local contact, registration display, and reporting requirements under Act 326, Session Laws of Hawaii 2012, for one year, instead of five;
- (2) Authorizing the deposit of monetary fines from cease and desist citations into the Tax Administration Special Fund;
- (3) Authorizing the Department of Taxation to enforce civil penalties for failure to display a registration identification number on electronic advertisements and solicitations;
- (4) Clarifying that the penalty for failure to register a transient accommodation unit with the Department of Taxation is consistent with the penalty for a misdemeanor rather than for a felony; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committees on Consumer Protection and Commerce and Judiciary further deliberate on this bill, your Committee on Tourism respectfully requests that they consider suggestions raised in testimony that Hawaii adopt the San Francisco model for transient accommodations, which requires that individual advertised units display of general excise tax and transient accommodations tax numbers in advertisements and make specific disclosures as to key management, safety, and other issues.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 519, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 519, S.D. 2, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee.

SCRep. 977 Tourism on S.B. No. 1155

The purpose of this measure is to more efficiently allocate the resources of Hawaii's creative media industry. Specifically, this measure:

- (1) Assigns to the Hawaii Tourism Authority the responsibilities for film development and marketing;
- (2) Transfers the Film Industry Branch of the Creative Industries Division of the Department of Business, Economic Development, and Tourism to the Hawaii Tourism Authority, and makes conforming amendments; and
- (3) Establishes and appropriates funds from the Film Development and Marketing Special Fund to the Hawaii Tourism Authority for implementation of film development and marketing activities.

The Hawaii Tourism Authority supported this measure. The SAG-AFTRA Hawaii Local, I.A.T.S.E. Local 665; American Federation of Musicians' Local 677; and a concerned individual opposed this measure. The Department of Business, Economic Development, and Tourism and the Department of Taxation offered comments on this measure.

Your Committee has amended this measure by:

- (1) Excluding amounts received by productions from state agencies, including the Hawaii Tourism Authority, from being qualified production costs for purposes of claiming the motion picture, digital media, and film production income tax credit under section 235-17(e), Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Economic Development and Business further deliberate on this bill, your Committee on Tourism respectfully requests that it consider the option of providing the Hawaii Film Office more funding without transferring oversight to the Hawaii Tourism Authority.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1155, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1155, S.D. 2, H.D. 1, and be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee.

SCRep. 978 Health on S.B. No. 1217

The purpose of this measure is to:

- (1) Require insurers to provide health care coverage for medically necessary health care services covered by a health insurance policy, contract plan, or agreement when provided by licensed naturopathic physicians acting within their scope of practice;

- (2) Specify that health care services provided by naturopathic physicians may be subject to certain coverage limitations;
- (3) Specify that coverage limitations shall not direct treatment in a manner that unfairly discriminates against the practice of naturopathic medicine; and
- (4) Permit insurers to require naturopathic physician services to be provided by a licensed naturopathic physician under contract or covered as consistent with out-of-network provider reimbursement practices.

The Hawaii Society of Naturopathic Physicians and numerous individuals supported this measure. Kaiser Permanente Hawaii and the Hawaii Association of Health Plans opposed this measure. The Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, and two individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Making it an unlawful method of competition and unfair or deceptive act or practice in the business of insurance for accident and health or sickness insurers to discriminate with respect to participation under the plan or coverage against any health care provider, acting within the scope of the health care provider's license or certification, in violation of 42 United States Code section 300gg-5; and
- (2) Changing its effective date to July 1, 2112, to facilitate 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. 1217, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1217, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.
(Representative Kobayashi voted no.)

SCRep. 979 Health on S.B. No. 40

The purpose of this measure is to:

- (1) Require the licensing of behavior analysts by establishing the Behavior Analyst Program (Program) within the Department of Commerce and Consumer Affairs;
- (2) Exempt the Program from the requirement for a sunrise analysis by the Auditor; and
- (3) Appropriate funds to implement the Program.

The Hawaii Association for Behavior Analysts, Autism Speaks, and several individuals supported this measure. The Children's Committee of the Hawaii Psychological Association supported this measure with amendments. The State Council on Developmental Disabilities and the Special Education Advisory Council testified in support of the intent of this measure. The Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office, Hawaii Medical Service Association, Hawaii Disability Rights Center, and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Amending the purpose section for clarity;
- (2) Establishing findings and declaration of necessity in the new chapter relating to behavior analysts;
- (3) Providing that a behavior analyst applying for licensure may also be a board certified behavior analyst-doctoral who maintains active status with the Behavior Analyst Certification Board;
- (4) Expanding the licensure requirement to "licensed assistant behavior analyst" and "assistant behavior analyst"; and
- (5) Changing its effective date to July 1, 2112.

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. 40, S.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 40, S.D. 3, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 980 Health on S.B. No. 1221

The purpose of this measure is to require the Department of Education to establish a process for the care of students with diabetes during regular school hours and school-related activities.

The American Diabetes Association – Hawaii, Community Leadership Board of the American Diabetes Association, Hawaii Chapter of the American Academy of Pediatrics, and numerous individuals supported this measure. The Hawaii State Teachers Association supported the intent of this measure. The Department of the Attorney General, Department of Education, State Public Charter School Commission, Hawaii Association for Justice, and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Amending the provision providing immunity from civil liability or discipline for unprofessional conduct to:

- (A) Limit immunity for qualified health care professionals providing training on diabetes care; and
 - (B) Not apply for conduct constituting gross negligence, wilfull and wanton conduct, or intentional misconduct; and
- (2) Changing its effective date to July 1, 2112, to facilitate further discussion.

To enable legislative deliberation on the financial and other aspects of this measure, your Committee requests that the Department of Education provide a cost estimate for implementing this measure to the Committee on Finance in a timely manner.

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. 1221, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1221, S.D. 2, H.D. 1, and be referred to the Committee on Education.

Signed by all members of the Committee except Representative Tupola.

SCRep. 981 Health/Human Services on S.B. No. 307

The purpose of this measure is to establish a licensure program, administered by the Office of Health Care Assurance and exempt from a sunrise analysis by the Auditor, for suppliers of durable medical equipment, prosthetics, orthotics, and related supplies.

The Hawaii Health Systems Corporation; Queen's Health Systems; Healthcare Association of Hawaii; Prime Care Services Hawaii, Inc.; Aloha Nursing Rehab Centre; and Hawaii Primary Care Association submitted testimony in support of this measure. The Board of Pharmacy submitted testimony in support of this measure with amendments. The Hawaii Association of Health Plans submitted testimony in opposition to this measure. The Department of Health, Business Registration Division of the Department of Commerce and Consumer Affairs, and Hawaii Medical Service Association submitted comments on this measure.

Your Committees have amended this measure by:

- (1) Clarifying that durable medical equipment shall not contain any prescription drug;
- (2) Allowing the Department of Health to assess by administrative rule, rather than statutorily prescribe, a licensure fee on all suppliers;
- (3) Exempting licensed pharmacies from the licensure program;
- (4) Changing to general fund revenues, the manner of funding for the two permanent full-time positions created to establish and administer the program;
- (5) Changing the effective date to July 1, 2112, to encourage further discussion; 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 307, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 307, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Oshiro and Tupola.

SCRep. 982 Education on S.B. No. 822

The purpose of this measure is to assist the Department of Education and the Department's schools in implementing the minimum day and hour requirements for each school year, as established by Act 167, Session Laws of Hawaii 2010. This measure clarifies the timeline for phasing in a 1,080-hour school year by 2016 and clarifies the manner in which hours are calculated.

The Hawaii State Teachers Association, Hui for Excellence in Education, and numerous concerned individuals supported the measure. The Department of Education supported the measure with amendments. The Hawaii State AFL-CIO and a concerned individual opposed the measure. IMUAlliance submitted comments.

Your Committee has amended the measure by:

- (1) Clarifying that the requirement for a 180 day, 1,080 hour school year applies to the 2016-2017 school year and subsequent school years;
- (2) Clarifying that the number of school year hours shall be calculated based on the actual hours included in a full school day; 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. 822, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 822, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Tupola.

SCRep. 983 Higher Education on S.B. No. 387

The purpose of this measure is to require the University of Hawaii and Board of Regents to jointly adopt and implement a policy concerning incidents of sexual assault, domestic violence, dating violence, and stalking that applies an affirmative consent standard.

The Hawaii State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, Americans for Democratic Action, Hawaii Women's Coalition, The Sex Abuse Treatment Center, YWCA of Oahu, IMUAlliance, and three concerned individuals supported the measure. The University of Hawaii and University of Hawaii Commission on the Status of Women testified in opposition.

Your Committee has amended this measure by deleting its substance and inserting provisions establishing an Affirmative Consent Task Force to review and make recommendations on the University of Hawaii's executive policy on domestic violence, dating violence, sexual assault, and stalking.

In addition, the effective date has been changed to take effect upon its approval.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 387, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 387, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Say, Matsumoto and Tupola.

SCRep. 984 Health on S.B. No. 301

The purpose of this measure is to help patients that are in need of drug coverage make informed decisions about their health care coverage by requiring entities that offer or renew health plans to make a complete and updated formulary publicly available.

The Hawaii Medical Association, Arthritis Foundation, and Pharmaceutical Research and Manufacturers of America supported this measure. Kaiser Permanente and American Cancer Society Cancer Action Network supported this measure with amendments. Hawaii Association of Health Plans opposed this measure. The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association commented on this measure.

Your Committee has amended this measure by:

- (1) Replacing the prescriptive provisions relating to the contents required of each formulary with a general requirement that the insurer provide a system that allows for people to determine whether certain drugs are covered, with cost-sharing information, under the plan's medical benefits;
- (2) Specifying that the formulary requirements in this measure shall not apply to limited benefit health insurance, Medicare, Medicaid, or any other federally financed plan;
- (3) Removing the requirement of attestation to the Insurance Commissioner;
- (4) Removing the provisions that allow for the Insurance Commissioner to create a standard formulary template;
- (5) Requiring the Insurance Commissioner to convene a Formulary Accessibility Working Group to make recommendations for a standard formulary template and report to the Legislature;
- (6) Changing the effective date to July 1, 2012, to encourage further discussion; and
- (7) 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. 301, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 301, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 985 Health on S.B. No. 1113

The purpose of this measure is to protect some of Hawaii's most vulnerable patient populations by expanding the scope of background checks conducted by the Department of Health to include criminal history as well as sex offender registry, adult abuse perpetrator, child abuse and neglect, and certified nurse aide registry record checks for any prospective applicants, operators, direct patient access employees, or adult volunteers of a healthcare facility, and, in the case of any healthcare facility operated in a private residence, all adults living in the home other than the clients.

The Department of Health, State Council on Developmental Disabilities, Lanai Community Health Center, and an individual provided testimony in support of this measure. The Hawaii Civil Rights Commission provided comments.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2012, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1113, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1113, S.D. 2, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Tupola.

SCRep. 986 Health on S.B. No. 729

The purpose of this measure is to clarify the role of advanced practice registered nurses (APRNs) regarding emergency hospital admission and involuntary hospitalization by allowing a qualified APRN to:

- (1) Perform an emergency examination;
- (2) Direct that a patient be hospitalized on an emergency basis or cause the patient to be transferred to another psychiatric facility for emergency hospitalization; and
- (3) Clarify the signs and symptoms of a patient for a petition for commitment to a psychiatric facility.

The Board of Nursing, The Queen's Health Systems, Hawaii Association of Professional Nurses, and two individuals 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 is in accord with the intent and purpose of S.B. No. 729 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 987 Health on S.B. No. 911

The purpose of this measure is to prohibit the use of latex gloves in dental health facilities and health care facilities, by personnel providing ambulance services or emergency medical services pursuant to the State Comprehensive Emergency Medical Services System, and in food establishments.

American Latex Allergy Association and numerous individuals supported this measure. The Queen's Health Systems testified in support of this measure with a recommended amendment to the measure. Minit Stop Stores opposed the measure. The Department of Health, Hawaii Dental Association, Malaysian Rubber Export Promotion Council, and several individuals provided comments.

Your Committee has amended this measure by:

- (1) Excluding from the prohibition, procedures performed in hospital operating rooms that adhere to hospital policies and procedures that set standards for latex-safe environments; and
- (2) Changing the effective date to July 1, 2112, to facilitate further discussion.

Your Committee respectfully requests the Committee on Judiciary to consider providing flexibility and safe options relative to the prohibition of latex glove use in dental health facilities.

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. 911, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 911, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 988 Health on S.B. No. 812

The purpose of this measure to ensure the appropriate and safe use of restrictive intervention for persons with developmental and intellectual disabilities by authorizing the Department of Health to establish a behavior support review process to conduct multidisciplinary reviews of the use of restraints or seclusion for persons with developmental or intellectual disabilities and exempt those who participate in the reviews from liability.

The State Council on Developmental Disabilities provided testimony in support of the measure. The Department of Health provided testimony in support of the measure and recommended amendments. The Hawaii Association for Justice provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Creating the behavior support review process in Chapter 333F, instead of Chapter 321, Hawaii Revised Statutes;
- (2) Amending the definition of "restraint" to mean any physical, chemical, or mechanical intervention that restricts the movement or function of the person or a portion of the person's body;
- (3) Amending the definition of "seclusion" to specify that it involves involuntary confinement of a person alone, prevented from having contact with others;
- (4) Amending the provision on immunity from liability by removing the language regarding the presumption of good faith for all agencies and individuals participating in multidisciplinary reviews;
- (5) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 812, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 812, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 989 Health on S.B. No. 1175

The purpose of this measure is to improve efficiency, workplace safety, and human resources practices at the Hawaii State Hospital, as recommended by the Senate Special Investigative Committee established pursuant to S.R. No. 3 (Regular Session of 2014). Specifically, this measure requires the Department of Health and the Hawaii State Hospital to consider specific recommendations of the Investigative Committee and submit a written report to the Legislature prior to the 2016 and 2017 Regular Sessions on the implementation of those recommendations.

The Department of Health and the Hawaii State Hospital testified in support of this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and Hawaii Disability Rights Center provided comments.

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. 1175, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Tupola.

SCRep. 990 Health on S.B. No. 961

The purpose of this measure is to amend petition and hearing procedures for assisted community treatment. Specifically this measure, among other things:

- (1) Removes the ten-day limit for setting a hearing date after the filing of a petition for assisted community treatment;
- (2) Amends petition and hearing notice requirements;
- (3) Specifies hearing circumstances under which a guardian ad litem, public defender, or other court-appointed counsel may be appointed to assist a subject of a petition;
- (4) Removes provisions allowing the court to order a subject be examined by a licensed psychiatrist; and
- (5) Requires treating providers to provide information related to emergency mental health examinations and hospitalizations to the Department of Health for reporting purposes.

The Department of Health, PHOCUSED, Mental Health America of Hawaii, Chinatown Business & Community Association, and numerous individuals testified in support of this measure. The Hawaii Association of Professional Nurses testified in support of this measure and provided amendments. The Office of the Public Defender testified in opposition to this measure. The Department of the Attorney General, Hawaii Disability Rights Center, and an individual provided comments.

Your Committee notes that concerns were raised by the Office of the Public Defender regarding amended notice provisions authorizing subsequent hearing notices to be served upon the Office of the Public Defender rather than the subject of the petition.

Your Committee notes that the Office of the Public Defender also raised concerns regarding the mandate established by this measure that the Office of the Public Defender represent all involuntary outpatient petition subjects, without either a referral from the court or court approval. Although your Committee addressed some of these concerns in amendments made to this measure, should the Committee on Judiciary consider this measure, your Committee respectfully requests that the Committee on Judiciary further examine both of these issues.

Your Committee has amended this measure by:

- (1) Specifying that notice of subsequent hearings shall be served in accordance with:
 - (A) The requirements of the initial notice of hearing; and
 - (B) All applicable family court rules relating to service of notice, including that service need not be made on parties in default for failure to appear;
- (2) Specifying timing requirements for psychiatric assessments used in a hearing to commit a subject of a petition to receive assisted community treatment; and
- (3) Changing its effective date to July 1, 2112, 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. 961, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 961, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 991 Health on S.B. No. 1174

The purpose of this measure is to establish a process for conducting an independent medical examination or a permanent impairment rating examination of an injured employee in a workers' compensation claim. Specifically, this measure:

- (1) Provides that following an injury and after a claim is filed by an injured employee, the employer may authorize an independent medical examination or a permanent impairment rating examination of the injured employee to be conducted by a qualified physician mutually agreed upon by the parties and paid for by the employer; and
- (2) Establishes a process for determining a physician by the parties should the parties be unable to reach a mutual agreement on the selection of a physician to conduct the independent medical examination or permanent impairment rating examination.

Hawaii Injured Workers Association, Work Injury Medical Association of Hawaii, ILWU Local 142, and numerous individuals supported this measure. The City and County of Honolulu, Hawaii Insurers Council, General Contractors Association of Hawaii, S & M Sakamoto, Inc., Healy Tibbitts Builders, Inc., LYZ, Inc., Property Casualty Insurers Association of America, Forest City Hawaii, The Chamber of Commerce of Hawaii, Kauai Chamber of Commerce, Maui Chamber of Commerce, Commercial Sheetmetal Co., Inc., Hawaii Restaurant Association, Jayar Construction, Inc., PVT Land Company, Ltd., Robert M. Kaya Builders, Inc., Rons Construction Corporation, M. Shiroma Painting Co., Inc., TOMCO CORP., National Federation of Independent Business, and the Building Industry Association of Hawaii opposed this measure. The Department of Labor and Industrial Relations and the Department of Human Resources Development commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the definition of "medical stability" to be consistent with the definition of "medical stabilization" in section 12-10-1, Hawaii Administrative Rules;
- (2) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee respectfully requests the Committee on Labor & Public Employment to note the concerns raised by members of the public regarding the effect of this measure in raising workers' compensation costs, thereby resulting in a higher cost of doing business; limiting businesses' ability to compete; adversely affecting job availability, pay, and benefits for employees; and further impacting the costs of goods and services in 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 is in accord with the intent and purpose of S.B. No. 1174, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1174, S.D. 2, H.D. 1, and be referred to the Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Tupola.

SCRep. 992 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 332

The purpose of this measure is to remember Mohandas Karamchand Gandhi for his inspiration, tolerance, and enduring legacy by designating October 2 of each year as "Mohandas Karamchand Gandhi Day" in Hawaii.

A concerned individual supported this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 332 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 Woodson.

SCRep. 993 Health on H.C.R. No. 7

The purpose of this measure is to ensure the health and safety of fire personnel by convening a Firefighter Cancer Presumptive Task Force to develop recommendations for the enactment of a cancer presumptive statute relating to firefighters.

The Department of Health and an individual testified in support of this measure. The State Fire Council, Honolulu Fire Department, Kauai Fire Department, and Maui Fire Department testified in support of this measure with an amendment to the measure. The Department of Labor and Industrial Relations supported the intent of this measure. The University of Hawaii Cancer Center provided comments.

Your Committee has amended this measure by:

- (1) Adding a representative from the State Fire Council to serve on the Firefighter Cancer Presumptive Task Force;
- (2) Requesting that a certified copy of this measure be transmitted to the Chair of the State Fire Council; 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 concurs with the intent and purpose of H.C.R. No. 7, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 7, H.D. 1.

Signed by all members of the Committee except Representatives Hashem, Jordan, Oshiro and Tupola.

SCRep. 994 Health on H.C.R. No. 8

The purpose of this measure is to request the Auditor to:

- (1) Conduct a sunrise analysis of the profession of dental therapists pursuant to section 26H-6, Hawaii Revised Statutes, which requires analysis by the Auditor for new regulatory measures that, if enacted, would subject unregulated professions and vocations to licensing or other regulatory controls; and
- (2) Submit findings and recommendations, including any proposed legislation, to the Legislature prior to the 2016 Regular Session.

The Hawaii Dental Hygienists' Association testified in support of this measure. The Hawaii Dental Association opposed this measure. The Board of Dental Examiners provided comments.

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. 8 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Hashem, Jordan, Oshiro and Tupola.

SCRep. 995 Health on H.C.R. No. 35

The purpose of this measure is to enable all health facilities in the State to have immediate access to patients' health care wishes by requesting the Director of Health to convene a task force to assess the scope and feasibility of establishing a centralized filing system for advance care planning forms such as health care powers of attorney, provider's orders for life-sustaining treatment, and advance health care directives that can be accessed by all health facilities in the State.

The Queen's Health Systems testified in support of this measure. The Department of Health testified in support of this measure with amendments.

Your Committee has amended this measure by:

- (1) Changing its title to read: "REQUESTING THE CONVENING OF A TASK FORCE TO ASSESS THE SCOPE AND FEASIBILITY OF ESTABLISHING A STATEWIDE SYSTEM OR PROTOCOL IN WHICH ADVANCE CARE PLANNING FORMS CAN BE ASSESSED BY ALL HEALTH FACILITIES";
- (2) Changing the focus of the task force to assessing the scope and feasibility of establishing a statewide system or protocol, rather than a centralized filing system, in which advance care planning forms can be accessed by all health facilities; 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 concurs with the intent and purpose of H.C.R. No. 35, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 35, H.D. 1.

Signed by all members of the Committee except Representatives Hashem, Jordan, Oshiro and Tupola.

SCRep. 996 Public Safety/Labor & Public Employment on S.B. No. 388

The purpose of this measure is to provide additional accountability and transparency to county police departments by requiring each county police department to post its policies relating to domestic violence, officer-involved domestic violence, and standards of conduct on its official website.

The Hawai'i State Democratic Women's Caucus, Hawaii State Coalition Against Domestic Violence, League of Women Voters of Hawaii, and two concerned individuals supported this measure.

Your Committees have amended this measure by amending the preamble for brevity.

As affirmed by the records of votes of the members of your Committees on Public Safety and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 388, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 388, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson, LoPresti and Tupola.

SCRep. 997 Economic Development & Business on H.C.R. No. 198

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to work towards developing Kapolei as Oahu's second city by prioritizing the development of Kapolei in the areas of jobs, housing, emerging industries, and education.

The Department of Business, Economic Development, and Tourism, Office of Planning, and a number of individuals submitted testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 198 and recommends that it be referred to the Committee on Water & Land.

Signed by all members of the Committee except Representatives Choy, Ito and Ward.

SCRep. 998 Economic Development & Business on H.R. No. 82

The purpose of this measure is to request the Auditor to conduct an audit of the policies, procedures, and management of the Real Estate Commission.

A number of individuals testified in support of the measure. The Real Estate Commission offered testimony with comments on the measure

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 82 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Choy, Ito and Ward.

SCRep. 999 Economic Development & Business on H.C.R. No. 134

The purpose of this measure is to request the Auditor to conduct an audit of the policies, procedures, and management of the Real Estate Commission.

A number of individuals testified in support of the measure. The Real Estate Commission offered testimony with comments on the measure

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 134 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Choy, Ito and Ward.

SCRep. 1000 Transportation on S.B. No. 1141

The purpose of this measure is to allow the Department of Transportation to better manage Kawaihapai Airfield, formerly known as Dillingham Airfield, by clarifying that the Department of Transportation can enforce its administrative rules at Kawaihapai Airfield.

The Department of Transportation testified in support of this measure.

Your Committee finds that current law exempts airports or air navigation facilities owned or operated by the United States from administrative regulation by the Department of Transportation. This measure would remove that exemption and allow the Department of Transportation, which leases Kawaihapai Airfield from the United States, to better manage Kawaihapai Airfield as a general aviation airport.

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. 1141, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1001 Consumer Protection & Commerce on S.B. No. 14

The purpose of this measure is to amend the residential landlord-tenant code to allow use of security deposits for certain unpaid charges.

Specifically, the measures authorizes the use of security deposits to:

- (1) Replace key fobs, parking cards, garage door openers, and mail box keys for the rental unit; and
- (2) Pay for amounts owed by the tenant for utility service provided by the landlord under the rental agreement but not included in the rent.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Office of Consumer Protection; the Hawaii Association of REALTORS; and one individual.

Your Committee finds that security deposits help ensure the timely payment of rent and appropriate maintenance of rental property. Your Committee further finds that current Hawaii law limits the use of security deposits to accidental or intentional damages, cleaning the unit, or compensating for damages caused by a tenant who wrongfully quits the unit. Your Committee believes that, by expanding the allowable uses of security deposits, this measure will help ensure that all tenant obligations are satisfied under a rental agreement.

Your Committee has amended this measure by changing the effective date to November 1, 2112, to facilitate further discussion on the measure.

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. 14, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 14, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1002 Consumer Protection & Commerce on S.B. No. 756

The purpose of this measure is to establish a mortgage license exemption for a seller of real property who:

- (1) Offers or negotiates terms of a residential mortgage loan secured by the seller's own real property and for which the seller is the mortgagee;

- (2) Is an individual who provides three or fewer residential mortgage loans per calendar year and the interest rate for the loan is not above the State's usury limit; and
- (3) Provides the buyer a disclosure with the terms of the transaction.

An individual testified in support of this measure. The Hawaii Association of REALTORS supported this measure with amendments. The Department of Commerce and Consumer Affairs provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the exemption applies to a seller who is a person, estate, or trust; and
- (2) Requiring that the seller provide the buyer a written document with the loan amount, payment schedule, and consequences of default, instead of a disclosure with the terms of the transaction.

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. 756, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 756, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1003 Consumer Protection & Commerce/Judiciary on S.B. No. 1093

The purpose of this measure is to increase protections for individuals making payments on a residential mortgage.

Specifically, this measure enhances consumer protections of the mortgage servicers law by establishing or increasing mortgage servicer requirements regarding:

- (1) Loss mitigation options, including loan modifications, to avoid consumer foreclosure;
- (2) Contact information;
- (3) Licensing;
- (4) Surety bonds;
- (5) Duty of good faith and fair dealing;
- (6) Handling and processing of mortgage payments;
- (7) Escrows for the payment of taxes and insurance;
- (8) Statements of accounts;
- (9) Payment reminders and statements sent to consumers;
- (10) Handling of consumer complaints and inquiries;
- (11) Fees;
- (12) Record keeping;
- (13) Disclosures to the borrower upon assignment of servicing rights; and
- (14) Prohibited activities.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committees find that the majority of consumer complaints in Hawaii involving mortgages relate to mortgage servicing issues. For the twenty-five month period ending January 31, 2015, nearly all of the five hundred sixteen mortgage complaints lodged with the Consumer Financial Protection Bureau complaint database by Hawaii consumers concerned loan servicing issues. Your Committees believe that this measure provides specific enhanced standards for mortgage servicer businesses that will not only increase consumer protection, but will also require non-bank mortgage servicers to meet the same servicing standards required of the more heavily regulated bank mortgage servicers.

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. 1093, 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.

SCRep. 1004 Agriculture on S.B. No. 1060

The purpose of this measure is to assist the livestock industry by establishing a low interest Biosecurity Loan Program within the Department of Agriculture for construction, improvements, equipment, and other costs related to a biosecurity project. This measure also updates the eligibility of the loan classes for loans that the Department insures, guarantees, or participates in, and direct loans from the Department.

The Department of Agriculture, Land Use Research Foundation of Hawaii, Hawaii Cattlemen's Council, Hawaii Farm Bureau Federation, and a concerned individual supported this measure. Animal Rights Hawaii opposed 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 is in accord with the intent and purpose of S.B. No. 1060, 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 Representatives Ito, Woodson, Matsumoto and Ward.

SCRep. 1005 Agriculture on S.B. No. 376

The purpose of this measure is to improve the health of children and the agricultural economy through the support of school gardens, health and nutrition education, agriculture, and the procurement of locally grown food for school meals and snacks by:

- (1) Establishing a Farm to School Program in the Department of Agriculture; and
- (2) Appropriating funds for a Farm to School Coordinator position to oversee the Program.

The University of Hawai'i System, two members of the Kaua'i County Council, Land Use Research Foundation of Hawaii, Hawaii Cattlemen's Council, Hawai'i Green Growth, The Kohala Center, Hawai'i Farm to School and School Garden Hui, Kokua Hawai'i Foundation, Hawai'i Dietetic Association, Local Food Coalition, Hawaii Farmers Union United, National Farm to School Network, Hawaii Public Health Institute, Hawaii Farm Bureau Federation, Hawai'i State Teachers Association, and a number of concerned individuals supported this measure. The Department of Agriculture supported the intent of this measure. The Office of Hawaiian Affairs 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 is in accord with the intent and purpose of S.B. No. 376, 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 Representatives Ito, Ohno, Woodson, Matsumoto and Ward.

SCRep. 1006 Agriculture on S.B. No. 320

The purpose of this measure is to allow composting operations on agricultural district lands; provided that:

- (1) A county special use permit is granted for the composting operation; and
- (2) On land with soil classified as class A or B by the Land Study Bureau's detailed land classification, the composting operation is limited to on-site use and occupies not more than one acre or ten percent of the parcel, whichever is less.

Maui EKOcompost Systems, Pacific Biodiesel Technologies, Hawaii Farmers Union United, Zero Waste Kauai, and two concerned individuals supported this measure. The Hawaii County Council District 9 member opposed this measure. The Department of Agriculture provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 20, 2050, 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 320, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 320, S.D. 1, H.D. 1, and be referred to the Committee on Energy & Environmental Protection.

Signed by all members of the Committee except Representatives Ito, Ohno, Woodson, Matsumoto and Ward.

SCRep. 1007 Judiciary on S.B. No. 143

The purpose of this measure is to propose an amendment to Article I, Section 13, of the Constitution of the State of Hawaii to increase the threshold value in controversy requirement for jury trials in civil cases at common law from \$5,000 to \$10,000.

One concerned individual testified in support of this measure.

The threshold value was last amended in 1988. This measure will reduce the costs to litigants and the burden on the circuit courts and the jury pool.

Your Committee has amended this measure by specifying that this constitutional amendment shall take effect upon compliance with Article XVII, Section 3, of the Constitution of the State of Hawaii.

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. 143, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 143, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 1008 Judiciary on S.B. No. 144

The purpose of this measure is to increase the threshold value in controversy requirement for a jury trial in a civil case at common law from \$5,000 to \$10,000.

One concerned individual testified in support of this measure.

The threshold value was last amended in 1988. This measure will reduce the costs to litigants and the burden on the circuit courts and the jury pool.

Your Committee has amended this measure by specifying that this Act shall take effect upon its approval and upon ratification of a constitutional amendment to increase the threshold value in controversy requirement for jury trials in civil cases at common law from \$5,000 to \$10,000.

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. 144, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 144, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 1009 Judiciary on S.B. No. 1194

The purpose of this measure is to require the electronic filing of lobbyist disclosure statements that the State Ethics Commission shall make accessible to the public on its website in a text searchable format that can be downloaded, in accordance with administrative rules.

Common Cause Hawaii and several concerned individuals testified in support of this measure. The Hawaii State Ethics Commission provided comments.

Your Committee has amended this measure to delete the rulemaking requirement for this section.

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. 1194, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1194, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1010 Judiciary on S.B. No. 1208

The purpose of this measure is to authorize the Board of Trustees of the Employees' Retirement System to hold executive meetings that are closed to the public to discuss and decide on confidential or proprietary information relating to investments, procurements that are exempt from the procurement code, the authority of persons designated to negotiate investments, and draft recommendations from staff, consultants, actuaries, and other agencies.

The Board of Trustees of the Employees' Retirement System testified in support of this measure. One concerned individual testified in opposition. The Office of Information Practices provided comments and recommended an amendment.

Your Committee has amended this measure to:

- (1) Delete the authority to hold executive meetings for draft reports, memoranda, and preliminary recommendations from staff, consultants, actuaries, and other agencies; and
- (2) Make this measure effective on its approval.

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. 1208, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1208, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1011 Judiciary on S.B. No. 423

The purpose of this measure is to appropriate funds as a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the Career Criminal Prosecution Unit and Victim Witness Assistance Program.

The Department of the Attorney General, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kauai and a concerned individual submitted testimony in support of this measure.

Should the Committee on Finance deliberate this measure further, your Committee on Judiciary respectfully requests that it consider appropriating \$492,125 for each year of the fiscal biennium 2015-2017 for the Career Criminal Prosecution Unit and \$369,473 for each year of the 2015-2017 fiscal biennium for the Victim Witness Assistance Program.

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. 423, 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 Kawakami and Woodson.

SCRep. 1012 Judiciary on S.B. No. 1305

The purpose of this measure is to appropriate funds as a grant-in-aid to the Office of the Prosecuting Attorney of the County of Kauai for the Career Criminal Prosecution Unit and Victim Witness Assistance Program.

The Attorney General, Crime Victim Compensation Commission, County of Kauai Office of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, County of Hawaii Office of the Prosecuting Attorney, City and County of Honolulu Department of the Prosecuting Attorney, and a concerned individual testified in support of this measure.

Should the Committee on Finance deliberate this measure further, your Committee on Judiciary respectfully requests that it consider appropriating \$129,561 for each year of Fiscal Biennium 2015-2017 for the Career Criminal Prosecution Unit and \$51,163 for each year of Fiscal Biennium 2015-2017 for the Victim Witness Assistance Program.

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. 1305, 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 Kawakami and Woodson.

SCRep. 1013 Judiciary on S.B. No. 303

The purpose of this measure is to establish the Narcotics Enforcement and Prescription Drug Monitoring Advisory Committee within the Department of Health to advise and assist the Department of Public Safety by monitoring statewide statistics regarding drug prescriptions and drug prescribers, ascertaining whether the State has met community standards of care, and providing recommendations. This measure also establishes the Hawaii Drug Take-back and Education Initiative within the Department of Public Safety to coordinate and increase the safe return and disposal of drugs.

The Hawaii Substance Abuse Coalition and Hawaii Veterinary Medical Association testified in support of this measure. The Department of Health, Department of Public Safety, and Walgreen Co. provided comments.

Your Committee has amended this measure to:

- (1) Establish the Narcotics Enforcement and Prescription Drug Monitoring Advisory Committee within the Department of Public Safety; and
- (2) Require the Narcotics Enforcement and Prescription Drug Monitoring Advisory Committee to provide recommendations on two additional subjects: the utilization of pain medication agreements between patients and providers and strengthening the electronic prescription accountability system.

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. 303, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 303, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1014 Health on S.B. No. 736

The purpose of this measure is to ensure timely recoupment and demand for offset of insurance benefits paid out in error by:

- (1) Requiring an insurer to send written notice to a health care provider at least 30 calendar days prior to any effort to recoup or offset a payment or reimbursement for health care provided to an insured; and
- (2) Prohibiting any recoupment or offset demand efforts more than 18 months after an initial claim payment is received, with specific exceptions, including a 72-month time limit for cases involving insurance fraud.

Hawaii Medical Association, Hawaii Psychological Association, Hawaii Association of Professional Nurses, and Hawaii Medical Service Association supported this measure. The American Congress of Obstetricians and Gynecologists, Hawaii Section testified in support of this measure with amendments.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to facilitate 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. 736, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 736, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1015 Health on S.B. No. 749

The purpose of this measure is to facilitate the early detection of colorectal cancer and assist individuals who have been diagnosed with colorectal cancer by:

- (1) Establishing a two-year Hawaii Colorectal Cancer Screening and Awareness Pilot Program (Pilot Program);
- (2) Appropriating funds for the Pilot Program; and

- (3) Requiring the Department of Health to submit a report to the Legislature prior to the 2016 Regular Session and the 2017 Regular Session on the expenditure of funds for the Pilot Program.

The Queen's Health Systems, Hawaii Pacific Health, American Cancer Society Cancer Action Network, and three individuals testified in support of this measure. The Department of Health submitted comments.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to facilitate further discussion on this measure.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$200,000 for each year of the 2015-2017 Fiscal Biennium for the Pilot Program.

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. 749, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 749, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1016 Health on S.B. No. 385

The purpose of this measure is to appropriate funds for the Department of Health Breast and Cervical Cancer Control Program to continue breast and cervical cancer screening; diagnostic, education, and outreach services; and treatment referrals.

The Queen's Health Systems, Susan G. Komen Hawaii, American Cancer Society Cancer Action Network, Planned Parenthood of Hawaii, and two individuals supported this measure. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$100,000 for each year of the 2015-2017 Fiscal Biennium for the Breast and Cervical Cancer Control Program.

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. 385, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 385, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1017 Health on S.B. No. 805

The purpose of this measure is to maintain clarity of communications between physician assistants and nurses by removing the sunset provisions of the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse" contained in Act 255, Session Laws of Hawaii 2012. As such, the practice of nursing as a licensed practical nurse or a registered nurse will continue to include carrying out the orders of a licensed physician assistant practicing with physician supervision, and acting as an agent of the supervising physician.

The Board of Nursing, Hawaii Academy of Physician Assistants, Puna Community Medical Center, and numerous individuals supported this measure. The Hawaii Association of Professional Nurses opposed this measure. An individual submitted comments.

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. 805 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1018 Health on S.B. No. 1111

The purpose of this measure is to authorize the Director of Health to transfer funds between the Drinking Water Treatment Revolving Loan Fund and the Water Pollution Control Revolving Fund to provide the necessary flexibility to disburse these annually allotted federal funds in a timely manner for the construction of drinking water and wastewater infrastructure projects in the State.

The Department of Health testified in support of this measure. The City and County of Honolulu Board of Water Supply testified in support of the intent 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 is in accord with the intent and purpose of S.B. No. 1111, 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 Jordan, Fukumoto Chang and Tupola.

SCRep. 1019 Human Services on S.B. No. 269

The purpose of this measure is to establish the process and grounds for a person to petition the court to vacate a conviction of violating a state or county law relating to obstructing or occupying a public place on grounds that the person was:

- (1) Homeless at the time of committing the offense; or
- (2) Denied access to a homeless facility or services or programs for the homeless at least five days prior to committing the offense.

The Hawaii Interagency Council on Homelessness, Pacific Alliance to Stop Slavery, IMUAlliance, and many individuals supported this measure. Hawaii Youth Services Network supported the intent of this measure. An individual commented on 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 is in accord with the intent and purpose of S.B. No. 269, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1020 Human Services on S.B. No. 979

The purpose of this measure is to provide a safe environment for Hawaii's youth that ensures their safety and health by, among other things:

- (1) Requiring the Office of Youth Services to implement a five-year Safe Places for Youth pilot program;
- (2) Establishing the position of the Safe Places for Youth pilot program Coordinator and specifying the Coordinator's duties and responsibilities;
- (3) Establishing a framework which allows youth under the age of eighteen to consent to accept services from a service provider of the Safe Places for Youth pilot program;
- (4) Requiring the Office of Youth Services to submit annual reports to the Legislature on the Safe Places for Youth pilot program; and
- (5) Appropriating funds for the Coordinator position of the Safe Places for Youth pilot program and temporary housing opportunities for youth in crisis who participate in the pilot program.

The Office of Youth Services, PHOCUSED, Hawaii Youth Services Network, Kokua Council & AARP 60, Planned Parenthood of Hawaii, Blueprint for Change, Family Programs Hawaii, Family Support Hawaii, Hale Kipa, and several individuals supported this measure. Several individuals opposed 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 is in accord with the intent and purpose of S.B. No. 979, 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.
(Representative Fukumoto Chang voted no.)

SCRep. 1021 Human Services on S.B. No. 1106

The purpose of this measure is to replace specific statutory program references to "QUEST" and "QUEST Expanded Access" with the terms "medicaid managed care" or "medicaid managed care program" to reflect the program name changes that have occurred within the Department of Human Services.

The Department of Human Services and Hawaii Primary Care Association supported this measure. The Hawaii Community Pharmacists Association and an individual opposed this measure. The Hawaii Association of Professional Nurses provided comments on 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 is in accord with the intent and purpose of S.B. No. 1106, 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.

SCRep. 1022 Human Services on S.B. No. 912

The purpose of this measure is to assess the need for annual inflationary adjustments to the long-term care reimbursement methodology used to reimburse facilities for care of Medicaid recipients by requiring the Department of Human Services to submit a report on long-term care facilities to the Legislature every three years, which will provide information on annual fiscal year costs, reimbursements for Medicaid enrollees, and the potential impact of a reimbursement rate increase.

Ohana Pacific Management Company and an individual supported this measure. The Department of Human Services, Hawaii Health Systems Corporation, and the Queen's Health Systems supported the intent of this measure. The Healthcare Association of Hawaii, Hale Makua Health Services, and several individuals commented on this measure.

Your Committee has amended this measure by

- (1) Deleting language that would require the Department of Human Services to submit a report to the Legislature and replacing it with language from H.B. 583 H.D. 1, which was previously heard by this Committee and requires the Department of Human Services to

apply an annual cost increase to a long-term care facility's provider-specific prospective payment rate for Medicaid recipients by applying a federally approved inflation factor to the provider's historical costs or basic prospective payment system rates; and

- (2) Making technical, nonsubstantive amendments for the purposes of 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 is in accord with the intent and purpose of S.B. No. 912, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 912, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1023 Agriculture on S.B. No. 512

The purpose of this measure is to provide Hawaii farmers access to an online interface to develop and obtain conservation plans that are necessary to seek Federal Farm Bill funding and comply with county grading and grubbing ordinances by:

- (1) Establishing the Hawaii One Plan Steering Committee (Steering Committee) to assist in the development and implementation of the Hawaii One Plan, a primary computer-based soil and water conservation plan application system;
- (2) Requiring the Steering Committee to submit reports on the funding status and implementation progress of the Hawaii One Plan to the Legislature prior to the convening of the 2016 and 2017 Regular Sessions; and
- (3) Appropriating funds for the implementation and operation of the Hawaii One Plan Program.

The Hawaii Association of Conservation Districts, Land Use Research Foundation of Hawaii, Hawaii Cattlemen's Council, Inc., Larry Jeffs Farm, LLC, Hawaii Farmers Union United, Hawaii Farm Bureau Federation, and a few concerned individuals supported this measure. The Ulupo Initiative and Oahu Resource Conservation & Development Council supported this measure with amendments. The Department of Agriculture and Office of Information Practices provided comments.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 512, 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 Representatives Ito, Woodson, Matsumoto and Ward.

SCRep. 1024 Housing on S.B. No. 120

The purpose of this measure is to increase the supply of affordable and public housing units and support housing first programs in assisting Hawaii's chronically homeless by:

- (1) Authorizing the issuance of general obligation bonds and appropriating funds for deposit into the Rental Housing Trust Fund to be used for providing loans and grants for rental housing units;
- (2) Authorizing the issuance of general obligation bonds and appropriating funds for deposit into the Dwelling Unit Revolving Fund to be used for the development of infrastructure and improvements of on-site and off-site development;
- (3) Authorizing the issuance of general obligation bonds and appropriating funds for the construction of micro apartment housing units; and
- (4) Appropriating funds for the continued administration of housing first programs for the chronically homeless.

The Hawaii Housing Finance and Development Corporation, EAH Housing, Hawaii Primary Care Association, PHOCUSED, Land Use Research Foundation of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Association of Realtors, Waikiki Health, Partners in Care, Catholic Diocese of Honolulu Office for Social Ministry, Catholic Charities Hawaii, and several individuals supported this measure. The Department of Human Services, Building Industry Association of Hawaii, and Chamber of Commerce Hawaii supported the intent of this measure. The Department of Budget and Finance commented on this measure.

Your Committee has amended this measure by:

- (1) Incorporating new language to statutorily establish the Housing First Voucher Program within the Department of Human Services, which will provide vouchers to Department programs and provider agencies that assist chronically homeless individuals with finding and maintaining housing and supportive services; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider:

- (1) Authorizing \$100,000,000 in general obligation bonds for loans and grants for rental housing from the Rental Housing Trust Fund;
- (2) Authorizing \$20,000,000 in general obligation bonds for the development of infrastructure from the Dwelling Unit Revolving Fund;
- (3) Authorizing \$15,000,000 in general obligation bonds for the construction of micro apartment housing units; and
- (4) Appropriating \$3,000,000 in general funds to continue to administer housing first programs for chronically homeless in the State, including the Housing First Voucher Program.

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. 120, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 120, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 1025 Judiciary on S.B. No. 230

The purpose of this measure is to specify that crime victims may receive restitution for their losses from lost earnings and medical expenses for mental health treatment, counseling, and therapy that are a consequence of the defendant's crime.

This measure is intended to address the Intermediate Court of Appeals holding that section 706-646, Hawaii Revised Statutes, does not expressly authorize restitution to the victim for these losses. The defendant would pay restitution even while incarcerated.

The Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kauai, Department of the Prosecuting Attorney of the County of Maui, Crime Victim Compensation Commission, The Sex Abuse Treatment Center, and a concerned individual testified in support of this measure. The Office of the Public Defender testified in opposition. The Department of Public Safety provided comments.

Your Committee has amended this measure by changing the effective date to March 15, 2038, 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. 230, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 230, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 1026 Labor & Public Employment on S.B. No. 100

The purpose of this measure is to correct a statement in Part IV of Act 134, Session Laws of Hawaii 2014, to clarify that the purpose of this Part is to reduce, rather than repeal, the appropriation for a study on joint investment information and service sharing by the Employees' Retirement System and Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee has amended this measure by changing the effective date to July 1, 2115, to encourage further discussion.

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. 100, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 100, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1027 Labor & Public Employment on S.B. No. 139

The purpose of this measure is to review State civil service positions that are exempted under section 76-16, Hawaii Revised Statutes, to determine whether the positions should continue to remain exempt and suspend, until July 1, 2017, the requirement that a person holding an exempt position for at least one year prior to that position being replaced with a civil service position meet certain qualifications to be appointed to that civil service position.

The Department of Business, Economic Development, and Tourism and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO commented on this measure.

Your Committee has amended this measure by;

- (1) Removing the language that suspends until July 1, 2017, the requirement that a person holding an exempt position for at least one year prior to that position being replaced with a civil service position meet certain qualifications to be appointed to that civil service position;
- (2) Removing the civil service exemptions for employees engaged in special, research, or demonstration projects approved by the Governor;
- (3) Removing the civil service exemption for positions that are exempted by any other law;
- (4) Specifically exempting employees of the Department of Business, Economic Development, and Tourism that support the Hawaii Clean Energy Initiative Program; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 139, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 139, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1028 Labor & Public Employment on S.B. No. 158

The purpose of this measure is to require the six-year program and financial plan and budget documents to include information about pension and other post-employment benefit liabilities.

The Department of Budget and Finance commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2115, to encourage further discussion.

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. 158, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 158, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1029 Labor & Public Employment on S.B. No. 1074

The purpose of this measure is to require the Office of Planning to conduct a comprehensive review of the Hawaii State Plan to ensure that it is updated, as necessary, to address current State needs and economic, social, technological, and other changes that have transpired since the Plan was last reviewed in 1985. This measure also appropriates funds for the comprehensive review and requires the Office of Planning to report its findings and recommendations to the Legislature prior to the Regular Session of 2017.

The Office of Planning and the Department of Business, Economic Development, and Tourism supported this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2015.

Should your Committee on Finance deliberate on this measure, your Committee respectfully requests an appropriation amount of \$250,000 be inserted.

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. 1074, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1074, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1030 Labor & Public Employment on S.B. No. 1087

The purpose of this measure is to help reduce the unfunded liabilities of the Employees' Retirement System (ERS) by clarifying the return of accumulated contributions for certain members and the payment of death benefits for hybrid plan members. Specifically, this measure:

- (1) Establishes an alternative deadline by which the ERS must return the accumulated contributions of contributory and hybrid members who are not eligible for retirement benefits when they terminate employment; and
- (2) Clarifies the death benefit amounts for hybrid members who become members after June 30, 2015.

The Employees' Retirement System supported this measure.

Your Committee has amended this measure by changing the effective date to upon its approval.

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. 1087, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1087, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1031 Labor & Public Employment on S.B. No. 1089

The purpose of this measure is to assist the Employees' Retirement System in improving and protecting its funded status by properly funding membership service credit for contributory and hybrid members. Specifically, this measure:

- (1) Gives members one year after returning from an unpaid leave of absence to make the required retirement contributions in order to obtain service credit for the unpaid leave;
- (2) Requires, rather than allows, members receiving workers' compensation benefits to have contributions deducted from the members' workers' compensation benefits;
- (3) Establishes separate requirements for the acquisition of membership service credit by contributory and hybrid members, depending upon whether deductions commence or a lump sum payment is made after June 30, 2020;
- (4) Establishes one-year deadlines for lump sum payments by contributory and hybrid members for membership service credit;
- (5) Establishes one-year deadlines for contributory and hybrid members who become members after June 30, 2016, to claim membership service credit for prior service, military service, or other service credit; and

- (6) Makes technical, nonsubstantive amendments for clarity, consistency, and style.

The Employees' Retirement System supported this measure.

Your Committee has amended this measure by changing the effective date to upon its approval.

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. 1089, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1089, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1032 Labor & Public Employment on S.B. No. 1090

The purpose of this measure is to ensure that retired State and county employees promptly receive their full retirement benefits by:

- (1) Requiring, rather than allowing, State and county departments to provide payroll and personal information electronically to the Employees' Retirement System (ERS) in a format prescribed by the ERS;
- (2) Including information on any changes or errors in payments that require correcting or updating with respect to payroll and personnel transactions as information required to be furnished to the ERS;
- (3) Establishing penalties for departments or agencies that fail to provide the required information in the required format to the ERS;
- (4) Providing the ERS with sole discretion to waive the penalties under certain situations; and
- (5) Requiring the ERS to submit annual reports that detail compliance with the reporting requirements and penalties assessed, if any.

The Employees' Retirement System supported this measure. The Department of Human Resources of the City and County of Honolulu and the Finance Department of the County of Hawaii opposed this measure. The Department of Education commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2115, to encourage further discussion.

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. 1090, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1090, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1033 Labor & Public Employment on S.B. No. 1361

The purpose of this measure is to increase transparency in the state budgeting process by:

- (1) Requiring the inclusion of program position ceilings and identification of permanent and temporary positions in the Executive and Judiciary budgets and related documents;
- (2) Authorizing department heads, with the approval of the Governor, to establish positions for special, research, and demonstration projects, provided that funding is available; and
- (3) Prohibiting the expenditure of funds on positions exceeding the applicable ceiling, with certain exceptions.

The Department of Human Resources Development and the Department of Business, Economic Development, and Tourism supported this measure. The Department of Education; Judiciary; Department of Budget and Finance; and the State Public Charter School Commission commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the authorization for department heads to establish positions for special, research, and demonstration projects;
- (2) Changing the effective date to July 1, 2115, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1361, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1361, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1034 Energy & Environmental Protection on S.B. No. 1260

The purpose of this measure is to promote glass recycling in the State by mandating that the Department of Health adopt and implement the recommendations made by the Office of the Auditor in its December 2014 Report No. 14-17 regarding advance disposal fee glass containers and glass recycling. Specifically, this measure requires the Department of Health to:

- (1) Consider and perform a cost-benefit analysis on combining the glass container processing streams for the advance disposal fee under chapter 342G, part VII, Hawaii Revised Statutes, and the deposit beverage container fee under chapter 342G, part VIII, Hawaii Revised Statutes;
- (2) Update its glass recycling policies, particularly to address obstacles to local down-cycling of advance deposit fee glass;
- (3) Increase the recovery rate for advance disposal fee glass containers to seventy-five per cent; and
- (4) Submit a report to the Legislature prior to the 2016 Regular Session.

The Office of the Auditor and two individuals supported the measure. The Hawaii Food Industry Association supported the intent of the measure. The Department of Health submitted comments.

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 is in accord with the intent and purpose of S.B. No. 1260 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1035 Energy & Environmental Protection on S.B. No. 703

The purpose of this measure is to increase the solid waste management surcharge and clarify that the surcharge applies to solid waste, with some exceptions:

- (1) Shipped outside the State for disposal; and
- (2) Disposed of at certain waste-to-energy facilities.

Two individuals were in support of the measure. The City and County of Honolulu's Department of Environmental Services and General Contractors Association of Hawaii were opposed to the measure. The Department of Health submitted comments.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider setting the new solid waste management surcharge at fifty-two cents, an increase in line with the rate of inflation.

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 is in accord with the intent and purpose of S.B. No. 703, 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.
(Representative Say voted no.)

SCRep. 1036 Economic Development & Business on S.B. No. 379

The purpose of this measure is to support small businesses engaged in cottage food operations, while ensuring the safety of food products sold by these businesses to the public, by making the Department of Health responsible for regulating cottage food operations, including establishing requirements for cottage food operations, permits, and compilation and posting of a sample list of approved cottage food products.

The Kohala Center, Local Food Coalition, Hawaii Farm Bureau Federation, Taro Security and Purity Task Force, Counter Culture Food + Ferments, Hamakua Harvest, Ai Pohaku, Hawaii Tropical Fruit Growers, Barking Deer Farm, Waipa Foundation, and several concerned individuals testified in support of this measure. The Department of Health testified in opposition to this measure. The Grassroot Institute of Hawaii and a concerned individual provided comments.

Many individuals in Hawaii enjoy creating delicious, local foods and snacks in their home kitchens to share with family, friends, and neighbors. Some individuals have turned this creative hobby into an economic opportunity and livelihood. However, there is confusion regarding the regulation of home-based food production businesses and the health requirements that must be met to establish and maintain such a business. This measure attempts to clarify this issue.

While your Committee understands the Department of Health's position questioning the need for this measure and its concerns relative to public health issues, your Committee finds that this measure warrants further discussion.

Your Committee has amended this measure by:

- (1) Providing that the cottage food permit issued to a cottage food producer shall enable cottage food operators to sell cottage food products for a 365-day period rather than a 120-day period;
- (2) Adding fermented foods to the list of the types of food to be contained on the approved cottage food products list;
- (3) Establishing labeling requirements, including allergen identification requirements; 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 379, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 379, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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

SCRep. 1037 Energy & Environmental Protection on H.R. No. 90

The purpose of this measure is to express the strong support of the Legislature for the efforts by the Natural Energy Laboratory of Hawaii Authority and Department of Health to work together to develop guidelines for the disposal of seawater.

The Natural Energy Laboratory of Hawaii Authority supported the measure. The Department of Health submitted comments.

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. 90 and recommends that it be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee.

SCRep. 1038 Energy & Environmental Protection on H.R. No. 141

The purpose of this measure is to improve the solid waste recycling industry in Hawaii by requesting the Department of Health to:

- (1) Promptly investigate all alleged violations of laws and regulations pertaining to human health and the environment within its purview by companies operating within the solid waste recycling industry, timely issue any appropriate penalty or order any necessary corrective action, and ensure any ordered action is taken;
- (2) Provide a complaining or interested party with information regarding the status and results of any such investigation, resulting penalty, or order for corrective action; and
- (3) Fairly and equally enforce laws and regulations it is authorized to enforce against all companies operating within the solid waste recycling industry, with the goal of ensuring compliant, fair, and safe operations to further the ultimate end of protecting Hawaii's citizens and lands.

Schnitzer Steel Hawaii supported the measure. The Department of Health submitted comments.

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. 141 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1039 Energy & Environmental Protection on H.C.R. No. 205

The purpose of this measure is to improve the solid waste recycling industry in Hawaii by requesting the Department of Health to:

- (1) Promptly investigate all alleged violations of laws and regulations pertaining to human health and the environment within its purview by companies operating within the solid waste recycling industry, timely issue any appropriate penalty or order any necessary corrective action, and ensure any ordered action is taken;
- (2) Provide a complaining or interested party with information regarding the status and results of any such investigation, resulting penalty, or order for corrective action; and
- (3) Fairly and equally enforce laws and regulations it is authorized to enforce against all companies operating within the solid waste recycling industry, with the goal of ensuring compliant, fair, and safe operations to further the ultimate end of protecting Hawaii's citizens and lands.

Schnitzer Steel Hawaii supported the measure. The Department of Health submitted comments.

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. 205 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1040 Agriculture on H.R. No. 112

The purpose of this measure is to increase the interest of youth in pursuing agricultural fields by requesting the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to:

- (1) Convene a working group to develop a coordinated framework of support and an implementation plan for preschool through post-secondary (P-20) agricultural education by December 31, 2017; and

- (2) Submit a report to the Legislature on implementation strategy and recommendations therefor, prior to the 2017 Regular Session, and a status report on the progress of statewide implementation prior to the 2018 and 2019 Regular Sessions.

The Department of Agriculture, University of Hawaii System, Hawaii Farm to School and School Garden Hui, Farm to Keiki, Hawaii Island School Garden Network, and two concerned individuals supported this measure. The Hawaii Farm Bureau Federation 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. 112 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Choy, Ito, Woodson and Ward.

SCRep. 1041 Agriculture on H.C.R. No. 176

The purpose of this measure is to increase the interest of youth in pursuing agricultural fields by requesting the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to:

- (1) Convene a working group to develop a coordinated framework of support and an implementation plan for preschool through post-secondary (P-20) agricultural education by December 31, 2017; and
- (2) Submit a report to the Legislature on implementation strategy and recommendations therefor, prior to the 2017 Regular Session, and a status report on the progress of statewide implementation prior to the 2018 and 2019 Regular Sessions.

The Department of Agriculture, University of Hawaii System, Hawaii Farm to School and School Garden Hui, Farm to Keiki, Hawaii Island School Garden Network, and two concerned individuals supported this measure. The Hawaii Farm Bureau Federation 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. 176 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Choy, Ito, Woodson and Ward.

SCRep. 1042 Human Services on H.R. No. 58

The purpose of this measure is to ensure the continued support for migrants from Freely Associated States in Hawaii by requesting the Department of the Attorney General to convene a task force to investigate and coordinate the provision of medical, educational, housing, and social services to migrants from Freely Associated States.

The Hawaii Primary Care Association 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.R. No. 58 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1043 Human Services on H.C.R. No. 105

The purpose of this measure is to ensure the continued support for migrants from Freely Associated States in Hawaii by requesting the Department of the Attorney General to convene a task force to investigate and coordinate the provision of medical, educational, housing, and social services to migrants from Freely Associated States.

The Hawaii Primary Care Association 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. 105 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1044 Human Services/Health on H.R. No. 139

The purpose of this measure is to request the Auditor to conduct a review on the effect of the transfer from Medicaid to plans on the Hawaii Health Connector for Compact of Free Association migrants residing in Hawaii that are not eligible for Medicaid.

The Hawaii Primary Care Association supported this measure. The Department of Human Services commented on 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 H.R. No. 139 and recommend that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1045 Human Services/Health on H.C.R. No. 203

The purpose of this measure is to request the Auditor to conduct a review on the effect of the transfer from Medicaid to plans on the Hawaii Health Connector for Compact of Free Association migrants residing in Hawaii that are not eligible for Medicaid.

The Hawaii Primary Care Association supported this measure. The Department of Human Services commented on 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 H.C.R. No. 203 and recommend that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1046 Labor & Public Employment on H.R. No. 49

The purpose of this measure is to address the low salaries faced by many state teachers by urging the Governor, Board of Education, and Hawaii State Teachers Association to establish a minimum median salary for state teachers that is adjusted for the cost of living and is not the lowest in the nation among metropolitan areas.

Many individuals testified in support of this measure. The Department of Education testified in opposition to this measure. The Hawaii State Teachers Association and an individual provided comments.

Your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE GOVERNOR, BOARD OF EDUCATION, THE DEPARTMENT OF EDUCATION, AND THE HAWAII STATE TEACHERS ASSOCIATION TO ESTABLISH A MINIMUM MEDIAN SALARY, ADJUSTED FOR THE COST OF LIVING, THAT IS NOT THE LOWEST IN THE NATION AMONG METROPOLITAN AREAS, IN THE NEXT COLLECTIVE BARGAINING AGREEMENT.";
- (2) Requesting that the minimum median salary be established as directed by this measure in the Hawaii State Teacher Association's next collective bargaining agreement; and
- (3) Specifying that the Department of Education is included among the interested parties urged to establish a minimum median salary for state teachers.

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. 49, as amended herein, and recommends that it be referred to the Committee on Education in the form attached hereto as H.R. No. 49, H.D. 1.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1047 Labor & Public Employment on H.C.R. No. 90

The purpose of this measure is to address the low salaries faced by many state teachers by urging the Governor, Board of Education, and Hawaii State Teachers Association to establish a minimum median salary for state teachers that is adjusted for the cost of living and is not the lowest in the nation among metropolitan areas.

Many individuals testified in support of this measure. The Department of Education testified in opposition to this measure. The Hawaii State Teachers Association and an individual provided comments.

Your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE GOVERNOR, BOARD OF EDUCATION, THE DEPARTMENT OF EDUCATION, AND THE HAWAII STATE TEACHERS ASSOCIATION TO ESTABLISH A MINIMUM MEDIAN SALARY, ADJUSTED FOR THE COST OF LIVING, THAT IS NOT THE LOWEST IN THE NATION AMONG METROPOLITAN AREAS, IN THE NEXT COLLECTIVE BARGAINING AGREEMENT.";
- (2) Requesting that the minimum median salary be established as directed by this measure in the Hawaii State Teacher Association's next collective bargaining agreement; and
- (3) Specifying that the Department of Education is included among the interested parties urged to establish a minimum median salary for state teachers.

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. 90, as amended herein, and recommends that it be referred to the Committee on Education in the form attached hereto as H.C.R. No. 90, H.D. 1.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1048 Labor & Public Employment on H.R. No. 104

The purpose of this measure is to streamline the State's workers' compensation process by requesting the establishment of a working group in the Department of Labor and Industrial Relations.

The Department of Labor and Industrial Relations and ILWU Local 142 submitted testimony in support of this measure. The Department of Human Resources Development provided comments.

Your Committee has amended this measure by:

- (1) Designating the Director or the Deputy Director of the Department of Labor and Industrial Relations as the Chairperson of the working group;
- (2) Designating the Director of Human Resources Development or the Director's designee to serve as a member of the working group;
- (3) Requesting the working group to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017; and
- (4) Making technical, nonsubstantive amendments for clarity and consistency.

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. 104, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 104, H.D. 1.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1049 Labor & Public Employment on H.C.R. No. 168

The purpose of this measure is to streamline the State's workers' compensation process by requesting the establishment of a working group in the Department of Labor and Industrial Relations.

The Department of Labor and Industrial Relations and ILWU Local 142 submitted testimony in support of this measure. The Department of Human Resources Development provided comments.

Your Committee has amended this measure by:

- (1) Designating the Director or the Deputy Director of the Department of Labor and Industrial Relations as the Chairperson of the working group;
- (2) Designating the Director of Human Resources Development or the Director's designee to serve as a member of the working group;
- (3) Requesting the working group to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017; and
- (4) Making technical, nonsubstantive amendments for clarity and consistency.

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. 168, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 168, H.D. 1.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1050 Labor & Public Employment on H.C.R. No. 92

The purpose of this measure is to urge the Hawaii State Teachers Association and the Board of Education to implement overtime compensation for teachers in the next collective bargaining agreement.

Three concerned individuals supported this measure. The Department of Education opposed this measure. The Hawaii State Teachers Association commented on this measure.

Your Committee has amended this measure by:

- (1) Urging the interested parties in the collective bargaining process for teachers to include compensation for ancillary activities in addition to overtime in the next collective bargaining agreement;
- (2) Changing its title to read: "URGING THE GOVERNOR, THE DEPARTMENT OF EDUCATION, THE HAWAII STATE TEACHERS ASSOCIATION AND THE BOARD OF EDUCATION TO IMPLEMENT COMPENSATION FOR ANCILLARY ACTIVITIES AND OVERTIME FOR TEACHERS IN THE NEXT COLLECTIVE BARGAINING AGREEMENT"; 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 Labor & Public Employment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 92, as amended herein, and recommends that it be referred to the Committee on Education in the form attached hereto as H.C.R. No. 92, H.D. 1.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1051 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 188

The purpose of this measure is to address the unique challenges and educational needs of student veterans attending or seeking to attend the campuses of the University of Hawaii System by requesting the University to establish a Veterans Resource Office and a Veterans Resource Center on each campus to support veterans in obtaining high quality degrees and increase veteran enrollment.

The Office of Veterans' Services supported this measure. The University of Hawaii System supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Changing references to the "University of Hawaii" to the "University of Hawaii System," including changing its title to read as follows: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII SYSTEM TO ESTABLISH A VETERANS RESOURCE OFFICE AND CENTER TO SUPPORT VETERANS;"
- (2) Urging each Veterans Resource Center, in addition to other matters, to collaborate with the Director of the Office of Veterans' Services on matters relating to student veterans; 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 Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 188, as amended herein, and recommends that it be referred to the Committee on Higher Education in the form attached hereto as H.C.R. No. 188, H.D. 1.

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

SCRep. 1052 Agriculture on H.C.R. No. 76

The purpose of this measure is to ensure that the Hawaii Invasive Species Council efficiently administers its invasive species management projects, particularly its strategy for allocating funding to projects, by requesting the State Auditor to:

- (1) Perform a financial and management audit of the Council, including:
 - (A) An investigation of the efficiency of the Council's funding allocation strategy to mitigate or eradicate invasive species; and
 - (B) A determination on whether the Council's current strategy of funding as many mitigation projects as possible, as opposed to focusing on fewer projects that would eradicate an invasive species, is cost effective; and
- (2) Submit a report of any findings and recommendations of the Audit, including proposed legislation, to the Legislature prior to the convening of the 2016 Regular Session.

Animal Rights Hawaii supported this measure. The Coordinating Group on Alien Pest Species supported the intent of this measure. A concerned individual opposed this measure. The Department of Agriculture, Department of Land and Natural Resources, and the University of Hawaii System provided 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. 76 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Woodson, Matsumoto and Ward.

SCRep. 1053 Agriculture on H.C.R. No. 95

The purpose of this measure is to support the farm to school initiative in Hawaii's schools, which empowers children and families to make informed food choices while strengthening the local economy and contributing to the community, by designating the month of October of each year as "Farm to School Month" in Hawaii.

The Department of Agriculture, Department of Education, University of Hawaii System, the Hawaii County Council District 9 member, Hawaii Island School Garden Network, Hawaii Farm to School and School Garden Hui, Hawaii Public Health Institute, Hawaii Farm Bureau Federation, Kokua Hawaii Foundation, Hawaii Farmers Union United, and a few concerned individuals supported 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. 95 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Woodson, Matsumoto and Ward.

SCRep. 1054 Agriculture/Economic Development & Business on H.R. No. 147

The purpose of this measure is to help small scale farmers and producers in Hawaii maintain viable farm operations with implementation of the federal Food Safety Modernization Act, by requesting specified state and federal agencies to participate in meaningful consultation with these farmers and producers and other affected parties to provide financial relief to offset the costs associated with implementation of that Act.

The Department of Agriculture, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau Federation, Maui County Farm Bureau, and a concerned individual supported this measure.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 147 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Woodson, Matsumoto and Ward.

SCRep. 1055 Agriculture/Economic Development & Business on H.C.R. No. 212

The purpose of this measure is to help small scale farmers and producers in Hawaii maintain viable farm operations with implementation of the federal Food Safety Modernization Act, by requesting specified state and federal agencies to participate in meaningful consultation with these farmers and producers and other affected parties to provide financial relief to offset the costs associated with implementation of that Act.

The Department of Agriculture, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau Federation, Maui County Farm Bureau, and a concerned individual supported this measure.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 212 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Woodson, Matsumoto and Ward.

SCRep. 1056 Agriculture/Economic Development & Business on H.R. No. 123

The purpose of this measure is to support and assist farmers in developing agricultural-based commercial operations on lands in the agriculture districts by requesting the Department of Agriculture to engage the counties and others in a task force to review applicable county requirements for such farmers, identify opportunities to reduce excessive permitting requirements, develop strategies to assist farmers in the county approval process for such activities, and submit a report on its findings and recommendations to the Governor and the Legislature prior to the 2016 Regular Session.

Hawaii Farm Bureau Federation, Larry Jefts Farms, LLC, and a concerned individual supported this measure. The Department of Agriculture provided comments.

Your Committees have amended this measure by extending the submission date of the task force's report to the Governor and Legislature to prior to the convening of the 2017 Regular Session to allow the task force sufficient time to accomplish its task.

Your Committees request the task force to identify in its report, county ordinances or any other county issues that may impede the development and implementation of agricultural-based commercial operations and provide recommendations on whether and how those issues, if any, can be resolved and addressed at the county level of government.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 123, as amended herein, and recommend 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 Choy, Ito, Woodson and Ward.

SCRep. 1057 Agriculture/Economic Development & Business on H.C.R. No. 187

The purpose of this measure is to support and assist farmers in developing agricultural-based commercial operations on lands in the agriculture districts by requesting the Department of Agriculture to engage the counties and others in a task force to review applicable county requirements for such farmers, identify opportunities to reduce excessive permitting requirements, develop strategies to assist farmers in the county approval process for such activities, and submit a report on its findings and recommendations to the Governor and the Legislature prior to the 2016 Regular Session.

Hawaii Farm Bureau Federation, Larry Jefts Farms, LLC, and a concerned individual supported this measure. The Department of Agriculture provided comments.

Your Committees have amended this measure by extending the submission date of the task force's report to the Governor and Legislature to prior to the convening of the 2017 Regular Session to allow the task force sufficient time to accomplish its task.

Your Committees request the task force to identify in its report, county ordinances or any other county issues that may impede the development and implementation of agricultural-based commercial operations and provide recommendations on whether and how those issues, if any, can be resolved and addressed at the county level of government.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development & Business that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 187, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 187, H.D. 1.

Signed by all members of the Committee except Representatives Choy, Ito, Woodson and Ward.

SCRep. 1058 Health on H.R. No. 127

The purpose of this measure is to address the ongoing physician shortage in Hawaii by requesting the Director of Health to create a task force to address the physician shortage in Hawaii by considering and making recommendations regarding:

- (1) Assessment and planning of the physician workforce;
- (2) Recruitment and retention of physicians;
- (3) Training and licensing requirements for physicians; and
- (4) Opportunities for foreign medical graduates.

Hawaii Medical Association, Hawaii Primary Care Association, and an individual testified in support of this measure. The Department of Health and the University of Hawaii provided comments on this measure.

Your Committee notes that many of the issues in this measure are currently being reviewed by the Hawaii/Pacific Basin Area Health Education Center (AHEC) through the Hawaii Physician Workforce Assessment, Hawaii Health Workforce Committee, and Hawaii Health Workforce Summit.

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. 127 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1059 Health on H.C.R. No. 192

The purpose of this measure is to address the ongoing physician shortage in Hawaii by requesting the Director of Health to create a task force to address the physician shortage in Hawaii by considering and making recommendations regarding:

- (1) Assessment and planning of the physician workforce;
- (2) Recruitment and retention of physicians;
- (3) Training and licensing requirements for physicians; and
- (4) Opportunities for foreign medical graduates.

Hawaii Medical Association, Hawaii Primary Care Association, and an individual testified in support of this measure. The Department of Health and the University of Hawaii provided comments on this measure.

Your Committee notes that many of the issues in this measure are currently being reviewed by the Hawaii/Pacific Basin Area Health Education Center (AHEC) through the Hawaii Physician Workforce Assessment, Hawaii Health Workforce Committee, and Hawaii Health Workforce Summit.

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. 192 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1060 Health on H.R. No. 61

The purpose of this measure is to request:

- (1) The Director of Health to convene the Climate Change and Health Working Group to assess the scope and risks of climate change on the health of Hawaii's residents; and
- (2) The Climate Change and Health Working Group to submit a report of its findings and recommendations, including any proposed legislation the Legislature prior to the 2016 Regular Session.

The Hawaii Public Health Institute, Hawaii Public Health Association, and several individuals testified in support of this measure. The Office of Planning provided comments on 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. 61 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1061 Health on H.C.R. No. 108

The purpose of this measure is to request:

- (1) The Director of Health to convene the Climate Change and Health Working Group to assess the scope and risks of climate change on the health of Hawaii's residents; and
- (2) The Climate Change and Health Working Group to submit a report of its findings and recommendations, including any proposed legislation the Legislature prior to the 2016 Regular Session.

The Hawaii Public Health Institute, Hawaii Public Health Association, and several individuals testified in support of this measure. The Office of Planning provided comments on 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. 108 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1062 Health on H.R. No. 138

The purpose of this measure is to urge the Department of Land and Natural Resources, the Department of Health, and the City and County of Honolulu to expedite construction for the expansion and improvement of the replacement wash-down stations at Maunaloa Bay.

Several individuals testified in support of this measure. The Department of Land and Natural Resources provided comments on this measure.

Your Committee finds that one obstacle to the construction of replacement wash-down stations at Maunaloa Bay is a lack of funding. Your Committee encourages the consideration of alternative funding sources as an additional means of expediting construction.

Your Committee has amended this measure by making a technical, nonsubstantive amendment 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.R. No. 138, as amended herein, and recommends that it be referred to the Committee on Water & Land in the form attached hereto as H.R. No. 138, H.D. 1.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1063 Health on H.C.R. No. 202

The purpose of this measure is to urge the Department of Land and Natural Resources, the Department of Health, and the City and County of Honolulu to expedite construction for the expansion and improvement of the replacement wash-down stations at Maunaloa Bay.

Several individuals testified in support of this measure. The Department of Land and Natural Resources provided comments on this measure.

Your Committee finds that one obstacle to the construction of replacement wash-down stations at Maunaloa Bay is a lack of funding. Your Committee encourages the consideration of alternative funding sources as an additional means of expediting construction.

Your Committee has amended this measure by making a technical, nonsubstantive amendment 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. 202, as amended herein, and recommends that it be referred to the Committee on Water & Land in the form attached hereto as H.C.R. No. 202, H.D. 1.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1064 Health on H.R. No. 149

The purpose of this measure is to improve mental health care in the State by requesting:

- (1) The University of Hawaii at Manoa to convene a Mental Health Access Task Force; and
- (2) The auditor to complete and submit a mental health workforce assessment of mental health professionals and mental health facilities in Hawaii.

An individual testified in support of this measure with comments. Several individuals testified in opposition to this measure.

Your Committee finds that the purpose of this measure would be better addressed with a working group rather than a task force and that a request to the auditor is addressed in a separate measure.

Accordingly, your Committee has amended this measure by:

- (1) Changing the title to read: "REQUESTING THE CONVENING OF A MENTAL HEALTH ACCESS WORKING GROUP";
- (2) Replacing references to a task force with reference to a working group;
- (4) Removing references to the auditor; 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 concurs with the intent and purpose of H.R. No. 149, as amended herein, and recommends that it be referred to the Committee on Higher Education in the form attached hereto as H.R. No. 149, H.D. 1.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1065 Health on H.C.R. No. 214

The purpose of this measure is to improve mental health care in the State by requesting:

- (1) The University of Hawaii at Manoa to convene a Mental Health Access Task Force; and
- (2) The auditor to complete and submit a mental health workforce assessment of mental health professionals and mental health facilities in Hawaii.

Hawaii Medical Association testified in support of this measure. Several individuals testified in opposition to this measure.

Your Committee finds that the purpose of this measure would be better addressed with a working group rather than a task force and that a request to the auditor is addressed in a separate measure.

Accordingly, your Committee has amended this measure by:

- (1) Changing the title to read: "REQUESTING THE CONVENING OF A MENTAL HEALTH ACCESS WORKING GROUP";
- (2) Replacing references to a task force with reference to a working group;
- (4) Removing references to the auditor; 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 concurs with the intent and purpose of H.C.R. No. 214, as amended herein, and recommends that it be referred to the Committee on Higher Education in the form attached hereto as H.C.R. No. 214, H.D. 1.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1066 Water & Land on S.B. No. 504

The purpose of this measure is to appropriate moneys for the State Historic Preservation Division to address the issues surrounding historic residences.

The Department of Land and Natural Resources, Historic Hawaii Foundation, and an individual provided testimony in support of the measure. The Society for Hawaiian Archaeology, Land Use Research Foundation of Hawaii, and Chamber of Commerce Hawaii provided comments. The Building Industry Association of Hawaii provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Directing the State Historic Preservation Division to temporarily redirect its resources to conduct a survey of potential historic districts and single-family residences for eligibility for listing on the Hawaii register of historic places;
- (2) Requiring the State Historic Preservation Division to conduct a survey to identify potential historic districts and single-family residences for eligibility for listing on the Hawaii register of historic places;
- (3) Requiring the State Historic Preservation Division to submit a report to the Legislature prior to the 2018 Regular Session;
- (4) Specifying the appropriation out of the Hawaii Historic Preservation Fund is to conduct a survey to identify potential historic districts and single-family residences that may be eligible for listing on the Hawaii register of historic places; and
- (5) Making technical, non-substantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 504, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 504, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 1067 Water & Land on S.B. No. 502

The purpose of this measure is to support the protection, conservation, and management of Hawaii's unique and limited natural, cultural, and historic resources by appropriating moneys to the Division of Conservation and Resources Enforcement for personnel services, current expenses, equipment, and motor vehicles.

The Department of Land and Natural Resources, Humane Society of the US-Hawaii, Kuaaina Ulu Auamo, Malama Pupukea Waimea, The Nature Conservancy, Land Use Research Foundation of Hawaii, Conservation Council for Hawaii, and a number of individuals provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 502, 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 Ing.

SCRep. 1068 Water & Land on S.B. No. 1124

The purpose of this measure is to clarify that a person at least eighteen years of age need not obtain a marine surveyor's inspection nor provide documentation that the person is the owner of a vessel in order to be placed on a waitlist for a use permit to moor a vessel in a state small boat harbor.

The Department of Land and Natural Resources provided testimony in support. An individual provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Permitting a vessel inspection by the Department of Land and Natural Resources to satisfy use permit requirements; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussions.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1124, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1069 Higher Education on S.B. No. 113

The purpose of this measure is to address the shortage of health professionals in certain areas of the State by appropriating funds to the Hawaii State Loan Repayment Program to provide loan repayment assistance for physicians, physician assistants, nurse practitioners, psychologists, counselors, and social workers who agree to work in a federally designated health professional shortage area or an area in Hawaii found to be underserved.

The University of Hawaii System, Hawaii Association of Professional Nurses, The Queen's Health Systems, Hawaii Academy of Physician Assistants, and numerous concerned individuals supported this measure. The Department of Public Safety supported the intent of this measure.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating the sum of \$250,000 for each year of fiscal biennium 2015-2017 to implement and administer the Hawaii State Loan Repayment Program to address the critical shortage of certain primary care and behavioral health providers in the State.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 113, 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 Representatives Aquino, Ing and Ito.

SCRep. 1070 Higher Education on S.B. No. 987

The purpose of this measure is to clarify that post-secondary educational institutions may request an administrative hearing pursuant to Chapter 91, Hawaii Revised Statutes, within fifteen days of receipt of notification of denial or of intent to suspend or terminate any post-secondary education institution authorization.

The Hawaii Post-Secondary Education Authorization Program of the Department of Commerce and Consumer Affairs supported this measure.

Your Committee has amended this measure by changing its effective date to upon its approval.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 987, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 987, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Say, Matsumoto and Tupola.

SCRep. 1071 Public Safety on S.B. No. 589

The purpose of this measure is to help current and future homeowners who reside in lava zone areas in Hawaii County to obtain and renew property insurance by requiring the renewal of certain property insurance policies in areas where a state of emergency has been declared due to the threat of lava flow and lifting the moratorium on issuing new property insurance policies in these same areas.

The Hawaii Insurers Council supported this measure. The Department of Commerce and Consumer Affairs offered comments.

Your Committee has 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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 589, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 589, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 1072 Public Safety on S.B. No. 1211

The purpose of this measure is to assist the State in responding to a major disaster by increasing the Major Disaster Fund expenditure ceilings. Specifically, this measure:

- (1) Increases to \$10,000,000 the respective expenditure ceilings for immediate relief of a single emergency or disaster and for obtaining matching federal disaster relief funds; and
- (2) Requires the Director of the Hawaii Emergency Management Agency (Adjutant General) to submit a report to the Legislature within one month of any allotment or expenditure of Major Disaster Fund moneys.

The State Department of Defense, Hawaii Emergency Management Agency, and the State Public Charter School Commission supported this measure.

Should the Committee on Finance further deliberate on this measure, your Committee on Public Safety respectfully requests that it consider looking to the Major Disaster Fund as a potential means of providing emergency relief to Hawaii Island public charter schools that are impacted by the Puna lava flow and require immediate funding to pay for incurred and anticipated expenses, including relocation of the campuses. The charter school sector currently lacks funding sources that can be directed or diverted to emergency purposes.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1211, 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 Johanson and Tupola.

SCRep. 1073 Public Safety on S.B. No. 564

The purpose of this measure is to ensure the successful transition of offenders into the community by extending until December 1, 2019, the sunset date of the Reentry Commission that will allow the Commission to continue its work with the Department of Public Safety in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority's oversight of parolees.

The Department of Public Safety; a councilmember from the Maui County Council; Community Alliance on Prisons; Hoomana Pono, LLC.; and two concerned individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 564, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 1074 Public Safety on S.B. No. 913

The purpose of this measure is to address the unique needs of Hawaii's children who have an incarcerated parent by requiring the Department of Public Safety to collect data on:

- (1) The number of offenders being brought into the state correctional system who are parents;
- (2) The number of children the offenders have that are under the age of eighteen; and
- (3) Any other information that the Department of Public Safety deems useful to facilitate services to incarcerated parents or their children.

The Office of Hawaiian Affairs; Department of Land and Natural Resources Aha Moku Advisory Committee; Community Alliance on Prisons; Association of Hawaiian Civic Clubs; Hoomana Pono, LLC; King Kamehameha Hawaiian Civic Club; Ewa Puuloa Hawaiian Civic Club; Kalihi Palama Hawaiian Civic Club; Family Program Hawaii's It Takes An Ohana Program; Hawaii Family Support Institute; Hawaii Association for Infant Mental Health; Alii Pauahi Hawaiian Civic Club; Keiki O Ka Aina Family Learning Centers; Living Life Source Foundation; Adult Friends for Youth; Blueprint for Change; Hawaii Youth Services Network; First Lap; Peacemakers; and numerous concerned individuals supported this measure. The Department of Public Safety offered comments.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 913, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Johanson and Tupola.

SCRep. 1075 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 434

The purpose of this measure is to promote the cultural heritage of the State's host culture while furthering the State's interest in food security and self-sufficiency by adding the growth and development of traditional Hawaiian farming systems and crops and the growth and development of small-scale farms as agricultural objectives of the State.

The Office of Hawaiian Affairs, College of Tropical Agriculture and Human Resources of the University of Hawai'i at Manoa, Aha Moku Advisory Committee, two members of the Kaua'i County Council, Hawai'i Green Growth, Hui Maka'ainana O Makana, Land Use Research Foundation of Hawaii, Hawaii Farmer's Union United, Hawai'i Alliance for Community-Based Economic Development, Ko'olaupoko Hawaiian Civic Club, Association of Hawaiian Civic Clubs, Taro Security and Purity Task Force, Trust for Public Land, Kua'aina Ulu 'Auamo, and numerous individuals submitted testimony in support of this measure.

Your Committee finds that traditional Hawaiian farming methods and crops represent successful technologies and products that are ecologically sustainable, culturally significant, and critical to the State's long-term food security and sustainability goals. They also serve as repositories and means of transmitting important cultural knowledge. Small farms provide a substantial and durable portion of local food production, frequently use traditional methods and grow traditional crops, and are a critical component of the State's agricultural economy. Your Committee finds that, although this measure does not define small farms, it is important for state agencies and programs to apply a consistent definition of small farms across various programs and agencies.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 434, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Agriculture.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1076 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 436

The purpose of this measure is to assist state administrators and decision makers in fulfilling their duty under the Hawaii Constitution and other state laws to protect native Hawaiian traditional and customary rights, natural resources, and access rights and to appropriately manage public trust resources. This measure establishes a training program within the Office of Hawaiian Affairs and requires all newly-appointed members of certain boards, commissions, and councils to complete a training course offered under the program.

The Office of Hawaiian Affairs, Aha Moku Advisory Committee, Ka Hui Ao Center for Excellence in Native Hawaiian Law of the William S. Richardson School of Law at the University of Hawaii at Manoa, Land Use Commission, Hawai'i Green Growth, Ko'olaupoko Hawaiian Civic Club, Association of Hawaiian Civic Clubs, Society for Hawaiian Archeology, Taro Security and Purity Task Force, Kua'aina Ulu 'Auamo, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, and many individuals submitted testimony in support of this measure. The Land Use Research Foundation and Center for Hawaiian Sovereignty Studies submitted testimony in opposition. The Department of Land and Natural Resources submitted comments.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 436 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1077 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 895

The purpose of this measure is to ensure that the Hawaiian language is appropriately recognized and respected as a co-official language of the State by requiring that all state and county documents and letterhead, as well as all emblems and symbols representative of the State, the counties, and all of their agencies contain accurate, appropriate, and authentic Hawaiian names and language.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, 'Aha Punana Leo, and several individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. One individual submitted comments.

Your Committee supports the purpose and intent of this measure as well as the general movement toward the revitalization of 'Ōlelo Hawai'i. Your Committee notes that this measure contains provisions for the gradual replacement of existing documents, letterhead, emblems, and symbols, in recognition of the potentially substantial cost involved. Your Committee encourages continued consideration as this measure moves through the legislative process to ensure that the replacement provisions are sufficient to overcome any cost-related barriers to the successful implementation of this worthy policy.

Your Committee has amended this measure by changing its effective date to December 24, 2088, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 895, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 895, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1078 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 1166

The purpose of this measure is to recognize the legitimacy and cultural importance of traditional Hawaiian cultural customs and practices for the preparation, burial, or cremation of a corpse by clarifying that these practices are not a violation of the penal code's prohibition of abuse of a corpse.

The Office of Hawaiian Affairs, Ko'olaupoko Hawaiian Civic Club, Ko'olau Foundation, and an individual submitted testimony in support of this measure. The Center for Hawaiian Sovereignty Studies submitted comments.

Your Committee has amended this measure by changing its effective date to December 24, 2088, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1166, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1166, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1079 Tourism on S.B. No. 743

The purpose of this measure is to protect activity desk providers and consumers by establishing fiduciary and other responsibilities for activity desks. Specifically, this measure:

- (1) Requires an activity desk to designate an individual, officer, director, member, or manager who shall be a signatory on and fully responsible for the client trust account;
- (2) Specifies responsibilities and requirements applicable to the signatory; and
- (3) Establishes criminal penalties for violations of the signatory requirements.

The Activity Desks Program of the Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, and the Activities and Attractions Association of Hawaii offered comments.

Your Committee has amended this measure by deleting its contents and inserting language that:

- (1) Instead requires, at the time of registration and renewal, the designation of a principal who shall have direct management and supervision of the activity desk;
- (2) Specifies responsibilities and requirements applicable to the designated principal;
- (3) Defines "principal" to mean a corporate officer or director, a partner in a partnership, a sole proprietor, or an individual with an ownership interest in the activity desk;
- (4) Requires the activity desk to disclose the name and contact information of the designated principal to a client trust account beneficiary upon request; and
- (5) Delays implementation of the activity desk principal requirements until December 31, 2017.

Your Committee has also changed the effective date of this measure to July 1, 2020, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 743, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 743, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1080 Tourism on S.B. No. 283

The purpose of this measure is to clarify the qualification and term limit requirements for the Board of Directors of the Hawaii Tourism Authority. Specifically, this measure:

- (1) Amends the subject-matter knowledge and experience qualifications that apply to one-half of the Board to include accommodations and to delete visitor industry management, marketing, and promotion;
- (2) Specifies that one Board member shall have knowledge, experience, and expertise in Hawaiian cultural practices; and
- (3) Provides for coordination between the Governor and the Senate President or Speaker of the House of Representatives, as appropriate, to ensure that appointments to fill vacancies are made in accordance with required subject-matter knowledge and experience qualifications.

The Hawaii Tourism Authority supported this measure. The Office of Hawaiian Affairs offered comments.

Your Committee has amended this measure by:

- (1) Clarifying that at least one member shall have knowledge, experience, and expertise in Hawaiian cultural practices;
- (2) Making it effective upon approval; 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 Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 283, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 283, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1081 Energy & Environmental Protection on S.B. No. 878

The purpose of this measure is to address the sewage needs in areas of the State that are not suitable for flush and septic systems by authorizing the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems.

The Office of Hawaiian Affairs, Land Use Research Foundation of Hawaii, and two individuals supported 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 is in accord with the intent and purpose of S.B. No. 878, 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.

SCRep. 1082 Energy & Environmental Protection on S.B. No. 710

The purpose of this measure is to further the State of Hawaii's waste management goals and ensure progress toward managing the State's waste by appropriating funds to the Department of Health to support the revision of the State Integrated Solid Waste Management Plan.

The Ulupono Initiative, Hawaii Green Growth, and two individuals supported this measure. The Office of the Auditor supported the intent of this measure. The Department of Health commented on 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 is in accord with the intent and purpose of S.B. No. 710, 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.

SCRep. 1083 Energy & Environmental Protection on S.B. No. 1049

The purpose of this measure is to promote electronic waste recycling by:

- (1) Prohibiting the approval of an electronic device manufacturer's recycling plan that provides only a mail-back option to return a covered electronic device to the manufacturer for recycling; and
- (2) Authorizing the approval of the recycling plan of an electronic device manufacturer of exclusively mobile covered electronic devices whose products are voluntarily accepted at no charge by at least fifty retail locations in the State if the recycling plan documents these locations.

The Department of Health, Consumer Electronics Association, Ulupono Initiative, Hawaii Green Growth, and two individuals supported 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 is in accord with the intent and purpose of S.B. No. 1049, 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.

SCRep. 1084 Judiciary on S.B. No. 286

The purpose of this measure is to establish the Office of the State Inspector General to investigate complaints alleging fraud, waste, abuse, or corruption by a state agency, quasi-public agency, or the officers or employees of those agencies. The Office of the State Inspector General will promote integrity and accountability, and maximize efficiency and effectiveness of state and quasi-public agencies through the conduct of independent investigations and performance reviews.

Several concerned individuals testified in support of this measure. The Judiciary, Department of the Attorney General, and Grassroot Institute of Hawaii provided comments.

Your Committee has amended this measure to:

- (1) Clarify that the term "quasi-public agency" means any entity, except for individuals, but including those individuals doing business as sole proprietors, that receives or is paid state funds;
- (2) Establish the Office of the State Inspector General within the Department of Accounting and General Services for administrative purposes only, instead of within the Judiciary;
- (3) Clarify the scope of the State Inspector General's subpoena powers;
- (4) Change the effective date of this measure to July 1, 2015; and
- (5) Make 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. 286, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 286, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 1085 Judiciary on S.B. No. 440

The purpose of this measure is to amend the procedures for nominating and electing a United States senator to complete an unexpired term when a vacancy occurs to comply with the Uniform Military and Overseas Voters Act.

The Office of Elections provided testimony in support of the measure.

Your Committee has amended this measure by changing the effective date to make the measure effective upon its approval.

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. 440, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 440, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, McDermott and Thielen.

SCRep. 1086 Judiciary on S.B. No. 524

The purpose of this measure is to appropriate funds as a grant-in-aid to the Office of the Prosecuting Attorney of the County of Hawaii for the Career Criminal Prosecution Unit and the Victim Witness Assistance Program.

The Department of the Attorney General, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kauai and a concerned individual submitted testimony in support of this measure.

Should the Committee on Finance deliberate this measure further, your Committee on Judiciary respectfully requests that it consider appropriating grants-in-aid to the Office of the Prosecuting Attorney of the County of Hawaii in the following amounts:

- (1) \$87,631 for fiscal year 2015-2016 and \$99,487 for fiscal year 2016-2017 for the Career Criminal Prosecution Unit; and
- (2) \$59,956 for fiscal year 2015-2016 and \$76,183 for fiscal year 2016-2017 for the Victim Witness Assistance Program.

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. 524, 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 Representatives Kawakami and Woodson.

SCRep. 1087 Judiciary on S.B. No. 652

The purpose of this measure is to promote transparency by requiring a public board to report to the public any final action taken during an executive meeting, provided that such disclosure is not inconsistent with the purpose of convening the executive meeting and confidentiality is maintained.

The Office of Information Practices provided testimony that supported the intent of the measure and offered amendments. The Civil Beat Law Center for the Public Interest provided testimony that supported the intent of the measure and offered comments.

Your Committee has amended this measure by:

- (1) Allowing, rather than requiring, boards to maintain confidentiality if disclosure would defeat the purpose of convening an executive meeting; and
- (2) Changing the effective date of the measure to make it effective upon its approval.

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. 652, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 652, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, McDermott and Thielen.

SCRep. 1088 Judiciary on S.B. No. 657

The purpose of this measure is to provide additional public disclosure by requiring a new supplemental report by candidate committees to be filed within thirty days after the conclusion of a special session of the full legislature, but only if the next regularly scheduled report is due more than ninety days after the conclusion of that special session.

The Campaign Spending Commission testified in support of the intent of this measure. The Department of the Attorney General provided comments.

Your Committee finds it is necessary to have more timely disclosures of the contributions made to legislators who were engaged in a special session. Special sessions are convened for several significant reasons, including to consider overriding a measure vetoed by the Governor, confirming certain judicial nominees, and enacting measures on important matters that demand attention prior to the regular session. However, the deadlines for supplemental reports of contributions made to legislators during the special session are scheduled so that several months could pass before the contributions are reported. During this time, the public would not be informed of any contributions made during a special session. The additional reporting requirement proposed by this measure is appropriately limited to legislators who were engaged in a special session and who received contributions during the special session.

Your Committee has amended this measure to:

- (1) Require a supplemental report for contributions made to legislators during a special session that is convened for any purpose by one or both legislative houses;
- (2) Provide that a report is not required from legislators whose legislative house did not convene in special session or from legislators who did not receive contributions during the special session;
- (3) Provide that information reported in a supplemental report does not need to be included in any subsequent reports; and
- (4) Make this measure effective upon its approval.

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. 657, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 657, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 1089 Judiciary on S.B. No. 243

The purpose of this measure is to clarify the law regarding the conduct of elections in the event of a natural disaster that substantially impairs the voters' ability to exercise their right to vote. Prior to the day of the election, the Chief Election Officer or County Clerk in the case of county elections is authorized to determine whether to postpone an election or require voters of the affected precinct to vote by absentee ballot. On the day of the election and thereafter, the Governor has that authority; provided that the Chief Election Officer or County Clerk shall have the authority if the Governor is a candidate in an affected election.

The League of Women Voters of Hawaii and American Civil Liberties Union of Hawaii testified in support of this measure.

Your Committee has amended this measure to:

- (1) Create a new section in Part X, Chapter 11, Hawaii Revised Statutes, that prohibits the public disclosure of voting results for any ballot contest or question from precincts affected by an election postponement;
- (2) Clarify that in the event of a natural disaster prior to the start of the election the Chief Election Officer or county clerk in the case of county elections has the authority to postpone the election. Upon commencement of the election and thereafter the Governor has the authority to postpone the election; provided that when the Governor is in an affected election, the Chief Election Officer or county clerk has the authority;
- (3) Specify that an election postponed due to a natural disaster can be postponed for no more than seven days after the original election date;
- (4) Authorize the Chief Election Officer with the discretion to withhold election results for precincts that were not affected by the natural disaster;
- (5) Make technical, nonsubstantive amendments for clarity, consistency, and style; and
- (6) Make this measure effective upon its approval.

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. 243, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 243, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1090 Water & Land on S.B. No. 854

The purpose of this measure is to ensure that the pilot program for the lease of public school lands supports public education in Hawaii by, among other things:

- (1) Requiring lessees of such lands to benefit public educational purposes when modifying, constructing, using, and operating facilities on those lands; and
- (2) Authorizing the Department of Education to enter into leaseback agreements that lease back all or a portion of improvements constructed or allow lease or sublease of the property to a third party.

The Chamber of Commerce Hawaii, Building Industry Association of Hawaii, and Malama Learning Center provided testimony in support of the measure. The Land Use Research Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Deleting the language that provides that this measure will not preclude the Department of Education from entering into a lease or other agreement with nonprofit organizations that provide educational benefits primarily for the school, complex, or district within which the lands are located; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 854, 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. 854, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Evans and Lowen.

SCRep. 1091 Water & Land on S.B. No. 974

The purpose of this measure is to support the development of mixed-use residential development by authorizing the use of the Rental Housing Trust Fund (RHTF) for spaces for public use within mixed-use residential developments, provided that the rental housing component is the primary use within the development.

The Hawaii Housing Finance and Development Corporation and Land Use Research Foundation of Hawaii provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 974, S.D. 1, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Evans and Lowen.

SCRep. 1092 Water & Land on S.B. No. 521

The purpose of this measure is to authorize the issuance of up to \$45,000,000 in special purpose revenue bonds to assist Waimea Nui Community Development Corporation and its not-for-profit affiliates to finance, refinance, and reimburse costs related to the planning, acquisition, and construction of its agriculture, renewable energy, and educational facilities.

The Department of Agriculture, Hawaii Farm Bureau, and two individuals provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 521, 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 Evans and Lowen.

SCRep. 1093 Health on S.B. No. 1367

The purpose of this measure is to appropriate funds for Project Kealahou to ensure that the array of community-based, outpatient services and supports offered by this program are continued and expanded to meet the needs of at-risk youth, particularly adolescent females, and their families.

The Judiciary, Community Alliance on Prisons, Hawaii Youth Services Network, and four individuals supported this measure. The Department of Health provided comments.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to facilitate further discussion.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$900,000 for Fiscal Year 2015-2016 to continue and expand Project Kealahou's cost-effective array of services to at-risk youth and their families who would otherwise not have access to these services.

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. 1367, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1367, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1094 Health on S.B. No. 1117

The purpose of this measure is to make an emergency appropriation to provide funds for the functions of the Hawaii Health Systems Corporation and its regions.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 222 to the Legislature, requested immediate consideration and passage of this bill by the Legislature to support the functions of the Hawaii Health Systems Corporation.

The Hawaii Health Systems Corporation Corporate Board of Directors, East Hawaii Region of the Hawaii Health Systems Corporation, and United Public Workers, AFSCME, Local 646, AFL-CIO 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 is in accord with the intent and purpose of S.B. No. 1117, 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 Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1095 Transportation on S.B. No. 2

The purpose of this measure is to continue to ensure the safe movement of all types of vessels in Hawaii's commercial harbors by amending laws applicable to port pilots. Specifically, this measure:

- (1) Requires a vessel and the owner or operator of the vessel to defend, indemnify, and hold harmless the pilot, any pilot association to which the pilot belongs, and their officers and employees, with respect to liability arising from any claim, suit, or action, by whomever asserted, resulting in whole or in part from any act, omission, or negligence of the pilot, any pilot association to which the pilot belongs, and their officers and employees;
- (2) Requires the Director of Commerce and Consumer Affairs to develop licensure renewal standards and requirements for port pilots;
- (3) Specifies that port pilots applying for a renewal of their license do so in accordance with the Uniform Professional and Vocational Licensing Act;
- (4) Requires that every vessel, not just those involved in trade or commerce, entering or departing from any port in the State or traversing the waters of the State designated as pilotage waters to employ a licensed pilot unless otherwise exempt; and

- (5) Exempts vessels under 300 gross tons from pilotage regulation.

The Hawaii Association for Justice and Island Ventures Limited testified in support of this measure. The Hawaii Pilots Association supported the intent of this measure. Cruise Line International Association-North West and Canada Cruise Association testified in opposition to this measure. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs provided comments.

Port pilots have the responsibility of ensuring the safe movement of all types of vessels in Hawaii's commercial harbors, including cruise ships, oil tankers, and container ships. Port pilots go aboard ships before they enter or depart from a harbor. Once on board a ship, the pilot assumes command of the vessel and directs the movement of the vessel throughout the harbor. Inattention, complacency, wrong decision-making, or a simple mistake by the port pilot could lead to vessel casualty with high monetary damages or loss of life, the end of the pilot's career, and financial loss for the pilot. This high risk of liability could hinder efforts to attract and maintain sufficient numbers of qualified pilots and threaten the State's ability to maintain effective compulsory pilotage systems.

While a need to limit the liability of port pilots in Hawaii appears to exist, the method in which to do so is a point of disagreement among interested parties. Your Committee notes that this is a complex issue that needs further discussion prior to providing some form of limited liability for port pilots.

Your Committee also notes concerns raised by the Professional and Vocational Licensing Division that, under this measure, investigations and examinations would be required for the renewal of a port pilot's license, a requirement that is not imposed on any other profession in Hawaii.

Accordingly, your Committee has amended this measure by:

- (1) Deleting provisions regulating the liability of port pilots;
- (2) Deleting the requirement that investigations and examinations be conducted for the renewal of a port pilot's license; 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. 2, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2, S.D. 2, H.D. 1, and be referred to the Committees on Judiciary and Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 1096 Transportation on S.B. No. 225

The purpose of this measure is to strengthen existing law concerning the offense of habitually operating a vehicle under the influence of an intoxicant, also known as HOVUII, by amending the elements of the offense to include operating a vehicle under the influence of an intoxicant within ten years of at least one prior conviction for HOVUII.

The Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kauai, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, and Mothers Against Drunk Driving HAWAII testified in support of this measure.

Unfortunately, operating a vehicle under the influence of an intoxicant (OVUII) continues to be a problem in Hawaii and poses a threat to highway safety. Currently, a driver of a motor vehicle may be convicted of HOVUII when that driver has at least three prior petty misdemeanor or felony convictions for OVUII within ten years of the incident at issue. However, under existing law, a prior felony conviction for HOVUII is treated the same as a prior conviction for OVUII for the purposes of triggering a subsequent HOVUII charge. Due to the ten-year limitation period, a prior HOVUII conviction will not trigger a subsequent HOVUII charge if a person is convicted anew of OVUII but the ten-year limitation has operated to exclude the requisite number of prior convictions. Therefore, a person with only two prior OVUII convictions may receive a greater penalty for the same conduct than a person with more numerous or more serious convictions receives. This measure upholds the original intent of the HOVUII law by ensuring that penalties for repeated convictions of operating a vehicle under the influence of an intoxicant are progressively stronger with each conviction.

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. 225, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 1097 Judiciary on S.B. No. 140

The purpose of this measure is to require agencies to exercise reasonable care in the maintenance of all government records under their control that are required to be made available for public inspection.

The Corporation Counsel of the City and County of Honolulu testified in opposition to this measure. The Office of Information Practices provided comments and proposed amendments.

Your Committee has amended this measure by:

- (1) Deleting the amendment to section 92F-18, Hawaii Revised Statutes, and instead adding a new section in Chapter 94, Hawaii Revised Statutes, to establish the duty to exercise reasonable care in maintaining records;
- (2) Creating a rebuttable presumption that the government entity has exercised reasonable care in its maintenance of government records if it adheres to a duly adopted the records retention and destruction plan; and

- (3) Changing the effective date to July 1, 2016.

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. 140, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 140, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 1098 Judiciary on S.B. No. 275

The purpose of this measure is to augment the resources available to the State and counties to respond to sexual assaults by establishing, within the Department of the Attorney General, the Hawaii Sexual Assault Response and Training (HSART) Program. Specifically, this measure:

- (1) Provides that the HSART program shall be a statewide coordinated, multi-disciplinary approach to delivering medical care to victims of sexual assault, and for the collection, management, and evaluation of forensic evidence;
- (2) Specifies that the Department of the Attorney General shall administer the HSART Program and the membership of the HSART program shall include representatives of the counties' prosecuting attorneys, sexual assault medical professionals, and police departments, and the Honolulu Police Department's Scientific Investigation Section;
- (3) Specifies the time frames pertaining to the collection, management, submittal, and analysis of forensic medical evidence related to sexual assault offenses;
- (4) Appropriates funds to the Department of the Attorney General for the HSART Program; and
- (5) Appropriates funds to the Honolulu Police Department for its Scientific Investigation Section to increase its capacity to meet the requirements of the new time frames for the analysis of sexual assault forensic evidence kits.

The YWCA of Kauai, The Sex Abuse Treatment Center, and a concerned individual testified in support of this measure. The Honolulu Police Department testified in support of the intent of this measure and provided comments. The Department of the Attorney General testified in support of establishing the HSART program and recommended amendments.

Your Committee finds that the HSART Program provides crucial services for forensic examinations across the State, particularly in its rural areas.

Your Committee notes with concern that the Honolulu Police Department does not know how many of the sexual assault evidence kits have been collected, but not analyzed. Furthermore, it is unclear whether the additional funds requested by the Honolulu Police Department would be used to decrease the number of unanalyzed evidence kits or whether the additional funds would be used to prevent the backlog of future cases. It is the intent of this Committee that the additional funds be used to eliminate the present backlog as well as prevent future backlogs.

Your Committee notes that Act 113, Session Laws of Hawaii 2014, removed the time bar for the prosecution of serious sexual assaults. This Committee finds that in the interest of justice for all victims and for the future protection of the public, there is a high priority to test old evidence kits in order to identify and arrest the perpetrators of sexual assaults.

Your Committee has amended this measure by deleting the reference in the preamble to the phrase "county sexual assault response teams", which is not used by the HSART Program.

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. 275, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 275, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1099 Judiciary on S.B. No. 475

The purpose of this measure is to update and enhance the State's public meeting law, by among other things:

- (1) Adding emergency meetings to the public meeting notice requirements;
- (2) Requiring boards to file a notice of meeting with the Office of the Lieutenant Governor and post notice on an electronic calendar maintained on an appropriate state or county agency's website no less than six calendar days before the meeting;
- (3) Establishing time-stamped agenda procedures for determinations as to whether a notice was timely posted for public meeting purposes; and
- (4) Requiring that boards maintain a list of names and postal or electronic mail addresses of persons who request notification of meetings and mail or electronically mail a copy of the notice to such persons.

The Office of Information Practices, League of Women Voters, and Common Cause Hawaii testified in support of this measure. The Civil Beat Law Center for the Public Interest testified in support of this measure and recommended amendments. An individual provided comments.

Your Committee notes that discussion was raised regarding the accessibility of public meeting records and notices for those living with disabilities. Your Committee would like to emphasize the continued importance that all government agencies meet their obligations under the Americans with Disabilities Act (ADA) and Section 508 of the Rehabilitation Act of 1973. Accordingly, your committee urges all government agencies to review the

United States Department of Justice's, "Accessibility of State and Local Government Websites to People with Disabilities," as a guideline for ensuring the proper development, preparation, maintenance, and distribution of information in an ADA compliant manner, especially with regard to the use of electronic documents.

Your Committee has amended this measure by:

- (1) Establishing procedures allowing for public access to "board packet" materials disseminated to the board at a noticed meeting;
- (2) Requiring that copies of a time-stamp be available upon request;
- (3) Specifying that persons requesting notification of a meeting shall receive the notification by the means of their choosing;
- (4) Requiring that meeting minutes be made available on an appropriate board or governmental website;
- (5) Specifying that members of the public may record a public meeting via any means of audio or visual recordation; and
- (6) Changing its effective date to upon its approval.

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. 475, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 475, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, McDermott and Thielen.

SCRep. 1100 Energy & Environmental Protection on S.B. No. 1047

The purpose of this measure is to authorize the Department of Budget and Finance, with the approval of the Governor, to issue special purpose revenue bonds to assist Pelatron Q, LLC, with the development of waste-to-energy power plants that use its patented plasma gasification and vitrification process for waste management and energy production in Hawaii.

Pelatron Q, LLC; Hawaii Construction Alliance; Alqimi Energy; Pacific Resource Partnership; and many individuals supported this measure. Zero Waste Kauai and a Hawaii County Council Member opposed this measure. The Department of Budget and Finance commented on this measure.

Your Committee has amended this measure by changing the total amount of special purpose revenue bonds authorized to an unspecified amount.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider authorizing the issuance of up to \$44,000,000 in special purpose revenue bonds for the purpose of assisting Pelatron Q, LLC, in developing waste-to-energy power plants.

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 is in accord with the intent and purpose of S.B. No. 1047, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1047, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1101 Energy & Environmental Protection on S.B. No. 646

The purpose of this measure is to facilitate Hawaii residents in saving money and energy by:

- (1) Permitting the installation of clotheslines on any apartment or condominium, subject to reasonable restrictions; and
- (2) Specifying what constitutes a reasonable restriction that may be adopted by private entities through rules.

The Blue Planet Foundation and an individual supported this measure. The Community Association Institute, Hawaii Chapter Legislative Action Committee and an individual opposed 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 is in accord with the intent and purpose of S.B. No. 646, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1102 Finance on S.B. No. 103

The purpose of this measure is to make adjustments to the Supplemental Appropriations Act of 2014. Specifically, this measure adjusts the:

- (1) Amount of an appropriation to the Department of Labor and Industrial Relations for fiscal year 2014-2015 for accrued vacation payments for all employees leaving the employ of the Department; and
- (2) Authorized uses, and amounts of, an appropriation made as a grant-in-aid to the National Kidney Foundation of Hawaii.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 221 to the Legislature, requested immediate consideration and passage of this bill by the Legislature.

The Department of Budget and Finance and Department of Labor and Industrial Relations 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 is in accord with the intent and purpose of S.B. No. 103, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1103 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 194

The purpose of this measure is to recognize the contributions of African Americans in Hawaii by establishing a temporary Hawaii Commission on African American History and Culture. The purpose of the Commission is to further the understanding of African American history and culture, educate residents and visitors of its significant impact in Hawaii, and submit annual reports to the Legislature with recommendations to honor and recognize contributions of African Americans in Hawaii.

The Honolulu Hawaii NAACP and many concerned individuals supported this measure. The State Foundation on Culture and the Arts and a concerned individual supported the intent of this measure.

This measure has been amended by:

- (1) Placing the Commission within the Department of Accounting and General Services, instead of within the State Foundation on Culture and the Arts;
- (2) Replacing references to "African Americans" with "people of African descent";
- (3) Changing its effective date to July 1, 2015; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 194, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 194, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1104 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 871

The purpose of this measure is to allow a nonresident to operate specified motor vehicles in Hawaii under certain circumstances; provided that:

- (1) The nonresident motor vehicle operator is validly licensed to operate a motor vehicle in the operator's resident-country; and
- (2) The Director of Transportation has determined that the resident-country's licensure standards substantially correspond to Hawaii's standards and has entered into a reciprocity agreement with the resident-country.

This measure also repeals the Hawaii Driver's License Reciprocity Committee, since it is cumbersome, costly, complicated, and has never been used since its enactment.

The Department of Transportation provided testimony in support of this measure with proposed amendments.

Your Committee has amended this measure by changing its effective date to July 1, 2015.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 871, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as S.B. No. 871, S.D. 1, H.D. 2.

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

SCRep. 1105 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 559

The purpose of this measure is to recognize the critical presence and role of the United States military in Hawaii by expanding the role of the Office of Veterans' Services. Specifically, this measure:

- (1) Renames the Office of Veterans' Services to Office of Military Affairs and Veterans' Services;
- (2) Increases the Office's mandate to include:
 - (A) Interacting and working with the armed services in the State to address any relevant issues and concerns;
 - (B) Collecting and maintaining information pertaining to the military's economic impact in the State;
 - (C) Serving as a liaison between the State's executive branch and the military in the State; and
 - (D) Researching federal funding opportunities that relate to the military and veterans; and
- (3) Appropriates funds to expand the scope of the Office to include military affairs.

The Advisory Board of the Office of Veterans' Services; The Chamber of Commerce of Hawaii; Department of Hawaii, Veterans of Foreign Wars of the United States; and a concerned individual supported this measure. The Department of Defense and Office of Veterans' Services supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Deleting the provisions relating to expanding the role of the Office of Veterans' Services;
- (2) Establishing a Military Affairs Advisor position and an Assistant Military Affairs Advisor position within the Department of Defense, with the Military Affairs Advisor reporting directly to the Governor;
- (3) Specifying the functions, duties, and powers of the new positions;
- (4) Appropriating funds to establish the new positions in the Department of Defense; and
- (5) Changing its effective date to upon its approval.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 559, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 559, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1106 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 825

The purpose of this measure is to establish a temporary Puerto Rican Exchange Commission to coordinate a cultural exchange program between Hawaii and Puerto Rico to honor and recognize the contributions of the Puerto Rican people and commemorate the arrival of Puerto Ricans to Hawaii.

The State Foundation on Culture and the Arts provided comments on this measure.

Your Committee has amended this measure by:

- (1) Placing the Commission within the Department of Accounting and General Services, rather than the State Foundation on Culture and the Arts; and
- (2) Changing its effective date to July 1, 2015.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 825, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 825, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1107 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 1159

The purpose of this measure is to partially protect a veteran's service-connected disability benefits by exempting the benefits from claims of creditors, attachment, levy, seizure, or award to another person except to the extent allowable under federal law and disability compensation apportionment policy for child and spousal support payments.

The Advisory Board of the Office of Veterans' Services and a concerned individual supported this measure. The Office of Veterans' Services supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Specifying that the protected and exempted service-connected disability benefits are those that are determined by the United States Department of Veterans Affairs disability compensation benefits rate;
- (2) Deleting a provision encouraging courts to follow federal disability compensation apportionment policy before imposing scheduled child and spousal support payments, as these policies are already codified in controlling federal statutes and regulations;
- (3) Changing its effective date to July 1, 2015; 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 Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1159, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1159, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

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

SCRep. 1108 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 435

The purpose of this measure is to require that all publicly funded landscaping projects include a minimum percentage of Hawaiian plants in order to contribute to a Hawaiian sense of place, reduce the use of non-native invasive plant species, and preserve Hawai'i's cultural and ecological heritage.

The State Procurement Office, Office of Environmental Quality Control, Office of Hawaiian Affairs, the Judiciary, Aha Moku Advisory Committee, a member of the Kaua'i County Council, the Coordinating Group on Alien Pest Species, The Nature Conservancy, Land Use Research Foundation of Hawaii, Association of Hawaiian Civic Clubs, Ko'olaupoko Hawaiian Civic Club, King Kamehameha Hawaiian Civic Club, Ewa Puuloa Hawaiian Civic Club, Hui Maka'ainana O Makana, Hawai'i Green Growth, Kua'āina Ulu 'Auamo, and numerous individuals submitted testimony in support of this measure. The Department of Parks and Recreation of the City and County of Honolulu submitted testimony in opposition to this measure. The Department of Land and Natural Resources, Department of Transportation, and an individual submitted comments.

Your Committee notes that the administrative rules of the Department of Land and Natural Resources that protect endemic and indigenous plant species distinguish between these plants, which arrived and occur naturally in Hawai'i, and those which exist in the State because of human intervention, regardless of when that intervention took place. Your Committee further finds that Polynesian-introduced plants are an integral part of Hawai'i's culture and ecology and should be prioritized by state agencies in the same manner and to the same extent as endemic and indigenous plants. Your Committee encourages the Department of Land and Natural Resources to develop a list of Hawaiian plants that satisfy the requirements of this measure to assist state agencies with compliance.

Your Committee has amended this measure by:

- (1) Clarifying that the requirement for incorporation of Hawaiian plants into public landscaping projects may be satisfied through the use of both native, meaning endemic or indigenous, and Polynesian-introduced plants; and
- (2) Making technical, nonsubstantive amendments.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider the amendment proposed in testimony by the Office of Hawaiian Affairs which would authorize the Procurement Policy Board to establish exemptions to the required minimum percentage of Hawaiian plants notwithstanding the rule-making procedures of Chapter 91, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 435, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 435, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1109 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.B. No. 786

The purpose of this measure is to provide adequate funding to the Aha Moku Advisory Committee so that the Committee may fully perform its statutory purposes of advising the Board of Land and Natural Resources on traditional natural resource management practices and providing community outreach on issues regarding natural and cultural resources.

The Aha Moku Advisory Committee, Kalihi Palama Hawaiian Civic Club, Association of Hawaiian Civic Clubs, Ko'olaupoko Hawaiian Civic Club, and several individuals submitted testimony in support of this measure. Two individuals submitted testimony in opposition. The Office of Hawaiian Affairs and one individual submitted comments.

Your Committees have amended this measure by:

- (1) Changing its effective date to December 24, 2088, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment to correct a typographical error.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 786, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 786, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Evans and Lowen.

SCRep. 1110 Education on S.B. No. 1345

The purpose of this measure is to ensure that school facilities are appropriately developed to serve the student population by:

- (1) Requiring the Department of Education to develop a transition plan to end the use of multi-track schedules in public schools; and
- (2) Beginning with the 2016-2017 fiscal year, requiring the Department of Education to prioritize capital improvement project requests for overpopulated schools, including multi-track schools.

A concerned individual supported the measure. The Department of Education supported the intent of the measure.

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. 1345 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito, Kong, Say and Tupola.

SCRep. 1111 Education on S.B. No. 847

The purpose of this measure is to improve public education in Hawaii by amending available bonuses for National Board certified teachers to account for changes in state and federal school benchmark designations and to provide for continuing bonuses for teachers who continue to teach at formerly high-need schools that have improved and are no longer categorized as high-need.

The Department of Education, Hawaii Teacher Standards Board, Hawaii State Teachers Association, Hui for Excellence in Education, IMUAlliance, and numerous concerned individuals supported the measure.

Your Committee has amended the measure by:

- (1) Providing that all public school teachers who would have been eligible in the 2014 calendar year for bonuses according to the criteria contained in this measure, had this measure been in effect, shall be paid such bonus or bonuses during the 2015 calendar year, in addition to any other bonus or bonuses for the 2015 calendar year; 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. 847, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 847, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito, Kong, Say and Tupola.

SCRep. 1112 Education on S.B. No. 836

The purpose of this measure is to improve public charter schools' access to facilities by, among other things:

- (1) Requiring state departments, when considering whether to close a particular facility, to give reasonable consideration to making all or portions of the facility available to public charter schools and pre-plus programs, as long as the facilities may be used for any other purpose that the Department of Education deems appropriate;
- (2) Requiring state departments to identify and notify the Department of Education, State Public Charter School Commission, and Executive Office on Early Learning of unused facilities that may be appropriate for use for public charter schools, early learning programs, and any other purpose that the Department of Education deems appropriate;
- (3) Requiring state departments to inventory such suitable facilities; and
- (4) Requiring the State Public Charter School Commission and Executive Office on Early Learning to:
 - (A) Solicit applications from public charter schools and pre-plus programs that are interested in using and occupying all or portions of available facilities; and
 - (B) Submit a prioritized list of public charter schools and pre-plus programs to the Department of Education, which will make the final determination about which public charter schools and pre-plus programs, if any, will be allowed to use and occupy the facilities.

The State Public Charter School Commission, Hawaii State Teachers Association, and a concerned individual supported the measure. The Office of Hawaiian Affairs supported the measure with amendments. The Department of Education and Hawaii Public Charter Schools Network submitted comments.

Your Committee has amended the measure by:

- (1) Providing that it is the Department of Accounting and General Services, in consultation with the Department of Education, that determines appropriate uses of closed facilities and makes a final determination of which charter schools and pre-plus programs will be authorized to use such facilities; and
- (2) Making conforming amendments.

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

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. 836, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 836, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito, Kong, Say and Tupola.

SCRep. 1113 Education on S.B. No. 831

The purpose of this measure is to strengthen the public charter school system in Hawaii by:

- (1) Aligning the requirements for start-up and conversion charter schools by, among other things:
 - (A) Including conversion charter schools within the provisions of section 302D-13, Hawaii Revised Statutes, which relates to the establishment of start-up charter schools; and
 - (B) Repealing section 302D-14, Hawaii Revised Statutes, which contains the existing provisions on the establishment of conversion charter schools;
- (2) With respect to start-up charter schools:

- (A) Allowing a student who is currently enrolled in a charter school that has been notified of the prospect of revocation or is closing, to receive first priority to enroll at another charter school to which the student applies or to be placed at the top of the waitlist for enrollment; and
- (B) Allowing the start-up charter school to give an enrollment preference through a weighted lottery to educationally disadvantaged students; and
- (3) Making housekeeping amendments related to public charter schools.

The State Public Charter School Commission supported the measure. A concerned individual testified in opposition. Kanu O Ka Aina Learning Ohana submitted comments.

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. 831, 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 Representatives Aquino, Ing, Ito, Kong, Say and Tupola.

SCRep. 1114 Education on S.B. No. 181

The purpose of this measure is to honor individuals whose high school educations were interrupted as a result of:

- (1) Compulsory military service; or
- (2) Wartime practices such as internment during World War II,

by delaying until June 30, 2020, the repeal of the Department of Education program that awards high school diplomas to such individuals.

The state Office of Veterans Services, Hawaii State Teachers Association, and a concerned individual supported the measure. The Department of Education supported the intent of the measure.

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. 181, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.

SCRep. 1115 Education/Higher Education on S.B. No. 374

The purpose of this measure is to expand opportunities for public high school students to earn both high-school and college-level academic credit simultaneously.

More specifically, this measure:

- (1) Renames the Running Start Program as the Dual Credit Program;
- (2) Allows qualified high-school students in the ninth and tenth grades, not just the eleventh and twelfth grades, to participate in the Dual Credit Program;
- (3) Exempts students participating in the Dual Credit Program from paying University of Hawaii tuition and fees;
- (4) Specifies that certain student qualifications deemed appropriate by the Department of Education or University of Hawaii must be uniform across all campuses of the University of Hawaii that offer qualified courses;
- (5) Specifies that University of Hawaii entry-level credit-bearing courses that fulfill an undergraduate or graduate degree course requirement and that are completed successfully also satisfy the Department of Education's graduation requirements; and
- (6) Appropriates funds to the Department of Education and University of Hawaii for staff and other resources to administer the Dual Credit Program.

The Department of Education, University of Hawaii, Hawaii State Teachers Association, Hui for Excellence in Education, Hawaii Business Roundtable, Kamehameha Schools, North Hawaii Education and Research Center, and a concerned individual supported the measure. Four concerned individuals supported the measure with amendments.

Your Committees have amended the measure by:

- (1) Also allowing home-schooled high school students to participate in the Dual Credit Program; 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 Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 374, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 374, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ito, Kong, LoPresti, Matsumoto and Tupola.

SCRep. 1116 Transportation on S.B. No. 415

The purpose of this measure is to enhance traffic safety, particularly for bicyclists, by allowing bicyclists to signal a right turn by using their right hand and arm extended horizontally from the right side of the bicycle.

The Department of Transportation Services of the City and County of Honolulu and Hawaii Bicycling League testified in support of this measure.

Under current law, all road users using hand signals, including bicyclists, are required to signal a right turn by extending their left arm outwards and bent upward at the elbow. While this is necessary for motorists, bicyclists are able to safely use their right arm to signal right turn movements. Using the extension of the right arm to signal a right turn is a more intuitive and understandable method of providing motor vehicle drivers advanced indication of the intent of a bicyclist to make a right turn and your Committee finds that this will help to make bicycling safer.

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. 415 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 1117 Transportation on S.B. No. 233

The purpose of this measure is to improve the process for the registration of used vehicles sold through a car dealership or motor vehicle rental company by allowing the Directors of Finance of each county to enter into contracts with car dealerships and motor vehicle rental companies to register used vehicles, in the same manner that new vehicles are registered.

The Hawaii Automobile Dealers Association testified in support of this measure.

Under current law, the county Directors of Finance are allowed to enter into contracts with new car dealerships and motor vehicle rental companies for the registration of new motor vehicles. However, when a new car dealership or motor vehicle rental company sells a used vehicle, the registration of that used vehicle generally is the responsibility of the individual purchasing the vehicle.

Your Committee finds that, as used car dealerships and motor vehicle rental companies are increasing their sales of used cars in response to growing consumer demand, it is sensible to allow these entities to register used vehicles to the same extent that they register new vehicles.

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. 233, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 1118 Transportation on S.B. No. 416

The purpose of this measure is to increase traffic safety for bicyclists and promote cycling as an alternative mode of transportation. Among other things, this measure:

- (1) Authorizes the use of State Highway Fund monies for the establishment of cycle tracks;
- (2) Defines what constitutes a cycle track;
- (3) Specifies authorized uses of a cycle track under the Statewide Traffic Code; and
- (4) Authorizes lanes, paths, routes, ways, and cycle tracks to be used by pedestrians, non-motorized vehicles, and mopeds in accordance with rules adopted by the Department of Transportation or the adoption of an ordinance by a county.

The Department of Transportation Services of the City and County of Honolulu, Honolulu Police Department, and Hawaii Bicycling League testified in support of this measure. The Department of Transportation supported the intent of this measure.

Bicycling is an ideal alternative to motorized vehicle travel since it reduces traffic, is environmentally friendly, and promotes good health. However, despite Honolulu's beautiful weather and mostly flat terrain, the city ranks 40th in the nation in the League of American Bicyclists' bike-friendly-state rankings, with bicyclists facing numerous dangers on their daily commute.

One alternative to address bicycle safety is through the creation of a cycle track, which is an exclusive bikeway that is physically separated from motor traffic and distinct from the sidewalk. This type of bikeway facility has been in use in Northern Europe since the 1960s and has grown in use and popularity in the United States over the last decade. Honolulu's first cycle track was established on King Street in December of 2014. Authorizing the use of State Highway Fund monies for the establishment of additional cycle tracks would help to promote an alternative form of transportation, promote bicycle safety, and alleviate traffic congestion, particularly in Honolulu's urban core.

Cycle tracks also fulfill the intent of the Complete Streets Policy established under section 264-20.5, Hawaii Revised Statutes (HRS), "that seeks to reasonably accommodate convenient access and mobility for all users of the public highways within their respective jurisdictions as described under section 264-1, [HRS,] including pedestrians, bicyclists, transit users, motorists, and persons of all ages and abilities."

While your Committee finds that questions and concerns were raised regarding the restriction by rule or county ordinance, if any, on the use of lanes, paths, routes, ways, and cycle tracks by pedestrians, non-motorized vehicles, and mopeds, this measure deserves further consideration.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

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. 416, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 416, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 1119 Transportation on S.B. No. 611

The purpose of this measure is to improve the effectiveness and efficiency of current statutes regarding license revocation for the operation of a vehicle under the influence of an intoxicant, as well as to expedite the reissuance of a driver's license once a license revocation period has expired, while continuing to maintain the safety of Hawaii's roadways. Specifically, this measure:

- (1) Allows an ignition interlock permit holder to take necessary tests to apply for relicensing during the final thirty days of the revocation period;
- (2) Prohibits the operation of a vehicle with an ignition interlock permit without a state identification card; and
- (3) Prohibits the operation of a vehicle once a notice of administrative revocation that serves as a temporary permit has expired, unless the driver has a valid driver's license.

The Department of Transportation, Office of the Prosecuting Attorney of the County of Kauai, Honolulu Police Department, and Mothers Against Drunk Driving HAWAII testified in support of this measure.

Currently, a driver whose license is revoked for operating a vehicle under the influence of an intoxicant cannot begin the relicensing process until the end of the revocation period. In order to be relicensed, drivers must take the written examination, obtain an instructional permit, and schedule a road test, all of which may take several months. As such, a person may have to wait a significant amount of time before being fully licensed once the revocation period is completed. Meanwhile, drivers with an ignition interlock device who may drive unsupervised during their revocation period must drive with a licensed driver while they wait for full licensure. Your Committee finds that allowing drivers with a valid ignition interlock permit the opportunity to complete their written and road tests prior to the end of their revocation period would create an additional incentive to install an ignition interlock device, leading to safer roadways. In addition, allowing responsible drivers to be fully relicensed immediately following their revocation period provides them with the opportunity to continue driving legally.

Your Committee also notes that under Hawaii's ignition interlock law, drivers who have a valid ignition interlock permit are not required to show any form of photo identification when stopped by law enforcement, which makes the determination of compliance with the law difficult for law enforcement. Requiring drivers to have a valid State of Hawaii identification card gives law enforcement officers the ability to positively identify drivers with ignition interlock permits and verify the driver's license and permit status.

Your Committee has amended this measure by changing its effective date to July 1, 2015.

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. 611, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 611, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, Nakashima and Tupola.

SCRep. 1120 Energy & Environmental Protection on S.B. No. 1118

The purpose of this measure is to preserve public health and address the dangerously low balance in the Environmental Response Revolving Fund due to reduced deposits from the tax on petroleum products and increased demand for hazard evaluation and emergency response. Specifically, this measure provides an emergency appropriation of \$800,000 to the Fund and appropriates the same amount from the Fund for hazard evaluation and emergency response preparedness.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 227 to the Legislature, requested immediate consideration and passage of this measure by the Legislature.

The Department of Health, Surfrider Foundation, and an individual supported 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 is in accord with the intent and purpose of S.B. No. 1118, 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.

SCRep. 1121 Energy & Environmental Protection on S.B. No. 359

The purpose of this measure is to strengthen the self-sustainability of the State by:

- (1) Adjusting the allocations from the Environmental Response, Energy, and Food Security Tax to the Environmental Response Revolving Fund, Energy Security Special Fund, Energy Systems Development Special Fund, and Agricultural Development and Food Security Special Fund;
- (2) Making permanent the Agricultural Development and Food Security Special Fund and repealing the June 30, 2030, lapse date of unexpended or unencumbered moneys in the Fund; and

- (3) Making permanent the amendments made under Act 73, Session Laws of Hawaii 2010, to the Environmental Response Revolving Fund; Energy Security Special Fund; and Environmental Response, Energy, and Food Security Tax.

The Department of Health, Hawaii Invasive Species Council, Environmental Council of the State of Hawaii, Board of Water Supply of the City and County of Honolulu, Nature Conservancy of Hawaii, Hawaii Farm Bureau, Hawaii Energy Policy Forum, Hawaii Green Growth, Renewable Energy Action Coalition of Hawaii, and a concerned individual supported the measure. The Department of Agriculture, Department of Budget and Finance, Hawaii Natural Energy Institute at the University of Hawaii at Manoa, Ulupono Initiative, and Tax Foundation of Hawaii submitted comments.

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 is in accord with the intent and purpose of S.B. No. 359, 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 Ing and Yamane.

SCRep. 1122 Energy & Environmental Protection on S.B. No. 1042

The purpose of this measure is to authorize the Department of Budget and Finance, with the approval of the Governor, to issue up to \$50,000,000 in special purpose revenue bonds to assist SunStrong LLC in providing renewable electric energy and installing renewable energy projects in Hawaii.

SunStrong LLC supported this measure. The Department of Budget and Finance commented on this measure.

Your Committee has amended this measure by changing the amount of special purpose revenue bonds authorized to an unspecified amount.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider authorizing the issuance of up to \$50,000,000 in special purpose revenue bonds for the purposes 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 is in accord with the intent and purpose of S.B. No. 1042, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1042, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1123 Energy & Environmental Protection on S.B. No. 1295

The purpose of this measure is to promote renewable energy technology in Hawaii and support the State's economy by:

- (1) Allowing the Department of Business, Economic Development, and Tourism and the Natural Energy Laboratory of Hawaii Authority to enter into inter-agency agreements with each other without entering into a memorandum of agreement or memorandum of understanding; and
- (2) Incentivizing the research, development, and commercialization of renewable energy technology in Hawaii by allowing business activities relating to energy produced by ocean thermal energy conversion, solar, or hydrogen and to technologies, including hydrogen research and development, to qualify a business for incentives under the State Enterprise Zone Program.

The Natural Energy Laboratory of Hawaii Authority supported the measure. The Department of the Attorney General, Department of Taxation, and Tax Foundation of Hawaii submitted comments.

Your Committee has amended the measure by:

- (1) Deleting the provisions related to inter-agency agreements between the Department of Business, Economic Development, and Tourism and the Natural Energy Laboratory of Hawaii Authority; and
- (2) Transferring the business-incentive provisions from Chapter 227D, Hawaii Revised Statutes (Natural Energy Laboratory of Hawaii Authority), to Chapter 209E, Hawaii Revised Statutes (State Enterprise Zones), by amending the definition of "eligible business activity".

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 is in accord with the intent and purpose of S.B. No. 1295, S.D. 1, 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. 1295, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1124 Energy & Environmental Protection on S.B. No. 1150

The purpose of this measure is to maintain the viability of naphtha as fuel for power-generating facilities by making permanent the per-gallon tax on naphtha sold for use in a power-generating facility to produce electricity.

Kauai Island Utility Cooperative supported the measure. A concerned individual testified in opposition. The Department of Taxation and Tax Foundation of Hawaii submitted comments.

Your Committee has amended the measure by:

- (1) Extending the sunset provision on the per-gallon tax on naphtha sold for use in a power-generating facility to produce electricity for an additional three years rather than making the tax permanent; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1150, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1150, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1125 Judiciary on S.B. No. 213

The purpose of this measure is to:

- (1) Require the Department of Public Safety to post written notices in all inmate housing units and correctional facility libraries for a period of two months that defendants sentenced prior to June 18, 2008, may be eligible for recalculation of their multiple terms of imprisonment and have a right to petition the court for clarification or correction of their sentence when there is good cause; and
- (2) Require petitions for clarification or correction of a sentence to be served on the Department of Public Safety and the Department of the Attorney General as parties of interest, and the appropriate prosecuting attorney.

The Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, American Civil Liberties Union of Hawaii, and a concerned individual supported this measure. The Office of the Public Defender, Community Alliance on Prisons, and Hawaii Innocence Project supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Requiring the Department of Public Safety to send written notice to defendants with multiple terms of imprisonment imposed prior to June 18, 2008, within six months of the effective date of this measure;
- (2) Requiring the written notice to include notice of the defendant's right to have the court review the defendant's sentence and deleting the good cause requirement for submission of a petition for clarification or correction;
- (3) Deleting the requirements for service of a petition; and
- (4) Making it effective upon its approval.

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. 213, 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. 213, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1126 Judiciary on S.B. No. 442

The purpose of this measure is to:

- (1) Specify that the forwarding address for voters with permanent absentee voter status shall be the mailing address contained in the voter's registration record; and
- (2) Require that voters seeking to have permanent absentee ballots forwarded to another address, within the county, reapply for an absentee ballot.

The Office of Elections; Office of the City Clerk, City and County of Honolulu; Office of the County Clerk, County of Kauai; Office of the County Clerk, County of Hawaii; Office of the County Clerk, County of Maui; and League of Women Voters testified in support of this measure.

Your Committee has amended this measure by:

- (1) Specifying that the forwarding address for voters with permanent absentee voter status shall be the in-state mailing address contained in the voter's registration record. Voters seeking to have permanent absentee ballots forwarded to another address must reapply for an absentee ballot; and
- (2) Changing its effective date to upon its approval.

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. 442, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 442, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, McDermott and Thielen.

SCRep. 1127 Judiciary on S.B. No. 675

The purpose of this measure is to improve medical coverage for firefighters by providing for comprehensive medical coverage through workers' compensation benefits by establishing a rebuttable presumption that a firefighter who suffers from cancer, a blood-borne infectious disease, or exposure to biomedical substances, contracted the condition in the course of employment.

The Honolulu Fire Department; Maui Fire Department; Hawaii Fire Department; State of Hawaii Organization of Police Officers; and the Hawaii Fire Fighters Association, Local 1463, AFL-CIO supported this measure. The Hawaii Insurers Council opposed this measure. The Department of Labor and Industrial Relations; Department of Human Resources Development; and the Department of Human Resources of the City and County of Honolulu commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the workers' compensation benefits shall include one-hundred percent of the average weekly wages, disability indemnity, and death benefits;
- (2) Specifying that the rebuttable presumption shall only be rebutted by a finding of substantial evidence to the contrary;
- (3) Removing the extension of the rebuttable presumption;
- (4) Removing the provision that bars compensation for an injury incurred through either wilful intention, non-work related physical altercation other than in self-defense; or intoxication;
- (5) Specifying the process and payment for a firefighter's referral to a medical specialist by a physician;
- (6) Changing the effective date to upon its approval; and
- (7) 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. 675, 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. 675, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1128 Judiciary on S.B. No. 1066

The purpose of this measure is to update the Uniform Interstate Family Support Act originally adopted in 1997.

More specifically, this measure:

- (1) Adopts amendments to the Uniform Interstate Family Support Act proposed in 2001 by its authors, the Uniform Law Commission, that refined jurisdictional rules, clarified how a controlling order is determined and reconciled when multiple state orders are issued, distinguished court jurisdiction for support enforcement and for child custody purposes, provided guidance to state support enforcement agencies, covered foreign country support orders, and made technical amendments;
- (2) Updates the Uniform Interstate Family Support Act to reflect requirements of the Hague Convention of the International Recovery of Child Support and Other Forms of Family Maintenance to which the United States became a signatory in 2007; and
- (3) Provides procedures for registration, recognition, enforcement, and modifications of support orders from countries that are parties to the Hague Convention.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Commission to Promote Uniform Legislation.

Your Committee finds that since 1998, the Uniform Interstate Family Support Act (UIFSA) has been adopted by all fifty states, including Hawaii. UIFSA has provided uniform rules for the enforcement of family support orders in the United States, and has served as the basis for interstate establishment and enforcement of family support obligations. The 2014 federal Preventing Sex Trafficking and Strengthening Families Act, enacted as Public Law 113-183, requires all states to enact any amendments to UIFSA that were officially adopted as of September 30, 2008, by the Uniform Law Commission. These amendments, among other things, implement various provisions of the Hague Convention of the International Recovery of Child Support and Other Forms of Family Maintenance.

Your Committee further finds that the amendments made by this measure will bring state law into compliance with the requirements of Public Law 113-183. Your Committee also notes that, if these amendments are not adopted during the Regular Session of 2015, the State may lose significant federal funds necessary to discharge its child support enforcement obligations.

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. 1066, S.D. 1, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1129 Judiciary on S.B. No. 1072

The purpose of this measure is to provide an emergency appropriation of \$1,100,000 to the Department of the Attorney General for fiscal year 2014-2015 to retain expert witnesses and expert counsel for major litigation involving the State.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 225 to the Legislature, requested immediate consideration and passage of this bill by the Legislature to retain expert witnesses and expert counsel for major litigation involving the State.

The Department of the Attorney General testified in support of this measure.

Your Committee is concerned about the repeated requests for emergency appropriations to cover long-term litigation costs. Your Committee requests that the Executive Branch, together with the Department of the Attorney General, consider requesting additional attorneys and in-house support staff to handle the long-term cases and provide for litigation needs through the regular budget process. Your Committee recommends that the Attorney General review its strategy in the *Kalima v. State of Hawaii* case in order to efficiently plan, budget, and resolve the outstanding claims on behalf of beneficiaries and the State. Your Committee respectfully requests the Committee on Finance to consider these issues in the review of this measure and the overall State budget.

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. 1072 and recommends that it pass Second Reading and be referred to the Committee on Finance.

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

SCRep. 1130 Judiciary on S.B. No. 202

The purpose of this measure is to assure public access to information on the ballot issue or candidate that is the object of a noncandidate committee's expenditures by clarifying reporting requirements for the noncandidate committees' electioneering communications.

One concerned individual testified in support of this measure. The Department of the Attorney General and Campaign Spending Commission provided comments.

Your Committee finds that the current expenditure reporting requirements regarding ballot issue advocacy by noncandidate committees provide insufficient information to the public. Noncandidate committees who are ballot issue committees are required to disclose the ballot issue advocacy only in the organizational report and not in periodic expenditure reports. Additionally, noncandidate committees that are not registered to, and do not, exclusively advocate on ballot issues or questions are not required to report their ballot issue advocacy in any campaign spending report. Your Committee believes that mandating disclosure of ballot issue advocacy expenditures will result in consistent and more transparent reporting.

Your Committee has amended this measure to:

- (1) Amend the preamble to state that the measure is intended to increase, and not merely clarify, the reporting requirements for all expenditures that relate to ballot issue advocacy;
- (2) Require noncandidate committees to identify the ballot issue or question and whether the committee supports or opposes the ballot issue or question when reporting any expenditures related to ballot issue advocacy;
- (3) Align the reporting on expenditures for ballot issue advocacy with the late contribution and expenditure report statute;
- (4) Amend the definition of "independent expenditures" to include ballot issue advocacy;
- (5) Delete the amendment to the definition of "electioneering communication" as it does not relate to the expenditure reports and is unnecessary to the measure's purpose;
- (6) Clarify that noncandidate committees are not subject to ballot issue advocacy disclosure if they do not advocate on a ballot issue;
- (7) Make this measure effective on its approval; and
- (8) Make 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. 202, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 202, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1131 Judiciary on S.B. No. 996

The purpose of this measure is to appropriate \$130,000 for the Hawaii State Ethics Commission to design and develop a system that allows filers to electronically file required statements and reports with the Commission.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, the League of Women Voters, and one individual.

Your Committee notes that testimony raised concerns that the Hawaii State Ethics Commission's current website is not entirely accessible to individuals with disabilities and fails to fully comply with Americans with Disabilities Act (ADA) requirements. However, your Committee finds that the Commission has acknowledged that it is aware of the limitations of its present website and intends that the proposed electronic filing system will be accessible and ADA-compliant, and the Commission has indicated that it will continue to assess the accessibility of the website going forward.

Your Committee has amended this measure by making it effective upon approval. Your Committee requests that the Committee on Finance consider changing the effective date of the measure to coincide with the beginning of the 2015-2016 fiscal year if it deems such a change necessary.

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. 996, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 996, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1132 Higher Education on S.B. No. 1146

The purpose of this measure is to extend the authority of the University of Hawaii to maintain a separate accounting and financial management system.

The University of Hawaii supported the measure.

Your Committee has amended the measure by:

- (1) Reducing the extension of the authority of the University of Hawaii to maintain a separate accounting and financial management system from three years to one year;
- (2) Also requiring the University of Hawaii Board of Regents to submit to the Legislature a program performance report for each fiscal quarter that shows a comparison of actual revenues and expenditures versus budgeted revenues and expenditures; and
- (3) Changing the effective date to June 29, 2025.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1146, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1146, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Say, Matsumoto and Tupola.

SCRep. 1133 Higher Education on S.B. No. 325

The purpose of this measure is to provide funds for the University of Hawaii to pay student employee salaries at new or expanded worksites on each campus.

The University of Hawaii supported the intent of the measure.

Your Committee has amended the measure by:

- (1) Requiring the University of Hawaii to develop and implement the Graduation Pathway System on all campuses of the University of Hawaii system no later than the fall semester of 2016 and appropriating funds, including for new staff positions, for this purpose;
- (2) Appropriating funds for staff, including a director, for the University of Hawaii Center on Aging;
- (3) Directing each campus of the University of Hawaii, in estimating its quarterly budget requirements, to prepare an operations plan for the fiscal year for each of the programs that it is responsible for administering;
- (4) Providing that at the end of each fiscal year, the moneys in the University of Hawaii Tuition and Fees Special Fund for each campus must lapse to the credit of Program Identification Number UH900 (University of Hawaii, system wide support);
- (5) Requiring the President and Vice President for Budget and Finance and Chief Financial Officer of the University of Hawaii to review the operations plan for each campus to:
 - (A) Determine if the operations plan meets certain criteria; and
 - (B) Approve the operations plan, or modify or withhold the planned expenditures, depending on whether the criteria are met;
- (6) Establishing the Office of the Ombuds, to be attached administratively to the University of Hawaii system office and appropriating funds for this purpose;
- (7) Appropriating funds for staff and materials for the University of Hawaii to comply with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013 at each of the University of Hawaii system campuses;
- (8) Transferring the Office of Gender Equity from the University of Hawaii at Manoa to the University of Hawaii system office;
- (9) Transferring various existing positions to the Office of Gender Equity at the University of Hawaii system office;
- (10) Converting various existing positions to Title IX Coordinator positions at the University of Hawaii at Manoa, University of Hawaii at Hilo, and University of Hawaii community colleges;
- (11) Directing the Auditor to conduct audits of the University of Hawaii's management of faculty workload;
- (12) Appropriating funds to establish two graduate assistant positions at the Hawaii Educational Policy Center at the University of Hawaii;
- (13) Requiring the University of Hawaii to provide nonsupervisory employees in blue-collar positions and similarly situated officers and employees who are excluded from collective bargaining with the same educational benefits provided to faculty of the University of Hawaii and community college system;
- (14) Changing its effective date to July 1, 2025, to facilitate further discussion; and
- (15) 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 is in accord with the intent and purpose of S.B. No. 325, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 325, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing and Ito.

SCRep. 1134 Higher Education on S.B. No. 160

The purpose of this measure is to improve fiscal accountability at the University of Hawaii by:

- (1) Statutorily establishing the University of Hawaii Quasi-endowment Trust Fund;
- (2) Re-establishing the Hawaii Educator Loan Program Special Fund and Community Colleges Special Fund as revolving funds and transferring unencumbered special fund balances to the newly established revolving funds; and
- (3) Repealing the University of Hawaii Alumni Special Fund; Animal Research, Waialeale, Oahu Special Fund; Career and Technical Training Projects Revolving Fund; Senator Hiram K. Fong Scholarship Program Endowment Trust Fund; and Senator Oren E. Long Scholarship Program Endowment Trust Fund.

The University of Hawai'i supported the measure. The Office of the Auditor and Tax Foundation of Hawaii submitted comments.

Your Committee has amended the measure by:

- (1) Reclassifying the Hawaii Educator Loan Program Special Fund and Community Colleges Special Fund as revolving funds through statutory amendments rather than repeal and re-establishment;
- (2) Deleting the annual lapse of unencumbered funds in the Hawaii Educator Loan Program Revolving Fund to the general fund;
- (3) Repealing the Hawaii Medical Education Special Fund, Discoveries and Inventions Special Fund, and Hawaii Health Corps Revolving Fund;
- (4) Reclassifying the Professional Student Exchange Program Special Fund as a revolving fund;
- (5) Abolishing the administratively established Hurricane Iniki Insurance Proceeds Special Fund, Agency Fund Trust Account, and University of Hawaii Okinawa Program Trust Fund; and
- (6) Making technical, nonsubstantive amendments, including conforming 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 is in accord with the intent and purpose of S.B. No. 160, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 160, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing and Ito.

SCRep. 1135 Consumer Protection & Commerce on S.B. No. 464

The purpose of this measure is to better protect consumers by enhancing the regulation of automatic renewal or continuous service offers by:

- (1) Requiring persons charging a consumer's credit or debit card or account for automatic renewal or continuous service offers to first obtain the consumer's acknowledgement and affirmative consent;
- (2) Requiring an acknowledgement that includes the terms and cancellation policy in a manner that is capable of being retained by the consumer;
- (3) Requiring a person making automatic renewal or continuous service offers to provide certain contact information in the acknowledgement; and
- (4) Requiring that the consumer be notified of any material change in the terms of the automatic renewal or continuous service offer.

The Office of Consumer Protection of the Department of Commerce and Consumer Affairs and an individual testified in support of this measure. Oceanic Time Warner Cable, Hawaiian Telcom, Internet Coalition, and the Consumer Data Industry Association provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that a person who sells or offers to sell any products or services to a consumer pursuant to a consumer contract, which has a specified term of more than one month and an automatic renewal clause under which the contract will renew for a specified term of more than one month unless the consumer cancels the contract shall clearly and conspicuously disclose the continuous service clause and procedure by which the consumer can cancel the contract;
- (2) Limiting the requirements of this measure to a consumer contract that has a specified term of more than one month and an automatic renewal clause under which the contract will renew for a specified term of more than one month unless the consumer cancels the contract;
- (3) Prohibiting the charging of a consumer's credit or debit card or account with a third party for an automatic renewal or continuous service without first providing the consumer with an acknowledgement containing certain provisions;

- (4) Defining "continuous service";
- (5) Changing the effective date to July 1, 2112, 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. 464, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 464, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1136 Consumer Protection & Commerce on S.B. No. 134

The purpose of this measure is to adopt the Uniform Partition of Heirs Property Act.

More specifically, this measure establishes procedures and remedies to be used in actions for partition of real property that is known as heirs property. The measure defines the term "heirs property" as real property that is held under a tenancy in common in which there is no binding agreement among the cotenants governing partition of the property. Additionally, one or more of the cotenants must have acquired title from a relative, and one of the following must be true:

- (1) Twenty per cent or more of the interests are held by cotenants who are relatives;
- (2) Twenty per cent or more of the interests are held by an individual who acquired title from a relative; or
- (3) Twenty per cent or more of the cotenants themselves are relatives.

Your Committee received comments on this measure from the Judiciary and the Commission to Promote Uniform Legislation.

Your Committee finds that partitioning real property held in tenancy in common without a binding agreement, when one or more of the cotenants acquired their interest from a relative, can be an unfair and complicated process. A partition of real property held in tenancy in common can result in tenants being forced from their family homes and real property being valued below fair market value. Your Committee believes that this measure provides cotenants of heirs property with many of the protections and rights commonly found in private agreements governing the partition of tenancy-in-common property by establishing procedures and remedies to be used under certain real property partition actions.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to facilitate further discussion on the measure.

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. 134, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 134, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1137 Economic Development & Business on S.B. No. 1155

The purpose of this measure is to more efficiently allocate the resources that support Hawaii's creative media industry. Specifically, this measure, among other things:

- (1) Assigns to the Hawaii Tourism Authority the responsibilities for film development and marketing;
- (2) Transfers the Film Industry Branch of the Creative Industries Division of the Department of Business, Economic Development, and Tourism to the Hawaii Tourism Authority; and
- (3) Establishes and appropriates general funds to the Film Development and Marketing Special Fund for implementation of film development and marketing activities by the Hawaii Tourism Authority.

The Hawaii Tourism Authority testified in support of this measure. The Department of Business, Economic Development, and Tourism supported the intent of this measure. The American Federation of Musicians' Local 677, SAG-AFTRA, Hawaii Local, and I.A.T.S.E. Local 665 testified in opposition to this measure. The Department of Taxation and Department of Budget and Finance provided comments.

Hawaii has the status of being a dynamic and stunning film production center and is also blessed with a vibrant and growing entertainment economy. According to the Department of Business, Economic Development, and Tourism, film production activity has been on the rise. This rise in activity currently has a positive impact on the economy of Hawaii through job creation, increased tax revenues, and priceless marketing exposure for the state's visitor industry on a global scale throughout the year. The benefits of the industry are expected to persist and grow.

Furthermore, according to the Hawaii Tourism Authority, the 2000 Film and Television Study found that the film business is good business for Hawaii's visitor-based economy. The study found that, in addition to free advertising and marketing through the showcasing of Hawaii and the Hawaii brand, key visitor businesses are directly and substantially affected. As an example, it was reported that film-related business for one Oahu hotel totaled 4,300 room nights, valued at \$1.6 million. Additionally, the film industry also contributes to the economy by employing the services of businesses such as airlines, vehicle rentals, restaurants and caterers, and various suppliers and retailers.

Your Committee finds that the film industry and tourism industry in Hawaii share a common bond beneficial to the entire State of Hawaii. Providing structure to optimize the development of the industry by pooling diverse and fragmented resources to aggressively market and nurture the continued growth of the film industry will allow for the expansion of Hawaii's opportunities in this industry.

Your Committee has amended this measure by amending the definition of "film" to include digital media, in conformity with the definition for tax credit eligibility.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1155, 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. 1155, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Ohno and Ward.

SCRep. 1138 Economic Development & Business on S.B. No. 661

The purpose of this measure is to support the development and operation of an unmanned aerial systems test site in Hawaii. Among other things, this measure:

- (1) Establishes the Hawaii Unmanned Aerial Systems Test Site Advisory Board as a subcommittee of the Hawaii Aerospace Advisory Committee, to oversee the planning and operation of the Hawaii Unmanned Aerial Systems Test Site;
- (2) Establishes the position of the Hawaii Unmanned Aerial Systems Test Site Chief Operating Officer within the Department of Business, Economic Development, and Tourism to, among other things, serve on the Pan-Pacific Unmanned Aerial Systems Test Range Complex Management Team; and
- (3) Appropriates moneys for the purpose of staffing and operating Hawaii's unmanned aerial systems test site activities.

The Department of Transportation, Department of Defense, Hawaii Emergency Management Agency, and Hawaii Business Roundtable testified in support of this measure. The Department of Business, Economic Development, and Tourism supported the intent of this measure.

Hawaii, Alaska, and Oregon are cooperative members of the Pan-Pacific Aerial Systems Test Range Complex, which is one of the six Federal Aviation Administration designated national test sites for the development of unmanned aerial systems' operating standards and regulations. The University of Alaska has established a board of directors to support a Pan-Pacific Aerial Systems Test Range Complex management team, and the board of directors is to include the chief operating officer from each state. Your Committee finds that Hawaii does not currently have a chief operating officer to join the board of directors and this measure addresses this issue.

Your Committee also finds that unmanned aerial systems are an emerging technology with significant capability for commercial and national security applications. The integration of this technology into the national airspace is projected to have an estimated worth of more than \$82,000,000,000 between 2015 and 2025, and it is expected to create 103,776 new jobs by 2025. As a member of the Pan-Pacific Aerial Systems Test Range Complex, Hawaii should capitalize on this opportunity and support the development of technology that can have a substantial positive impact on Hawaii's economy.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 661, 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 Representatives Cachola and Woodson.

SCRep. 1139 Economic Development & Business on S.B. No. 1279

The purpose of this measure is to stimulate economic development in Hawaii's technology business sector by prohibiting the use of noncompete agreements or restrictive covenants in employment contracts that restrict beyond one year any post-employment competition for employees of a technology business.

Radical Synergies LLC, eHana LLC, New England Venture Capital Association, O & A Consulting LLC, and several concerned individuals testified in support of this measure. PacRim Marketing, Inc., and PRTech, LLC testified in opposition to this measure. The Department of Education, High Technology Development Corporation, and Techmana LLC provided comments.

Noncompete agreements or non-solicit clauses are often contained in employment-related contracts, particularly in the technology sector. These restrictive covenants effectively prevent an individual from working at an organization with which a former employer competes or does business. Your Committee finds that these restrictive covenants impede the development of businesses within the State by limiting skilled workers' mobility within the State, forcing many of these workers to seek employment in other jurisdictions, and requiring local businesses to solicit skilled workers from outside the State. Eliminating these restrictive covenants in contracts for employees in the technology business sector will stimulate Hawaii's economy by preserving and providing jobs and provide opportunities for these employees to establish new companies and new job opportunities in the State.

However, your Committee understands the concerns raised about the broad application this measure may have and has amended this measure by:

- (1) Narrowing the scope of the prohibition on non-compete and non-solicit clauses relating to an employee of a technology business to employment contracts only;
- (2) Deleting the one year duration restriction on noncompete agreements and restrictive covenants;
- (3) Specifying that a technology business is one that derives a majority of its revenue from the sale or license of products or services resulting from its own software or information technology development;
- (4) Deleting the definition of "information technology" and instead defining "information technology development" to mean the design, integration, deployment, or support services for software;

- (5) Excluding any telecommunications carrier as defined in section 269-1, Hawaii Revised Statutes, which holds a franchise or charter enacted or granted by the legislative or executive authority of the State or its predecessor governments as a technology business; and
- (6) Stipulating that the prohibition on noncompete or nonsolicit clause relating to an employee of a technology business shall apply to all written, binding noncompete and nonsolicit clauses entered into after June 30, 2015.

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

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1279, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1279, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Cachola and Woodson.

SCRep. 1140 Economic Development & Business on S.B. No. 1157

The purpose of this measure is to continue working toward implementing a statewide strategy to reduce nighttime light pollution. Specifically, this measure:

- (1) Makes permanent the Starlight Reserve Advisory Committee (Advisory Committee), which was established as a temporary committee in 2009; and
- (2) Corrects references to the Office of Hawaiian Affairs' representative on the Advisory Committee.

The Office of Hawaiian Affairs, Starlight Reserve Advisory Committee, and a concerned individual testified in support of this measure. The Department of Transportation and Department of Business, Economic Development, and Tourism supported the intent of this measure.

The Advisory Committee was established as a temporary committee in 2009 to help preserve the quality of the night sky for its cultural, scientific, and environmental values. The mission of the Advisory Committee was to assist the Department of Business, Economic Development, and Tourism in developing a statewide starlight reserve strategy and developing legislation to implement the strategy. In 2012, the Advisory Committee made recommendations to the Legislature, and the Legislature enacted Act 287, Session Laws of Hawaii 2012, which is codified as section 201-8.5, Hawaii Revised Statutes. Section 201-8.5, which is applicable to state agencies, implements a night sky protection strategy containing limitations and requirements related to artificial night lighting.

Nonetheless, your Committee was informed that the issue of nighttime light pollution is complex and achieving consensus among the various entities and government agencies regarding a comprehensive statewide starlight reserve strategy has been a challenge. Continuing the efforts of the Advisory Committee will help reduce nighttime light pollution and preserve Hawaii's dark skies for astronomy, protect endangered species, improve human health, and reduce nighttime energy consumption.

However, while your Committee agrees that the Advisory Committee should continue its work, your Committee finds that the provision of an additional six years for the Advisory Committee to accomplish its goals, rather than making the Advisory Committee permanent, is sufficient.

Your Committee has amended this measure by:

- (1) Extending the existence of the Advisory Committee to June 30, 2021, rather than making the Advisory Committee permanent;
- (2) Requiring the Advisory Committee to submit reports of its findings, recommendations, and any proposed legislation to the Legislature prior to the convening of the Regular Sessions of 2017 and 2019;
- (3) Changing its effective date to June 29, 2050, to facilitate 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1157, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1157, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola and Woodson.

SCRep. 1141 Economic Development & Business on S.B. No. 1158

The purpose of this measure is to establish a means by which the Pacific International Space Center for Exploration Systems (PISCES) may receive and expend funds from sources other than the state budget. Specifically, this measure establishes the PISCES Special Fund to:

- (1) Accept funds generated by PISCES from fees, rentals, publications, royalties, and patents;
- (2) Accept gifts, donations, and grants;
- (3) Accept proceeds from revenue bonds issued by the Director of Finance;
- (4) Accept appropriations by the Legislature; and
- (5) Provide monies for use by PISCES for the operation, maintenance, and management of its projects, facilities, services, and for the design and construction of new facilities and the renovation of or addition to existing facilities.

The Councilmember from Council District 3 of the Hawaii County Council, PISCES, Near Earth LLC, and two concerned individuals testified in support of this measure. The Department of Business, Economic Development, and Tourism, and Department of Budget and Finance provided comments.

PISCES was established to attract and retain aerospace investment in the State and bridge the gap between the public and private sector in the development of this industry. However, PISCES does not have a mechanism to receive funds from sources other than the state budget. In the past, PISCES has been forced to forego potential revenue because it could not respond within the performance period of available funding. Your Committee finds that establishing a special fund will enable PISCES to accept gifts, donations, and grants from non-state organizations, including the National Aeronautics and Space Administration, the National Science Foundation, and the various counties, and has the potential to make PISCES a truly self-sufficient operation in the future.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1158, 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 Cachola and Woodson.

SCRep. 1142 Economic Development & Business on S.B. No. 1001

The purpose of this measure is to create a vibrant, sustainable economy and provide for opportunities for growth in the manufacturing industry in Hawaii. Specifically, this measure:

- (1) Establishes the Manufacturing Development Program through which the High Technology Development Corporation shall distribute grants to Hawaii manufacturers for various activities; and
- (2) Appropriates funds for the Program.

The Chamber of Commerce of Hawaii, High Technology Development Corporation, Hawaii Food Industry Association, Oceanit, Meadow Gold Dairies, and KYD, Inc. dba: K. Yamada Distributors testified in support of this measure.

As one of the most isolated land masses on Earth, Hawaii must import approximately 90 percent of all products consumed annually. However, manufacturers in Hawaii produce goods that are in demand across the United States and around the world. Thus, developing and supporting manufacturing in Hawaii could serve two purposes. First, in-state manufacturing could reduce Hawaii's need to import consumer products. Second, exporting more products made in-state could lead to greater economic development.

According to the Chamber of Commerce of Hawaii, Hawaii has over 1,000 active manufacturers employing approximately 17,000 workers and Hawaii's manufacturing industry contributes to the economy by exporting manufactured goods. Providing financing options through a grant program will make Hawaii manufacturers more competitive globally, assist in the training of Hawaii's future manufacturing workforce, and allow Hawaii's manufacturing industry to grow, thereby strengthening Hawaii's economy.

However, your Committee finds that the provision of a manufacturing tax credit is a preferred option for assisting the growth of manufacturing in Hawaii. Your Committee believes that establishing such a tax credit would provide financial benefits to manufacturers, thereby increasing their growth, and would also encourage other manufacturers to begin operations in Hawaii, thereby strengthening Hawaii's economy.

As such, your Committee has amended this measure by deleting its contents and replacing it with language that:

- (1) Establishes a temporary nonrefundable income tax credit for taxpayers who incur certain equipment and training expenses in the manufacture of products in Hawaii; and
- (2) Stipulates that the tax credit shall be applicable to taxable years beginning after December 31, 2015, and be repealed on January 1, 2023.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1001, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1001, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola and Woodson.

SCRep. 1143 Economic Development & Business on S.B. No. 754

The purpose of this measure is to assist time share purchasers and time share developers by, among other things:

- (1) Providing cancellation rights to persons who contract to buy short-term products that grant a time-limited right to time share accommodations in Hawaii under Hawaii's time share law; and
- (2) Allowing for the disbursement prior to closing of purchasers' funds to a developer provided that the developer first posts a bond.

The American Resort Development Association, Wyndham Vacation Ownership, Marriott Vacations Worldwide Corporation, Starwood Vacation Ownership, and a concerned individual testified in support of this measure. The Department of Commerce and Consumer Affairs and the Regulated Industries Complaints Office (RICO) of the Department of Commerce and Consumer Affairs provided comments.

In Hawaii, and across the nation, many time share developers offer short-term products that allow prospective time share buyers to explore the time share experience on a trial basis. Some other states have adopted laws providing a seven-day right of cancellation to short-term product buyers. Your Committee finds that this right of cancellation provides the consumer with an opportunity to explore the time share experience while providing them protections should the buyer determine to cancel the purchase within a reasonable amount of time.

Your Committee finds that under current law, a developer who constructs a time share project must hold a time share buyer's funds in escrow after the seven-day cancellation period has passed until the project is completed and closing has occurred. While the developer may remove the funds from escrow, this option is only available under very limited circumstances. This requirement places significant amounts of money, potentially tens of millions of dollars, in escrow for months at a time. This measure addresses this issue by allowing a developer to use time share buyers' funds to develop a project; provided that the developer first posts a bond.

However, your Committee understands that concerns regarding consumer protections remain, particularly with regard to regulations enforced by RICO and the amount of protection afforded through a surety bond alone. Nevertheless, your Committee notes that this measure is a work in progress and that the interested parties are presently in ongoing discussions regarding the concerns raised.

Accordingly, to encourage further discussion, your Committee has amended this measure by deleting its contents and replacing them with the contents of H.B. No. 271, H.D. 2, a substantially similar measure. As amended, this measure continues to assist time share purchasers and time share developers by providing cancellation rights and providing for the disbursement of developers' funds, but includes additional consumer protections. Among other things, the amended measure:

- (1) Allows for the disbursement, prior to closing, of purchasers' funds to a developer if the developer deposits a letter of credit with the Director of Commerce and Consumer Affairs and the escrow agent;
- (2) Requires a short-term product seller to disclose in the contract to all short-term buyers that the short-term product buyer will be required to pay transient accommodations tax for the occupancy of accommodations in Hawaii;
- (3) Specifies that a developer of a time share plan may be entitled to the release of 90 percent of a time share purchaser's funds from escrow to be used for costs associated with time share development in this State if certain conditions are met;
- (4) Specifies that if a purchaser is entitled to receive a refund of the purchaser's deposits, then the amount of the refund shall not be reduced to pay the cost of any surety bond or letter of credit;
- (5) Specifies disclosure requirements if an escrow agreement permits the release of a purchaser's funds;
- (6) Establishes a five-year sunset for the provisions of this measure relating to the release of a purchaser's funds pursuant to a surety bond or letter of credit and the closing deadline; and
- (7) Makes the Act effective on July 1, 2112.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 754, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 754, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Cachola and Woodson.

SCRep. 1144 Consumer Protection & Commerce/Judiciary on S.B. No. 118

The purpose of this measure is to require, and appropriate funds for, the Department of Business, Economic Development, and Tourism, with the assistance of the Department of Taxation, to study the impact of real estate investment trusts in Hawaii and the possible effect of repealing the dividends paid income tax deduction for real estate investment trusts.

The Kobayashi Development Group; MacNaughton Group; Land Use Research Foundation; General Growth Properties; Taubman Centers; Retail Merchants of Hawaii; Hawaii State Teachers Association; and ILWU Local 142 testified in support of this measure. The Shidler Group, CNL Lifestyle Properties, Inc.; Hawaiian Dredging Construction Company, Inc.; Public Storage; and Hawaii Council on Revenues testified in opposition to this measure. The Department of Taxation; Department of Business, Economic Development, and Tourism; National Association of Real Estate Investment Trusts; Tax Foundation of Hawaii; and American Assets Trust provided comments on this measure.

Your Committees have amended this measure by:

- (1) Requiring that a real estate investment trust make an affirmative election to be taxed as a real estate investment trust and provide certain data as may be required by the Department of Business, Economic Development, and Tourism for any report mandated by the Legislature;
- (2) Allowing the Department of Taxation to share the name and taxpayer identification number of a taxpayer who has elected to be taxed as a real estate investment trust with the Department of Business, Economic Development, and Tourism; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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. 118, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 118, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative McDermott.

SCRep. 1145 Consumer Protection & Commerce on S.B. No. 1262

The purpose of this measure is to authorize the Commissioner of Financial Institutions to make a finding to adjust the assessed Mortgage Loan Recovery Fund fee once the Mortgage Loan Recovery Fund reaches its target balance of \$750,000.

The Department of Commerce and Consumer Affairs and Hawaii Association of Mortgage Brokers testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for clarity, consistency, and style.

While draft rules to adjust the Mortgage Loan Recovery Fund fee are still proceeding in the administrative rulemaking process, your Committee notes that this measure ensures prompt relief by giving the Commissioner of Financial Institutions general authority for the administration of the federal Secure and Fair Enforcement for Mortgage Licensing (SAFE) Act, should there be any delay in the administrative rulemaking process.

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. 1262, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1262, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1146 Consumer Protection & Commerce on S.B. No. 17

The purpose of this measure is to clarify that the required disclosure of documents by a seller for a residential real property that is subject to restrictions or conditions on use applies to documents that are within a seller's knowledge or control.

The Hawaii Association of REALTORS testified in support of this measure.

Your Committee has amended this measure by:

- (1) Clarifying that sellers are required to disclose all documentation relating to any restrictions or conditions within the seller's knowledge or control, including any unrecorded rules or guidelines; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

While your Committee received testimony requesting the removal of language that requires the disclosure of all documentation relating to any restrictions or conditions, including unrecorded rules or guidelines, your Committee notes that this language should be retained because it provides greater clarity and certainty in the implementation of this measure.

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. 17, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 17, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1147 Labor & Public Employment on S.B. No. 119

The purpose of this measure is to provide the funds necessary to cover cost items and cost adjustments for employees of the various legislative agencies.

The Hawaii State Ethics Commission, Office of the Ombudsman, Office of the Auditor, and the League of Women Voters of Hawaii supported this measure. The Legislative Reference Bureau commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2015, to encourage further discussion.

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. 119, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 119, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1148 Labor & Public Employment on S.B. No. 163

The purpose of this measure is to change the employer membership when negotiating collective bargaining agreements for bargaining unit (9), registered professional nurses, so that there shall be three votes for the Governor, two votes for the Hawaii Health Systems Corporation Board of Directors, and one vote for the Chief Justice.

The Hawaii Health Systems Corporation and the East Region of the Hawaii Health Systems Corporation supported this measure. The Office of Collective Bargaining and Hawaii Public Charter Schools Network commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting the employer membership requirements when negotiating collective bargaining agreements for bargaining unit (9) and instead requiring for Hawaii Health Systems Corporation supplemental bargaining agreements for bargaining units (1), (2), (3), (4), (9), (10), and (13), that the Governor shall have three votes, the Executive Director of the Hawaii Health Systems Corporation shall have one vote, and supplemental agreements be approved concurrent with any master agreement;
- (2) Requiring that the employer membership when negotiating collective bargaining agreements for bargaining units (5) and (6) shall be four votes for the Governor, two votes for the Board of Education, one vote for the Superintendent of Education, and one vote for a representative selected by a majority of all public charter schools.

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. 163, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 163, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1149 Labor & Public Employment on S.B. No. 1009

The purpose of this measure is to require that hotels notify customers that portorage service charges are being used for other purposes unless they are distributed in full to employees as tip income.

UNITE HERE Local 5; ILWU Local 142; and several concerned individuals submitted testimony in support of this measure.

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. 1009, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1150 Labor & Public Employment on S.B. No. 1101

The purpose of this measure is to extend the sunset date of the state civil service exemption for persons hired or contracted by the Hawaii Public Housing Authority to perform repair, maintenance, or capital improvement project work on vacant state housing units from June 30, 2015, to June 30, 2017.

The Hawaii Public Housing Authority supported this measure. The United Public Workers, AFSCME, Local 646, AFL-CIO; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers; Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; and the Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund opposed this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2115, to encourage further discussion.

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. 1101, S.D. 1, 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. 1101, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1151 Labor & Public Employment on S.B. No. 1113

The purpose of this measure is to protect some of Hawaii's most vulnerable patient populations by expanding the scope of background checks conducted by the Department of Health to include criminal history as well as sex offender registry, adult abuse perpetrator, child abuse and neglect, and certified nurse aide registry record checks for any prospective applicants, operators, direct patient access employees, and adult volunteers of a healthcare facility, and, in the case of any healthcare facility operated in a private residence, all adults living in the home other than the clients.

The Department of Health; State Council on Developmental Disabilities; and a few concerned individuals supported this measure. The Hawaii Civil Rights Commission and the Hawaii Interpreter Action Network commented on this measure.

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. 1113, S.D. 2, H.D. 1, and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1152 Labor & Public Employment on S.B. No. 1122

The purpose of this measure is to keep the minimum guaranteed monthly compensation required to exempt an individual from minimum wage, overtime, and recordkeeping requirements under the Hawaii Wage and Hour Law on par with increases in the minimum wage. Specifically, this measure replaces the fixed monetary threshold with a formula based on the monthly minimum of the amount of minimum wage multiplied by 276.

The Department of Labor and Industrial Relations supported this measure. The Chamber of Commerce Hawaii and the Hawaii Food Industry Association opposed this measure.

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. 1122 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1153 Labor & Public Employment on S.B. No. 1174

The purpose of this measure is to establish a process for conducting an independent medical examination or a permanent impairment rating examination of an injured employee in a workers' compensation claim. Specifically, this measure:

- (1) Provides for examinations by a qualified physician mutually agreed upon by the parties and paid for by the employer; and

- (2) Establishes a process for selecting a physician by the parties should the parties be unable to reach a mutual agreement.

The Hawaii Injured Workers Association; ILWU Local 142; Vocational Management Consultants, Inc.; International Association of Rehabilitation Professionals in the Private Sector; and numerous individuals supported this measure. The Department of Human Resources of the City and County of Honolulu; General Contractors Association of Hawaii; Building Industry Association of Hawaii; Sheet Metal Contractors Association; Hawaii Restaurant Association; Property Casualty Insurers Association of America; Chamber of Commerce Hawaii; Healy Tibbitts Builders, Inc.; Ralph S. Inouye Co., Ltd.; LYZ, Inc.; Dorvin D. Leis Co., Inc.; Standard Sheetmetal & Mechanical, Inc.; and AwaPiilani Farms, LLC opposed this measure. The Department of Labor and Industrial Relations; Department of Human Resources Development; Hawaii Insurers Council; National Association of Mutual Insurance Companies; and Hawaii Association for Justice commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that should the parties be unable to reach a mutual agreement on the selection of a physician, the selection may be submitted to the Insurance Commissioner, arbitration, or circuit court;
- (2) Changing the effective date to July 1, 2115, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1174, 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. 1174, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1154 Labor & Public Employment on S.B. No. 1175

The purpose of this measure is to improve efficiency, workplace safety, and human resources practices at the Hawaii State Hospital, as recommended by the Senate Special Investigative Committee established pursuant to S.R. No. 3, Regular Session of 2014. Specifically, this measure requires the Department of Health and the Hawaii State Hospital to consider specific recommendations of the Investigative Committee and submit a written report to the Legislature prior to the 2016 and 2017 Regular Sessions on the implementation of those recommendations.

The Department of Health; United Public Workers, AFSCME, Local 646, AFL-CIO; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure.

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. 1175, S.D. 2, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1155 Labor & Public Employment on S.B. No. 1324

The purpose of this measure is to allow for the Employees' Retirement System (ERS) to make direct payments of a portion of a member's pension, annuity, or retirement allowance to a non-member former spouse pursuant to an award in a divorce action.

The Family Law Section of the Hawaii State Bar Association; Farrell & Associates, LLLC; and Kleintop, Luria & Medeiros, LLLP supported this measure. The Employees' Retirement System opposed this measure.

Your Committee has amended this measure by adopting the language from House Bill No. 1370, H.D. 1, which is a similar measure that has the same purpose and was previously considered at public hearing and passed by your Committee. Your Committee has further amended House Bill No. 1370, H.D. 1, by allowing for the ERS to assess a ten percent administrative fee equally upon the member and former spouse.

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. 1324, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1324, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1156 Labor & Public Employment on S.B. No. 1213

The purpose of this measure is to protect victims of harassment in a workplace by allowing for an employer to seek a temporary restraining order and injunction against further harassment of an employee or invitee who may be harassed at the employer's premises or worksite.

The Hawaii Health Systems Corporation and a concerned individual supported this measure. The Judiciary commented on this measure.

Your Committee has amended this measure by replacing the term "defendant" with "respondent" as there is no defendant in a civil proceeding. Technical nonsubstantive amendments were also made for clarity, consistency, and style.

Your Committee notes the concerns raised by the Judiciary and should your Committee on Judiciary deliberate on this measure, your Committee respectfully requests that it further examine these concerns in regard to the potential imposition of unintended costs and complications for employers and the uncertainty in the application of the law. Specifically, issues with respect to uncertainty in the application of the law include:

- (1) The application of how the petitioner-employer could prove its case if the employee who is the target of the alleged harassment is unwilling to participate in the proceedings; and

- (2) The process for intervention by an employee organization.

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. 1213, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1213, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1157 Labor & Public Employment on S.B. No. 1076

The purpose of this measure is to appropriate funds for fiscal biennium 2015-2017 to fund salary adjustments, collective bargaining cost items, Hawaii-Employer Union Health Benefits Trust Fund costs, and other cost adjustments for officers and employees within collective bargaining unit (14) and their excluded counterparts.

The Office of Collective Bargaining; Department of Budget and Finance; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2115.

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. 1076, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1076, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1158 Labor & Public Employment on S.B. No. 1077

The purpose of this measure is to authorize and appropriate funds for fiscal biennium 2015-2017 to fund salary adjustments, collective bargaining cost items, Hawaii-Employer Union Health Benefits Trust Fund costs, and other cost adjustments for officers and employees within collective bargaining unit (2) and their excluded counterparts.

The Department of Budget and Finance, Office of Collective Bargaining, University of Hawaii, Hawaii Government Employees Association, Hawaii Health Systems Corporation, and East Hawaii Region of Hawaii Health Systems Corporation provided testimony in support of the measure.

Your Committee has amended this measure by changing the effective date to July 1, 2115, to encourage further discussion.

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. 1077, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1077, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1159 Labor & Public Employment on S.B. No. 1078

The purpose of this measure is to appropriate and authorize funds for collective bargaining cost items, salary adjustments, and other cost adjustments for public officers and employees in collective bargaining unit (3) and their excluded counterparts for fiscal biennium 2015-2017.

The Office of Collective Bargaining, Department of Budget and Finance, Hawaii Health Systems Corporation, University of Hawai'i, Hawaii Health Systems Corporation, East Hawaii Region of Hawaii Health Systems Corporation, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2115, to facilitate discussion.

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. 1078, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1078, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1160 Labor & Public Employment on S.B. No. 1079

The purpose of this measure is to appropriate funds, for fiscal biennium 2015-2017, to fund salary adjustments, collective bargaining cost items, and other cost adjustments for employees within collective bargaining unit (4) and their excluded counterparts.

The Department of Budget and Finance, Office of Collective Bargaining, University of Hawaii, Hawaii Government Employees Association, Hawaii Health Systems Corporation, and East Hawaii Region of Hawaii Health Systems Corporation provided testimony in support of the measure.

Your Committee has amended this measure by changing the effective date to July 1, 2115, to encourage further discussion.

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. 1079, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1079, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1161 Labor & Public Employment on S.B. No. 1080

The purpose of this measure is to appropriate funds, for fiscal biennium 2015-2017, to fund salary adjustments, collective bargaining cost items, and other cost adjustments for employees within collective bargaining unit (5) and their excluded counterparts.

The Department of Budget and Finance, Office of Collective Bargaining, and Hawaii State Teachers Association provided testimony in support of the measure.

Your Committee has amended this measure by changing the effective date to July 1, 2015, to encourage further discussion.

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. 1080, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1080, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1162 Labor & Public Employment on S.B. No. 1081

The purpose of this measure is to authorize and appropriate funds for collective bargaining cost items, salary adjustments, and other cost items for public officers and employees in collective bargaining unit (10) and their excluded counterparts for fiscal biennium 2015-2017.

The Office of Collective Bargaining; Department of Budget and Finance; University of Hawaii; Hawaii Health Systems Corporation; East Hawaii Region of the Hawaii Health Systems Corporation; and United Public Workers, AFSCME Local 646, AFL-CIO supported this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2015, to encourage further discussion.

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. 1081, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1081, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1163 Labor & Public Employment on S.B. No. 1082

The purpose of this measure is to appropriate funds for fiscal biennium 2015-2017 to fund salary adjustments, collective bargaining cost items, and other cost adjustments for officers and employees within collective bargaining unit (11) and their excluded counterparts.

The Department of Budget and Finance; Office of Collective Bargaining; and Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO, testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2015.

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. 1082, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1082, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1164 Labor & Public Employment on S.B. No. 1083

The purpose of this measure to appropriate funds for fiscal biennium 2015-2017 to fund salary adjustments, collective bargaining cost items, and other cost adjustments for officers and employees within collective bargaining unit (8) and their excluded counterparts.

The Department of Budget and Finance; Office of Collective Bargaining; University of Hawai'i; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2015.

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. 1083, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1083, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1165 Labor & Public Employment on S.B. No. 1084

The purpose of this measure is to appropriate funds, for fiscal biennium 2015-2017, to fund salary adjustments, collective bargaining cost items, and other cost adjustments for employees within collective bargaining unit (9) and their excluded counterparts.

The Office of Collective Bargaining; Department of Budget and Finance; University of Hawaii; Hawaii Health Systems Corporation; East Hawaii Region of Hawaii Health Systems Corporation; and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2115.

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. 1084, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1084, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Har, Takumi and Tupola.

SCRep. 1166 Health/Human Services on S.B. No. 964

The purpose of this measure is to address the needs of Hawaii's kupuna by:

- (1) Appropriating funds for:
 - (A) The Kupuna Care Program;
 - (B) The Aging and Disability Resource Center;
 - (C) An Alzheimer's Disease and Related Dementia Services Coordinator position;
 - (D) Fall prevention and early detection services for the elderly;
 - (E) The Healthy Aging Partnership Program; and
 - (G) An Alzheimer's disease and related dementia public awareness campaign; and
- (2) Removing the requirement that the Alzheimer's Disease and Related Dementia Services Coordinator be appointed in accordance with civil service and collective bargaining laws.

The Maui County Office on Aging; Alzheimer's Association, Aloha Chapter; National Active and Retired Federal Employees Association, Hawaii State Federation of Chapters; ILWU Local 142; PHOCUSED; The Mediation Center of the Pacific, Inc.; Project Dana; Kokua Council and AARP 60; Democratic Party of Hawaii; The Queen's Health Systems; Healthcare Association of Hawaii; Hawaii Alliance for Retired Americans; Catholic Charities Hawaii; Kaiser Permanente Hawaii; Policy Advisory Board for Elder Affairs; Hawaii Pacific Gerontological Society; Lanakila Pacific; Hawaii Primary Care Association; Hawaii Chapter of the American Physical Therapy Association; Hawaii Family Caregiver Coalition; and numerous individuals testified in support of this measure. AARP Hawaii and an individual testified in support of this measure with amendments. The State Council on Developmental Disabilities testified in support of the intent of this measure. The Executive Office on Aging; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and an individual commented on this measure.

Your Committees have amended this measure by:

- (1) Retaining the requirement that the Alzheimer's Disease and Related Dementia Services Coordinator be appointed by the Director of Health in accordance with civil service and collective bargaining laws, and specifying that the appointment be made no later than July 1, 2017;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments to eliminate a redundancy and 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 are in accord with the intent and purpose of S.B. No. 964, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 964, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1167 Health on S.B. No. 982

The purpose of this measure is to provide limited immunity from liquor, controlled substance, and drug paraphernalia possession charges when an individual calls for medical assistance during an alcohol or drug-related overdose emergency.

The Department of Health, Community Alliance on Prisons, Community Health Outreach Work, Drug Policy Action Group, Drug Policy Forum of Hawaii, Hawaii College of Emergency Physicians, Hawaii Medical Association, and many individuals supported this measure. An individual commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2112, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 982, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 982, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1168 Health on S.B. No. 304

The purpose of this measure is to improve health care services for women in the State by establishing the Hawaii Maternal Morbidity and Mortality Review Panel to conduct comprehensive, multidisciplinary reviews of maternal deaths in the State to identify factors associated with the deaths and make recommendations for system improvements.

The Hawaii State Commission on the Status of Women, Hawaii Public Health Association, Hawaii Association of Professional Nurses, and several individuals testified in support of this measure. The American Congress of Obstetricians and Gynecologists, Hawaii Section; Hawaii Medical Association; Healthy Mothers Healthy Babies Coalition of Hawaii; AAUW Windward; and an individual testified in support of this measure with amendments. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Removing all references to morbidity in the measure to avoid inadvertently exceeding the intended scope of the panel's functions;
- (2) Deleting a provision that would have amended information sharing protections for purposes of maternal mortality research and studies;
- (3) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$10,000 for each year of the 2015-2017 Fiscal Biennium for the implementation and operation of the Maternal Mortality Review Panel.

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. 304, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 304, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1169 Health on S.B. No. 1131

The purpose of this measure is to update the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes (HRS), for consistency with amendments to federal law on controlled substances. In addition, this measure:

- (1) Amends section 329-20, HRS, to add new controlled substances that have been federally scheduled as required under section 329-11, HRS; and
- (2) Adds a new synthetic cathinone and eight new synthetic cannabinoids to section 329-14, HRS.

The Department of Public Safety, Honolulu Police Department, and an individual supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2112, 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. 1131, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1131, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1170 Health on S.B. No. 114

The purpose of this measure is to:

- (1) Require, after January 1, 2016, licensed dentists to complete at least three hours of ethics training annually as part of their continuing education; and
- (2) Enable the Board of Dental Examiners to suspend or revoke a dentist's license or fine a dentist for conduct or practice contrary to recognized standards of ethics of dentistry, as adopted by the American Dental Association or Hawaii Dental Association.

The Hawaii Dental Association testified in support of this measure. The Board of Dental Examiners supported the intent of this measure. The Department of Commerce and Consumer Affairs' Regulated Industries Complaints Office commented on 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 is in accord with the intent and purpose of S.B. No. 114, S.D. 1, and recommends that it pass Second Reading and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1171 Transportation on S.B. No. 1180

The purpose of this measure is to ensure appropriate statutory authority for metropolitan planning organizations in Hawaii to comply with federal laws. Specifically, this measure, among other things:

- (1) Establishes a new chapter in the Hawaii Revised Statutes with revised requirements for metropolitan planning organizations, in accordance with federal laws and regulations;
- (2) Establishes a metropolitan planning organization revolving fund for each metropolitan planning organization;
- (3) Appropriates an unspecified amount of funds from the State Highway Fund into the metropolitan planning organization revolving fund;
- (4) Appropriates an unspecified amount of funds out of the metropolitan planning organization revolving fund to be expended by the Department of Transportation for the purposes of this measure; and
- (5) Repeals chapter 279E, entitled "Metropolitan Planning Organization," Hawaii Revised Statutes.

The Councilmember from Council District 6 of the Honolulu City Council, Office of Planning, Department of Planning and Permitting of the City and County of Honolulu, Department of Transportation Services of the City and County of Honolulu, and Oahu Metropolitan Planning Organization (OahuMPO) testified in support of this measure. The Department of Transportation and a concerned individual supported the intent of the measure. The Attorney General, Department of Budget and Finance, Office of Information Practices, and a concerned individual provided comments.

A metropolitan planning organization is a federally mandated and federally funded transportation policy-making organization that is made up of representatives from local government and governmental transportation authorities. Federal transportation legislation requires that a metropolitan planning organization be designated for each urbanized area with a population of more than 50,000 people. As a condition of federal aid, federal transportation legislation also requires that a metropolitan planning organization act as a decision-making agency and receive certain funds in order to carry out a continuing, cooperative, and comprehensive transportation planning process.

Your Committee finds that for urban areas containing more than 200,000 residents, the Federal Highway Administration and the Federal Transit Administration jointly review and certify metropolitan planning organization operations at least every four years. In 2014, a joint certification review of the OahuMPO found that portions of the Hawaii Revised Statutes governing metropolitan planning organizations were in conflict with federal regulations and suggested corrective action, including amending state law to comply with these regulations. This measure is in response to these findings.

Your Committee notes that, according to OahuMPO, failure to address conflicts between state law and federal regulations will result in the decertification of OahuMPO and initiate an immediate withholding of up to 20 percent of the federal surface transportation funds normally attributable to Oahu - an amount calculated to be around \$12,000,000 annually - impacting both roadway and transit funding.

However, your Committee notes the concerns raised by the Attorney General, Department of Transportation, and Office of Information Practices and these agencies have worked with OahuMPO to address these concerns. As such, your Committee has amended this measure to address these concerns by, among other things:

- (1) Deleting the requirement that a metropolitan planning organization establish banking accounts with federally regulated financial institutions;
- (2) Clarifying that metropolitan planning organizations' policy boards, and not the Department of Transportation, is the decision-making body for the management of transportation management area metropolitan planning organizations;
- (3) Renaming the "Metropolitan Planning Organization Revolving Fund" the "Transportation Management Area Metropolitan Planning Organization Revolving Fund" and making conforming amendments;
- (4) Requiring that member financial dues be deposited into the Revolving Fund;
- (5) Stipulating that moneys in the Revolving Fund be expended by OahuMPO;
- (6) Deleting the requirement exempting metropolitan planning organizations from obtaining an appropriation prior to expending money from their respective revolving fund;
- (7) Ensuring that there are no conflicts between administrative duties of the executive director of a metropolitan planning organization and state and county agencies;
- (8) Removing the requirement that the amount of member financial dues be reviewed at least every three years;
- (9) Removing the requirement that member financial dues paid to a metropolitan planning organization by its member jurisdictions or authorities for purposes of matching federal aid financing do not lapse or expire;
- (10) Deleting the provision that member financial dues charged to the State be paid from the State Highway Fund;
- (11) Requiring that member financial dues received by a metropolitan planning organization be used to fund the unified planning work program to be consistent with current practices and federal requirements;
- (12) Providing a limited exemption to Hawaii's sunshine law to allow members of metropolitan planning organization policy boards to more freely discuss issues that are within the authority of the policy board and also of another body on which they serve; and

- (13) Requiring a metropolitan planning organization to provide annual reports on all its activities to the legislature.

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

Should your Committee on Finance consider this measure further, your Committee respectfully requests that it consider only appropriating the sum of \$500,000 for fiscal year 2016-2017, in accordance with testimony provided by the Department of Transportation.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1180, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1180, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1172 Education on S.B. No. 1346

The purpose of this measure is to:

- (1) Align the Department of Education's (Department) probationary requirements for incoming teachers by amending the probationary period required of licensed charter school teachers, who are not yet tenured in the Department, upon entering or returning to the Department; and
- (2) Require that tenured Department licensed teachers who transfer to charter schools be subject to the appropriate collective bargaining agreement.

The Department of Education and Hawaii Public Charter Schools Network supported this measure. The State Public Charter School Commission and Hawaii State Teachers Association commented on 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 is in accord with the intent and purpose of S.B. No. 1346, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Kong.

SCRep. 1173 Education on S.B. No. 64

The purpose of this measure is to appropriate monies to the Department of Human Services for the Preschool Open Doors Program to fund three positions, contract services for the continued implementation of the Program, and for subsidies for the Program.

Child & Family Service, Good Beginnings Alliance, Parents and Children Together, Early Learning Advisory Board, Hui for Excellence in Education, Aloha United Way, The Chamber of Commerce Hawaii, Childcare Business Coalition, Hawaii Association for the Education of Young Children, KCAA Preschools of Hawaii, Hawaii State Teachers Association, Wai'anae Coast Early Childhood Services, Faith Action for Community Equity, PHOCUSED, Waikiki Community Center, Family Programs Hawaii, Hawaii Montessori Schools, and two individuals supported this measure. The Department of Human Services supported the intent of this measure. The Maui County Early Childhood Resource Center and an individual commented on 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 is in accord with the intent and purpose of S.B. No. 64, S.D. 3, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Kong.

SCRep. 1174 Energy & Environmental Protection on S.B. No. 1316

The purpose of this measure is to encourage the use of electric vehicles in Hawaii by requiring the board of directors of a cooperative housing corporation, planned community association, association of apartment owners, or condominium association, upon receipt of a request for the installation of an electric vehicle charging system, to make a decision to approve, or approve with restrictions, the request within sixty days.

To ensure comprehensive and accurate cost and impact of installation, the request must be accompanied by supporting documentation on the current transformer load capacity and a current energy audit.

The Blue Planet Foundation, Hawaiian Electric Vehicle Network, and a concerned individual supported the measure. The Ulupono Initiative supported the measure with amendments. The Department of Business, Economic Development, and Tourism; EV Structure; and a concerned individual submitted comments.

Your Committee has amended the measure by:

- (1) Deleting the requirement that the decision of the board of directors of a cooperative housing corporation, planned community association, association of apartment owners, or condominium association to approve, or approve with reasonable restrictions, a request for installation of the electric vehicle charging system is contingent upon receipt of supporting documentation and a current energy audit;
- (2) Strongly suggesting that the board of directors of a cooperative housing corporation, planned community association, association of apartment owners, or condominium association, consider supporting documentation and a current energy audit;
- (3) Clarifying that the current energy audit is to ascertain if the electrical system to which the electric vehicle charging station will be connected is capable of handling the increased demands of the system in addition to the current demands of the system; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1316, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1316, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1175 Human Services on S.B. No. 273

The purpose of this measure is to permit the examiner of drivers to accept a sworn statement from a member of a victim services organization, an attorney, a member of the clergy, correctional institution staff, or a medical or other health professional as documentary evidence of a homeless person's address or date of birth.

The Hawaii Interagency Council on Homelessness, Pacific Alliance to Stop Slavery, Family Support Hawaii, and many individuals supported this measure. IMUAlliance and PHOCUSED supported the intent of this measure, but requested amendments. The Department of Transportation and the County of Hawaii opposed this measure. An individual provided comments.

Your Committee has amended this measure by:

- (1) Allowing a sworn statement to be used by the examiner of drivers as evidence of the homeless person's address only, and not the homeless person's date of birth, to comply with the REAL ID Act of 2005; and
- (2) Establishing a working group to conduct research and develop a plan to enable individuals in the State, who are unable to produce proper identification, to obtain identification certification.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 273, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 273, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Oshiro and Fukumoto Chang.

SCRep. 1176 Human Services on S.B. No. 643

The purpose of this measure is to provide guidelines for the court to consider in awarding visitation rights to grandparents by:

- (1) Removing duplicative provisions in awarding grandparents reasonable visitation rights;
- (2) Adding to the requirements for awarding reasonable visitation rights to a grandparent that the court must find that awarding visitation is in the best interest of the child and that denial of reasonable visitation rights would cause significant harm to the child; and
- (3) Clarifying procedures for awarding grandparents visitation rights.

Two individuals supported this measure. The Family Law Section of the Hawaii State Bar Association and Hawaii Family Advocates opposed this measure. An individual commented on this measure.

Your Committee has amended this measure by adding a provision stating that when a finding of family violence between parents has been determined by the court, the grandparents may not misuse any visitation rights granted to them by transferring their time to any other party and are bound to the same court orders that are maintained by the parents.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 643, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 643, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1177 Education on S.B. No. 1221

The purpose of this measure is to help students with diabetes better manage their condition and receive the same access to educational opportunities as other students by requiring the Department of Education to establish procedures for the care of students with diabetes during regular school hours and school-related activities and ensuring that school employees and qualified volunteers are properly trained to provide care to students with diabetes.

The American Diabetes Association; American Academy of Pediatrics; Hawaii Dietetic Association; Seven-Eleven Hawaii, Inc.; Hawaii Association for Justice, and numerous individuals supported this measure. The Hawaii State Teachers Association and a concerned individual supported the intent of this measure. The Department of Education, Department of Health, State Public Charter School Commission, and a concerned individual provided comments.

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. 1221, 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 Representatives Ing and Kong.

SCRep. 1178 Health on S.B. No. 298

The purpose of this measure is to support emergency medical services on the island of Hawaii by appropriating general funds to acquire an advanced life support ambulance to be based in the Makalei area to be used during daily peak hours, and personnel costs for state-certified emergency medical service personnel.

The Council Members of Districts 1, 3, 4, 6, and 8, Hawaii County Council; Office of the Prosecuting Attorney, County of Hawaii; Hawaii Fire Department; Hawaii Fire Fighters Association, Local 1463, AFL-CIO; and several individuals testified in support of this measure. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Incorporating the provisions contained in the following bills, which received a public hearing and were heard by the Committee on Health:
 - (A) S.B. No. 1016, S.D. 1, which appropriates funds from the Emergency Medical Services Fund to establish an advanced life support ambulance based in Puna on the island of Hawaii and funds personnel costs for state-certified emergency medical services personnel;
 - (B) S.B. No. 1006, S.D. 1, which appropriates general funds to purchase an ambulance vehicle and pay the operational costs for one ambulance unit to service the area of Kakaako in the City and County of Honolulu; and
 - (C) S.B. No. 1281, S.D. 1, which appropriates general funds to assist the City and County of Honolulu Emergency Medical Services Division with expanding emergency medical services and ambulance services in the Moanalua, Aliamanu, Red Hill, Salt Lake, and Foster Village communities to operate an additional emergency medical service unit;
- (2) Changing the effective date to July 1, 2112, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that this measure contains provisions specifying that the resources being requested are intended to address the critical needs of the community, specifically during the daily peak hours from 8:00 a.m. to 10:00 p.m. Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it:

- (1) Consider applying the daily peak hour provision to the emergency medical services in the various areas; and
- (2) Consult Emergency Medical Services on the community and resource needs of the respective counties.

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. 298, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 298, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1179 Health on S.B. No. 802

The purpose of this measure is to allow condominiums and cooperative housing corporations to adopt rules prohibiting smoking in units, common elements, or limited common elements.

The Department of Health, Coalition for a Tobacco Free Hawaii, Wavecrest AOA, and an individual testified in support of this measure. The Hawaii Chapter of the Community Associations Institute, Hawaii Smokers Alliance, and numerous individuals testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the board of directors of a cooperative housing corporation or condominium association, rather than the cooperative housing corporation or condominium association itself, may adopt rules to prohibit smoking;
- (2) Removing the authority of a condominium or cooperative housing corporation to adopt rules prohibiting smoking in individual dwelling units;
- (3) Authorizing the boards of directors of condominiums or cooperative housing corporations to adopt rules banning smoking on the lanais of individual dwelling units; and
- (4) Changing its effective date to July 1, 2112, 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. 802, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 802, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1180 Health on S.B. No. 768

The purpose of this measure is to bring equality to insurance coverage for all women diagnosed with infertility by:

- (1) Eliminating discrimination in in vitro fertilization procedure coverage based on marital status; and
- (2) Decreasing the amount of time a patient must be shown to be infertile before in vitro fertilization benefits are provided.

The Hawaii State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, Hawaii Women Lawyers, and a concerned individual supported this measure. A concerned individual supported the intent of this measure and offered amendments. Hawaii Catholic Conference opposed this measure. The Department of Human Services and Hawaii Medical Services Association provided comments.

Your Committee has amended this measure by:

- (1) Restoring the provision that the patient's oocytes must be fertilized in order for benefits to apply;
- (2) Refining the definition of infertility, as defined by the Practice Committee of the American Society for Reproductive Medicine, to exclude voluntary sterilization or natural menopause;
- (3) Eliminating the requirement that an individual's physician must determine that the treatments are likely to be successful;
- (4) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of 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. 768, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 768, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1181 Health on S.B. No. 1115

The purpose of this measure is to clarify the scope of the Disability and Communication Access Board's review of public construction projects for accessibility purposes. This measure clarifies that the Board shall review public accommodations and commercial facilities on public lands as well as projects intended for transfer to the State or a county.

The Disability and Communication Access Board 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 is in accord with the intent and purpose of S.B. No. 1115, S.D. 1, and recommends that it pass Second Reading and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1182 Judiciary on S.B. No. 133

The purpose of this measure is to authorize a court to decree a forfeiture of retirement benefits by a member, former member, or retirant of the Employees' Retirement System based on conviction of a felony that the court finds is related to employment with the State or any county.

The Employees' Retirement System submitted testimony in support of this measure.

Your Committee has amended this measure by adding language that restricts the benefits of a designated beneficiary if the designated beneficiary was convicted of a felony based on the same set of circumstances that lead to the felony conviction of the member, former member, or retirant.

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. 133, 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. 133, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1183 Judiciary on S.B. No. 387

The purpose of this measure is to establish an affirmative consent task force to review and make recommendations on the University of Hawaii's executive policy concerning domestic violence, dating violence, sexual assault, and stalking, and require the task force to submit a report of its findings to the Legislature prior to the Regular Session of 2016.

The University of Hawaii, Hawaii State Commission on the Status of Women, Hawaii State Women's Caucus, Hawaii Youth Services Network, Planned Parenthood of Hawaii, Hawaii Women's Coalition, IMUAlliance, YWCA of Oahu, and several concerned individuals supported this measure. The Sex Abuse Treatment Center and University of Hawaii Commission on the Status of Women supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Including an additional student representative on the task force;
- (2) Expanding the scope of topics that the task force should consider to include training for University of Hawaii staff who handle sexual assault claims, and procedures for coordinating with law enforcement if an incident is reported;

- (3) Deleting the exemption for members of the task force from Chapter 84, Hawaii Revised Statutes;
- (4) Requiring the task force to submit a report of its findings and recommendations to the Legislature in both 2016 and 2017, instead of just 2016; and
- (5) Making technical, nonsubstantive amendments for the purposes of 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. 387, 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. 387, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1184 Judiciary on S.B. No. 812

The purpose of this measure is to ensure that behavior intervention, such as the use of restraint or seclusion, is implemented safely and appropriately by:

- (1) Authorizing the Department of Health (Department) to establish a behavior support review process to conduct multidisciplinary reviews of the restraint or seclusion of persons with developmental or intellectual disabilities; and
- (2) Specifying that individuals participating in the Department's multidisciplinary review shall not be questioned in any civil or criminal proceeding regarding information presented in, or opinions formed, as a result of meetings of the multidisciplinary review.

The Department of Health and the State Council on Developmental Disabilities supported this measure. The Hawaii Association for Justice opposed this measure.

Your Committee has amended this measure by:

- (1) Replacing the provisions that prohibited the questioning of any individual that participated in the Department's review of restraint or seclusion of persons with developmental or intellectual disabilities with provisions that provide for civil immunity for the acts of the Department's behavior support review committee;
- (2) Clarifying that unless required by court order, information gathered by the Department is not subject to subpoena, discovery, or introduction into evidence;
- (3) Changing the effective date to upon its approval; 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. 812, 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. 812, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1185 Judiciary on S.B. No. 622

The purpose of this measure is to require the Elections Commission to conduct a performance evaluation of the Chief Election Officer after each general election and submit a written report regarding the evaluation to the Legislature within 90 days of the certification of the general election results.

Common Cause Hawaii and two concerned individuals testified in support of this measure. The Department of Accounting and General Services and League of Women Voters of Hawaii supported the intent of this measure and recommended amendments.

Your Committee has amended this measure by:

- (1) Specifying that the Chief Election Officer shall be an at-will employee;
- (2) Requiring the Elections Commission to provide written notification of removal and the reason for the removal upon the removal of the Chief Election Officer;
- (3) Requiring the Elections Commission to conduct a performance evaluation of the Chief Election Officer within two months after a general election is certified;
- (4) Requiring the Elections Commission to conduct a public hearing on the Chief Election Officer's performance and consider information gathered in deliberations on the reappointment of the Chief Election Officer; and
- (5) Changing its effective date to July 1, 2030.

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. 622, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 622, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, McDermott and Thielen.

SCRep. 1186 Judiciary on S.B. No. 1344

The purpose of this measure is to assure meaningful disclosure of the source of campaign funding by requiring noncandidate committees to provide, for contributions in excess of \$10,000 in the aggregate since the last election received from other than an individual, for-profit business entity, or labor union, either:

- (1) The internet address where the contributing entity's disclosure report may be publicly accessed;
- (2) The name, address, occupation, and employer of each funding source of \$100 or more to that contributing entity; or
- (3) An acknowledgment that the contributing entity is not subject to any state or federal disclosure requirements regarding the source of the contributing entity's funds.

The League of Women Voters of Hawaii and a Hawaii County Council Member from District 4 supported this measure. The Department of the Attorney General supported the intent of this measure. The Campaign Spending Commission provided comments.

Your Committee finds that additional disclosure of information regarding election campaign contributions is necessary due to the decision of *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), and subsequent case law. These decisions have led to the proliferation of SuperPACs, which are noncandidate committees that make only independent expenditures, and their virtually unlimited spending in the political arena. Hawaii's experience in the election cycles since *Citizens United* has been as predicted: numerous SuperPACs have been formed, enormous amounts of money have been expended, and many of the true contributors remain hidden from the public.

While *Citizens United* assumed meaningful disclosure so that "the electorate [can] make informed decisions and give proper weight to different speakers and messages," Hawaii's disclosure requirements for SuperPACs are inadequate to provide the electorate with information showing the true source of the funds behind efforts seeking to influence their vote. The contribution trail is obscured because current law requires only that the name of the first level of contributor to a SuperPAC be reported on filings with the Hawaii Campaign Spending Commission. Often the first level of contributor is another SuperPAC and as the names of SuperPACs are frequently meaningless or misleading, disclosure laws aimed at transparency are circumvented. For example, in the 2014 election cycle, contributions totaling around \$8,000,000 were received by twenty-nine SuperPACs registered in Hawaii. Two of the top ten SuperPACs in Hawaii received contributions solely from other SuperPACs, which included a \$2.2 million contribution from an entity that is not required to report in Hawaii. Also, three of the top ten SuperPACs in Hawaii were registered at the same address, made contributions amongst each other, and the origin of their funds are entities with unknown contributors.

Your Committee finds that the State's campaign finance laws must be amended in order to increase transparency and accountability, deter corruption, and strengthen confidence in the election process by providing public access to information about who is the true source of campaign contributions made to or by SuperPACs. This measure seeks to accomplish those goals by requiring SuperPACs to provide, for large contributions received from entities other than individuals, for-profit business entities, or labor unions, the internet addresses where those entities' disclosure reports can be accessed, or alternatively provide the name, address, occupation, and employer of each funding source to those entities or state that those entities are not subject to any state or federal disclosure reporting requirements.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2016; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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. 1344, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1344, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1187 Judiciary on S.B. No. 1011

The purpose of this measure is to change how disputes between public employers and employee organizations are resolved.

More specifically, this measure:

- (1) Repeals the existing prohibition on the use of arbitration to resolve disputes relating to the amount of contributions by the State and counties to the Hawaii Employer-Union Health Benefits Trust Fund (EUTF);
- (2) Requires the Hawaii Labor Relations Board, upon the failure of disputing parties to timely select a neutral third member for an arbitration panel, to directly furnish a list of arbitrators from which the third member of the panel will be selected;
- (3) Repeals the existing statutory provisions under which the Legislature establishes the amount of the contributions to be made by the State and counties to the EUTF if the disputing parties have not timely reached an agreement regarding the contributions; and
- (4) Repeals the existing prohibition on bargaining unit members striking on the issue of the amounts of contributions by the State and counties to the EUTF.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance and the Hawaii Government Employees Association. The Office of Collective Bargaining, the University of Hawaii Professional Assembly, and the Hawaii Fire Fighters Association submitted comments on the measure.

Your Committee has amended this measure by changing the effective date to March 15, 2038, to encourage further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1011, S.D. 1, 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. 1011, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1188 Judiciary on S.B. No. 1010

The purpose of this measure is to allow persons who are not licensed or authorized to practice law in Hawaii to provide legal services in the State in certain circumstances.

More specifically, this measure:

- (1) Allows an attorney who is not licensed or authorized to practice law in the State, but who is licensed and authorized to practice in another United States jurisdiction, to provide legal services on a temporary basis in Hawaii if the attorney provides services in association with or assists a Hawaii licensed attorney or as in-house counsel to an organization in another jurisdiction or to an affiliated entity or employee of that organization in Hawaii; and
- (2) Requires the clerk of the Supreme Court to maintain a registry of all attorneys who are not licensed or authorized to practice law in the State, but who provide services for a matter that is not being litigated in any court of Hawaii.

Your Committee received testimony in opposition to this measure from the Judiciary. Your Committee received comments on this measure from Catholic Charities Hawaii.

Your Committee has amended this measure by changing the effective date to March 15, 2038, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1010, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1010, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.
(Representative Thielen voted no.)

SCRep. 1189 Consumer Protection & Commerce on S.B. No. 193

The purpose of this measure is to assist the 911 system by:

- (1) Establishing an unspecified prepaid wireless E911 surcharge per retail transaction of prepaid wireless telecommunications service at the point of sale;
- (2) Allowing sellers to deduct and retain three per cent of the surcharge that is collected; and
- (3) Requiring that the amounts collected by the Enhanced 911 Board be placed in the Enhanced 911 Fund.

The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Enhanced 911 Board, Honolulu Police Department, and Verizon supported this measure. CTIA-The Wireless Association supported this measure with amendments. The Hawaii Food Industry Association opposed this measure. The Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to encourage further discussion.

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. 193, 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. 193, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.
(Representative McDermott voted no.)

SCRep. 1190 Consumer Protection & Commerce on S.B. No. 1228

The purpose of this measure is to:

- (1) Ensure the prudent and efficient use of taxpayer dollars by allowing the State greater flexibility in the procurement of goods and services in the case of unique or unusual needs or situations, while at the same time maintaining the accountability and transparency afforded in the State Procurement Code, by among other things:
 - (A) Establishing the special innovative procurement process for procurement of supplies, services, professional services, and construction;
 - (B) Requiring the Procurement Policy Board to establish procedures for use of the special innovative procurement process;
 - (C) Requiring the Procurement Policy Board to develop draft rules regarding special innovative procurements, including public-private partnerships in Hawaii, and to submit a report of its draft rules and any proposed legislation to the 2017 Legislature; and

- (D) Appropriating funds for a temporary position to assist the Procurement Policy Board in drafting rules; and
- (2) Appropriate funds for the procurement of professional services needed to develop a master plan for facilities and lands under the jurisdiction of the Samuel Mahelona Memorial Hospital and Medical Center and Kauai Veterans Memorial Hospital.

The Office of the Mayor of the City and County of Honolulu, Kauai Regional Board of the HHSC, Ulupono Initiative, Local Food Coalition, and a concerned individual supported this measure. The State Procurement Office submitted comments.

Your Committee has amended this measure by:

- (1) Deleting construction contracts from the list of services that may be awarded using the special innovative procurement process;
- (2) Requiring the policy board to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, addressing compliance, best value, purchasing ethics, and minimum deviation from current procedures regarding sealed bids and proposals for construction contracts and professional services;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of 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. 1228, 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. 1228, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Lee.

SCRep. 1191 Consumer Protection & Commerce on S.B. No. 1265

The purpose of this measure is to make technical amendments to the Insurance Code relating to the regulation of insurance holding company systems.

Your Committee received written testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the technical amendments made in this measure are necessary to clarify provisions of article 11 of the Insurance Code, relating to the regulation of insurance holding company systems.

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. 1265 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1192 Agriculture on S.B. No. 382

The purpose of this measure is to address the high cost of import feed that burdens Hawaii's livestock industry by, among other things:

- (1) Establishing in the Department of Agriculture a grant program to reimburse Qualified Feed Developers for a specified amount of their feed development costs;
- (2) Appropriating funds for the Livestock Revitalization Program to reimburse specified Qualified Producers for the cost of feed and Qualified Feed Developers for the costs of developing feed for sale; and
- (3) Appropriating funds to the Department of Agriculture to identify, assess, and validate locally sourced feed ingredients.

The Hawaii Farm Bureau Federation, Hawaii Cattlemen's Council, and two concerned individuals supported this measure. The Land Use Research Foundation of Hawaii supported the intent of this measure. The Department of Agriculture and Ulupono Initiative supported this measure with amendments.

Your Committee has amended this measure by deleting its contents and inserting the substantive provisions of H.B. No. 508 H.D. 1, that, among other things:

- (1) Establishes and funds a grant program within the Department of Agriculture for Qualified Feed Developers;
- (2) Requires that the amount of the grant funds disbursed to a Qualified Feed Developer be based on cost of goods sold, as verified by a certified public accountant;
- (3) Allows qualified feed developer businesses to manufacture feed for Qualified Producers;
- (4) Appropriates funds to reimburse specified Qualified Producers for the cost of feed and Qualified Feed Developers for the costs of developing feed for sale to Qualified Producers;
- (5) Appropriates funds to the Department of Agriculture to identify, assess, and validate locally sourced feed ingredients available to Qualified Feed Developers; and
- (6) Has an effective date of July 1, 2015.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 382, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 382, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ward.

SCRep. 1193 Agriculture on S.B. No. 1062

The purpose of this measure is to address the overarching, multifaceted biosecurity challenges facing the State by expanding the scope and authority of the Biosecurity Program in the Plant Quarantine Branch of the Department of Agriculture by making it a department-wide program.

Specifically, this measure repeals Part VI of Chapter 150A, Hawaii Revised Statutes, which relates to the Biosecurity Program currently under the Plant Quarantine Branch, and reenacts its provisions into Chapter 141, Hawaii Revised Statutes, relating to the general authority of the Department of Agriculture.

The Department of Agriculture, Department of Land and Natural Resources, Hawaii Invasive Species Council, The Nature Conservancy, Hawaii Farm Bureau Federation, Coordinating Group on Alien Pest Species, and a concerned individual supported this measure. The Hawaii Floriculture and Nursery Association, Hawaii Tropical Flowers & Foliage Association, Orchid Growers of Hawaii, and five concerned individuals opposed this measure. The Maui County Farm Bureau provided comments.

Your Committee has amended this measure by deleting its provisions and substituting therefor, the provisions of H.B. No. 871 H.D. 1, that addresses the spread of invasive species in Hawaii that threatens the economy, natural environment, and the health and lifestyle of its residents by, among other things:

- (1) Authorizing the Department of Agriculture to establish or participate in private-public partnerships to enhance the Biosecurity Program and quarantine inspection process; provided that Department employees perform the actual inspection;
- (2) Requiring the Department to adopt rules to establish parameters and construction requirements for biosecurity facilities, including cold storage facilities established by private-public partnerships; and
- (3) Appropriating funds to enable the Department to complete the implementation of its Biosecurity Program, including an integrated computer manifest system.

As amended, this measure has an effective date of January 20, 2050, to encourage further discussion. Technical, nonsubstantive amendments were also made 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 is in accord with the intent and purpose of S.B. No. 1062, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1062, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ward.

SCRep. 1194 Agriculture on S.B. No. 1059

The purpose of this measure is to reduce the interisland or intransland movement of invasive pests by:

- (1) Subjecting regulated pests and articles being transported interisland or intransland to inspection, treatment, restrictions, and, if necessary and appropriate, destruction by the Department of Agriculture;
- (2) Prohibiting the transportation of any pest or article that is diseased or infested with insects or any pest;
- (3) Authorizing the Department of Agriculture to quarantine an area that is infested with a designated pest;
- (4) Allowing the interisland or intransland transportation of articles from a quarantined area if the consignor and consignee are participants in the Department of Agriculture's Compliance Agreement Program; and
- (5) Establishing penalties and employer liability for violations of the laws relating to interisland or intransland transportation of regulated pests and articles and quarantined areas.

The Department of Land and Natural Resources, Hawaii Invasive Species Council, Office of Environmental Quality Control, and Coordinating Group on Alien Pest Species supported this measure. The Nature Conservancy and Hawaii Farm Bureau Federation supported the intent of this measure. The Department of Agriculture supported this measure with an amendment. The Hawaii Floriculture and Nursery Association, Orchid Growers of Hawaii, and five concerned individuals opposed this measure.

Your Committee has amended this measure by deleting its provisions and substituting therefor, the provisions of H.B. No. 1050 that, among other things:

- (1) Requires the Department of Agriculture (DOA) and the Hawaii Invasive Species Council (HISC) through existing contracts and appropriated funds for invasive species activities to:
 - (A) Undertake specified invasive species management related to agricultural lands and agricultural and non-agricultural commodities, including developing an interisland and export tracking database; providing risk level assessments for the interisland transport of non-agricultural commodities; increasing priority inspection for the interisland transport of agricultural commodities; developing and coordinating interisland quarantine activities; implementing statewide pest

management programs for potted plants, cut-flowers, and cut-foliage production; and providing chemicals and equipment to assist growers in reducing infestation in agricultural areas, statewide; and

- (B) Undertake specified invasive species management on non-agricultural lands, including reducing infestation levels near or adjacent to Hilo Harbor, Hilo International Airport, and agricultural production areas in the County of Hawaii; and creating buffer areas between conservation lands and agricultural production areas in the County of Hawaii to prevent re-infestation of invasive species;
- (2) Requires DOA and HISC to each submit annual reports to the Legislature beginning with the 2016 Regular Session;
- (3) Appropriates funds for the foregoing tasks; and
- (4) Has an effective date of July 1, 2015.

Technical, nonsubstantive amendments were made 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 is in accord with the intent and purpose of S.B. No. 1059, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1059, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ward.

SCRep. 1195 Judiciary on S.B. No. 364

The purpose of this measure is to:

- (1) Establish requirements and procedures for the recounting of ballots in an election;
- (2) Add unlawful activity and force majeure, and deleting overages or underages, as causes for which a complaint to contest an election shall be limited; and
- (3) Require a complaint for a contest for cause to state why the alleged cause or causes might create a difference in the election success of one or more candidates.

The Office of Elections provided comments on this measure. The Department of the Attorney General provided comments and recommended amendments.

Your Committee has amended this measure to:

- (1) Permit a petition for recount if the margin between the successful candidate and the petitioning candidate is less than five hundred votes or one-quarter of one percent of all votes cast for that contest, whichever is smaller;
- (2) Delete all provisions that assess the cost of the recount on the candidate who petitions for the recount;
- (3) Calculate the vote margin on the votes cast in the "contest" rather than the "race" as recommended by the Office of Elections;
- (4) Require that the petition for recount shall be filed by the close of business on the second day after the election. The tabulation of the recount shall be reported expeditiously to the Office of Elections and the Chief Election Officer shall certify and release the results no later than the close of business on the sixth day after the election;
- (5) Specify that a candidate may petition for recount under this measure or file a complaint for a contest for cause with the Supreme Court pursuant to Part XI of Chapter 11, Hawaii Revised Statutes, but not both;
- (6) Specify that if a recount of the ballots cast in a contest covers all the precincts of another contest, then all of those contests shall be recounted and recertified by the Chief Election Officer, but only if all of those contests must be recounted by the counting system;
- (7) Specify that the Supreme Court shall adopt the certified results of a recount as the undisputed result for the purposes of a contest for cause; provided that the complainant in the contest for cause did not petition for the recount of the contest; and
- (8) Make 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. 364, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 364, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, McDermott and Thielen.

SCRep. 1196 Judiciary on S.B. No. 615

The purpose of this measure is to propose a constitutional amendment to clarify that the Senate's thirty day period to reject a judicial appointment begins on the Senate's receipt of written notice of the governor's appointment.

The League of Women Voters of Hawaii testified in support of this measure. The Department of the Attorney General testified in support of this measure and recommended amendments.

Your Committee has amended this measure to:

- (1) Additionally require that the Senate receive written notice from the Judicial Selection Commission that is concurrent with its appointment, in the event the Governor or the Chief Justice fails to make a judicial appointment;
- (2) Require that the Senate receive written notice from the Chief Justice that is concurrent with the appointment of judges to the District Court;
- (3) Require, in the event that the Senate rejects an appointment, that the Governor or Judicial Selection Commission provide written notice to the Senate of the new appointment; and
- (4) Make conforming amendments to the ballot question.

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. 615, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 615, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, McDermott and Thielen.

SCRep. 1197 Judiciary on S.B. No. 287

The purpose of this measure is to establish an election by mail program to gradually convert elections conducted in the State to mail-in elections by:

- (1) Implementing election by mail in a county with a population of fewer than 100,000 beginning with the 2016 primary election, in each county with a population of fewer than 500,000 beginning with the 2018 primary election, and for all elections statewide beginning in 2020;
- (2) Providing voter service centers in each county and specifying the services to be provided to the voters at those centers;
- (3) Requiring the Office of Elections to submit annual reports to the Legislature from 2016 to 2021 regarding the progress in implementing the election by mail program; and
- (4) Appropriating funds to implement and administer the election by mail program.

The Office of Elections, County of Kauai Office of the County Clerk and two concerned individuals testified in support of this measure. The Office of Hawaiian Affairs and County of Maui Office of the County Clerk testified in support and recommended amendments. Two concerned individuals testified in opposition. Common Cause Hawaii and League of Women Voters testified in opposition and recommended amendments. City and County of Honolulu Office of the City Clerk provided comments.

Your Committee has amended this measure to:

- (1) Provide Election Day Registration at voting service centers beginning January 1, 2018;
- (2) Require the county clerk to mail ballots no earlier than 30 days before election;
- (3) Amend section 11-91.5, Hawaii Revised Statutes, relating to elections conducted by mail to further define the responsibilities of the Chief Election Officer and county clerks and allocate the expense of elections between the State and counties;
- (4) Prohibit the disclosure of election results if a natural disaster causes the election to be postponed;
- (5) Prohibit the disclosure of election results for mail ballots that are counted in advance of Election Day;
- (6) Allow the electronic transmission of ballots in instances when the voter did not receive or lost the ballot sent by mail;
- (7) Specify a secure, convenient, and streamlined process for the voter to obtain a replacement ballot;
- (8) Specify the process for designating and operating the voter service centers, require at least one voter service center per county, and require the voter service center to provide certain services including voter registration, update voter records, and receive cast ballots;
- (9) Define "election by mail ballot package," "place of deposit," "poll or polling place," and "voter service center;"
- (10) Specify appropriation amounts of \$50,000 for each year of the fiscal biennium 2015-2017 to implement and administer the election by mail program;
- (11) Change the effective date of this measure to July 1, 2015; and
- (12) Make 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. 287, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 287, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lee.

SCRep. 1198 Judiciary on S.B. No. 961

The purpose of this measure is to amend petition and hearing procedures for assisted community treatment. Specifically, this measure, among other things:

- (1) Removes the ten-day limit for setting a hearing date after the filing of a petition for assisted community treatment;
- (2) Amends petition and hearing notice requirements;
- (3) Specifies hearing circumstances under which a guardian ad litem, public defender, or other court-appointed counsel may be appointed to assist a subject of a petition;
- (4) Removes provisions allowing the court to order a subject to be examined by a licensed psychiatrist; and
- (5) Requires treating providers to provide information related to emergency mental health examinations and hospitalizations to the Department of Health for reporting purposes.

The Department of Health, PHOCUSED, Institute for Human Services, Waipahu Aloha Clubhouse Advisory Board, and Mental Health America of Hawaii testified in support of this measure.

Your Committee has amended this measure by:

- (1) Establishing that a psychiatric examination for the initiation of proceedings for assisted community treatment shall be valid so long as the examiner is able to receive enough information from the subject of the petition to reach a diagnosis of the mental illness of the subject of the petition, and to express a professional opinion concerning the same, even if the subject of the petition is not fully cooperative;
- (2) Clarifying that the subject of the petition is not required to accept legal representation by the public defender or other court-appointed counsel;
- (3) Establishing a "within a reasonable time" requirement for psychiatric assessments used in a hearing to commit a subject of a petition to receive assisted community treatment;
- (4) Changing its effective date to upon its 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 961, 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. 961, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1199 Education on S.B. No. 778

The purpose of this measure is to require and provide funding for the Department of Education to develop and implement, beginning with the 2020-2021 school year, annual assessments in the Hawaiian language, in accordance with established standards and state and federal assessment requirements, for students in the Hawaiian language immersion program (ka papahana kaiapuni).

Kamehameha Schools, Hawaii Public Charter Schools Network, Hawaii Bilingual/Hawaii Olelo Palua, Ewa Puuloa Hawaiian Civic Club, King Kamehameha Hawaiian Civic Club, and numerous concerned individuals supported the measure. The State Public Charter School Commission and Hawaii State Teachers Association supported the intent of the measure. The Department of Education, Office of Hawaiian Affairs, and Kalihi Palama Hawaiian Civic Club supported the measure with amendments.

Your Committee has amended the measure by, among other things:

- (1) Deleting its codified provisions, including the requirements that the Department of Education:
 - (A) Develop and implement annual assessments in the Hawaiian language for language arts, mathematics, and science for ka papahana kaiapuni students; and
 - (B) With the assistance of the Hawaiian-language community, establish procedures for the development of the assessments;
- (2) Requiring the Department of Education to submit preliminary and final reports to the Legislature regarding:
 - (A) The status of the development and administration of the non-translated Hawaiian-language assessments;
 - (B) The status of federal compliance issues relating to the non-translated Hawaiian-language assessments, including the status of any waivers sought from the United States Department of Education; and
 - (C) Any other actions taken by the Department of Education to comply with this measure;
- (3) Requiring the Department of Education's final report to the Legislature to include the Department's long-term plan to develop and administer non-translated Hawaiian-language assessments for each of the grade levels required for federal accountability purposes, including funding projections and any federal compliance issues;

- (4) Clarifying that the annual Hawaiian-language assessments for ka papahana kaiapuni students be non-translated;
- (5) Changing its effective date to July 1, 2015; 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 is in accord with the intent and purpose of S.B. No. 778, 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. 778, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ing, Ito, Kong and Say.

SCRep. 1200 Education on S.B. No. 980

The purpose of this measure is to provide a standardized framework and funding for afterschool programs in public middle schools by establishing the R.E.A.C.H. (Resources for Enrichment, Athletics, Culture, and Health) Program within the Office of Youth Services and a special fund to receive fees and other monies to supplement the costs of administering and operating the Program.

The Office of the Lieutenant Governor, Office of Youth Services, Office of Hawaiian Affairs, Hawaii State Teachers Association, REACH Out Hawaii, Hawaii Youth Services Network, and an individual supported this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 980, S.D. 1, 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. 980, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ing, Kong and Say.

SCRep. 1201 Consumer Protection & Commerce on S.B. No. 826

The purpose of this measure is to enhance the effectiveness and efficiency of self-governance in condominium living by amending chapter 514B, Hawaii Revised Statutes, to:

- (1) Require that a duly noticed annual meeting be held at a location convenient and easily accessible to a majority of condominium unit owners;
- (2) Allow for two subsequent duly noticed adjourned annual meetings if there is no quorum present at the initial annual meeting and a reduced quorum requirement if quorum is not met at the third duly noticed adjourned annual meeting;
- (3) Limit association business at an annual meeting conducted with a reduced quorum to the adoption of a tax resolution and the election of a board of directors for positions that have expired or are expiring;
- (4) Restrict the time between the originally-noticed adjourned annual meeting and the reduced-quorum adjourned annual meeting to no longer than ninety days;
- (5) Authorize the board of a condominium association to terminate a managing agent's contract upon a majority vote of the association of unit owners;
- (6) Require a condominium association with fifty or more units to prepare its budget on an accrual basis in accordance with generally accepted accounting principles; and
- (7) Require the use of standardized forms prescribed or approved by the commission for the condominium unit owner's request for records and the association's response to the request for records.

Associa, Palehua Townhouse Association, and an individual testified in support of this measure. The Community Associations Institute testified in support of the intent of this measure. The American Resort Development Association testified in opposition to this measure. The Real Estate Commission, Department of Commerce and Consumer Affairs, Marriott Vacations Worldwide Corporation, and a few individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the annual association meeting and adjourned annual meeting include electing a member as determined pursuant to section 514B-107(a), Hawaii Revised Statutes;
- (2) Amending the language concerning the adjourned annual meetings in the event that quorum cannot be obtained in the annual meeting;
- (3) Amending the procedures regarding the termination of a managing agent's contract;
- (4) Exempting certain projects from the new provisions concerning the employment, renewal, and termination of a managing agent's contract;

- (5) Specifying that all association meetings be held at the address of the condominium or elsewhere within the State as determined by the board and at a site on the island where the association is located that is convenient and readily accessible;
- (6) Deleting the requirement that any response to a written request by a unit owner or unit owner's agent be made on forms prescribed, or approved, by the Real Estate Commission;
- (7) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (8) 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. 826, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 826, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Lee and Oshiro.

SCRep. 1202 Consumer Protection & Commerce on S.B. No. 40

The purpose of this measure is to:

- (1) Require the licensing of behavior analysts by establishing the Behavior Analyst Program (Program) within the Department of Commerce and Consumer Affairs;
- (2) Exempt the Program from the requirement for a sunrise analysis by the Auditor; and
- (3) Appropriate funds to implement the Program.

The Department of Human Services; Community Children's Council of Hawaii; Special Education Advisory Council; Autism Speaks; Hawaii Association for Behavior Analysis; and numerous individuals supported this measure. The State Council on Developmental Disabilities and the Hawaii Medical Service Association supported the intent of this measure. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs; Regulated Industries Complaint Office of the Department of Commerce and Consumer Affairs; and an individual commented on this measure.

Your Committee has amended this measure by removing the expansion of the licensure requirement to "licensed assistant behavior analyst" and "assistant behavior analyst".

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. 40, S.D. 3, 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. 40, S.D. 3, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1203 Consumer Protection & Commerce on S.B. No. 307

The purpose of this measure is to establish a licensure program, administered by the Office of Health Care Assurance, for suppliers of durable medical equipment, prosthetics, orthotics, and related supplies.

The Board of Pharmacy, The Queen's Health Systems, and Healthcare Association of Hawaii testified in support of this measure. The Hawaii Medical Service Association and Hawaii Association of Health Plans testified in opposition to this measure. The Department of Health provided comments.

Your Committee notes that questions were raised regarding whether a sunrise study would be needed for the proposed Durable Medical Equipment Supplier Licensing and Patient Protection Program, because the Program creates new licensing requirements. Your Committee has been informed that because the new licensure requirement is not for vocational licensing, a sunrise study is not needed.

Your Committee has amended this measure by:

- (1) Deleting the findings and declaration section from the Hawaii Revised Statutes Part that establishes the Durable Medical Equipment Supplier Licensing and Patient Protection Program;
- (2) Requiring that the Office of Health Care Assurance submit a report prior to the 2016 Regular Session, on the status and effectiveness of the Durable Medical Equipment Supplier Licensing and Patient Protection 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 307, 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. 307, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1204 Consumer Protection & Commerce on S.B. No. 892

The purpose of this measure is to promote the State resilience and sustainability strategy by appropriating funds for broadband, joint emergency management, energy efficiency and grid operations, and water and sewer infrastructure.

The Hawaii State Fire General, Honolulu Fire Department; Pacific-Asia Institute for Resilience and Sustainability; United States Pacific Command; and an individual testified in support of this measure. The Department of Business, Economic Development and Tourism; High Technology Development Corporation; and Hawaii Farm Bureau testified in support of the intent of this measure. The Department of Health and Land Use Research Foundation of Hawaii provided comments.

Your Committee notes that the Hawaii resilience and sustainability strategy detailed in this measure addresses potential changes to the State's approach and strategy regarding broadband. As currently drafted, many of the sums appropriated in this measure for broadband are to be expended by the Department of Business, Economic Development and Tourism. Given that the Department of Commerce and Consumer Affairs also has a vested interest in State broadband strategy, your Committee notes that it is the intent of the Legislature that the two agencies work together in determining the most efficient usage of broadband appropriations, both in this measure and in the budget.

Your Committee has amended this measure by changing its effective date to July 1, 2112.

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. 892, 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. 892, S.D. 2, H.D. 2.

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

SCRep. 1205 Consumer Protection & Commerce on S.B. No. 1217

The purpose of this measure is to prohibit health insurers, mutual benefit societies, and health maintenance organizations from discriminating against licensed naturopathic physicians and to ensure that licensed naturopathic physicians are compensated in a similar manner as other licensed health care providers.

The Hawaii Society of Naturopathic Physicians, Autism Speaks, and numerous individuals testified in support of this measure. Kaiser Permanente and the Hawaii Association of Health Plans testified in opposition to this measure. The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association provided comments on this measure.

Section 2706 of the Federal Public Health Service Act, as added by section 1201 of the Federal Patient Protection and Affordable Care Act of 2010 (Affordable Care Act), and codified as 42 U.S.C. section 300gg-5, prohibits a group health plan and health insurance issuer offering group or individual health insurance coverage from discriminating with respect to participation under the plan or coverage against any health care provider who is acting within the scope of that provider's license or certification under applicable state law. While section 2706 does not address discrimination against any particular type of health care provider, this measure, as received by your Committee, specifically protects licensed naturopathic physicians.

As originally introduced as S.B. No. 1217, the original version of this measure better aligns with the purpose of section 2706 by prohibiting health insurers, mutual benefit societies, and health maintenance organizations from discriminating against *any* health care provider acting within the scope of that provider's license or certification.

After careful consideration, your Committee has amended this measure by deleting its substance and inserting the original version of S.B. No. 1217 to align Hawaii law with the requirements of section 2706, thereby preserving patient choice in providers and enhancing consumer access to covered benefits under the Affordable Care Act. In addition, your Committee has amended this measure by correcting a typographical error and changing its effective date to July 1, 2112, to encourage further discussion.

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. 1217, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as S.B. No. 1217, S.D. 1, H.D. 2.

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

SCRep. 1206 Consumer Protection & Commerce on S.B. No. 729

The purpose and intent of this measure is to clarify the role of advanced practice registered nurses regarding emergency hospital admission and involuntary hospitalization of individuals.

Specifically, this measure authorizes advanced practice registered nurses to:

- (1) Perform an emergency examination of a patient brought to a psychiatric facility and determine if the patient should be hospitalized on an emergency basis or released;
- (2) Certify a patient's signs and symptoms for a petition for commitment to a psychiatric facility; and
- (3) Make conforming amendments to related provisions.

Your Committee received testimony in support of this measure from the Board of Nursing, the Hawaii Association of Professional Nurses, the Queen's Health Systems, and one individual.

Your Committee finds that this measure provides consistency to the amendments made by Act 232, Session Laws of Hawaii 2013, by clarifying that advanced practice registered nurses are mental health professionals qualified to diagnose mental illness. This measure also helps to decrease the costs of healthcare by expanding the class of qualified personnel available to assist with the commitment of patients to psychiatric facilities.

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. 729 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1207 Consumer Protection & Commerce on S.B. No. 1094

The purpose of this measure is to make technical amendments to Hawaii's insurance laws in title 24 of the Hawaii Revised Statutes (HRS) to streamline operations, improve administrative efficiency, and reduce confusion and inefficiency in implementing Hawaii's insurance laws.

Among other things, this measure:

- (1) Establishes and increases fees for the following:
 - (A) Purchasing groups and foreign risk retention groups: \$300 initial registration fee and \$150 annual service fee;
 - (B) Fraternal benefit societies: \$900 application for certificate of authority fee, \$600 issuance of certificate of authority fee, \$1,500 application for a preliminary certificate of authority fee, \$150 issuance of preliminary certificate of authority fee, \$600 annual fee, and \$25 service of process fee;
 - (C) Insurance companies: \$900 application for certificate of authority fee, \$600 issuance of certificate of authority fee, and \$1,500 application for solicitation permit fee;
 - (D) Mutual benefit societies: \$900 application for certificate of authority fee, \$600 issuance of certificate of authority fee, \$1,500 application for certificate of registration fee, and \$600 annual fee; and
 - (E) Health maintenance organizations and dental insurers: \$900 application for certificate of authority fee, \$600 issuance of certificate of authority fee, and \$600 annual fee;
- (2) Changes references to "disability income" and "disability income benefits" in section 431:5-307, HRS, to conform to the National Association of Insurance Commissioners' Standard Valuation Model Law;
- (3) Amends the definitions of "contract" and "insurer" to clarify that readability of insurance contracts in article 10, chapter 431, HRS, applies to accident and health or sickness contracts and mutual benefit society contracts; and
- (4) Repeals the requirement that foreign risk retention groups file financial statements with the Insurance Division.

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

Your Committee has amended this measure by:

- (1) Inserting the contents of S.B. 1095 S.D.1, which makes additional changes to title 24, HRS, including:
 - (A) Specifying that rerating of rates approved by the Insurance Commissioner is prohibited;
 - (B) Permitting the suspension, revocation, or denial of a mutual benefit society's certificate of authority under certain conditions; and
 - (C) Making other conforming amendments;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of 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. 1094, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1094, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1208 Consumer Protection & Commerce on S.B. No. 725

The purpose of this measure is to:

- (1) Authorize the Board of Dental Examiners to take immediate action to suspend a dental license upon the determination that the licensee is jeopardizing the health or safety of patients;
- (2) Establish procedures for the suspension of the license and administrative hearings related to the suspension; and
- (3) Authorize the revocation of the license if the licensee attempts to continue to practice dentistry while the license is suspended.

The Hawaii Dental Association supported the intent of this measure. The Board of Dental Examiners and Department of Commerce and Consumer Affairs commented on this measure.

Your Committee has amended this measure by:

- (1) Authorizing the Director of Commerce and Consumer Affairs to issue an order to cease and desist from the unlicensed practice of dentistry or other violation of dental licensing laws, instead of authorizing the Board of Dental Examiners to summarily suspend the license;
- (2) Establishing procedures for issuance of the cease and desist order and administrative hearings related to the order;
- (3) Specifying that violation of the Director's order is a Class C felony;
- (4) Including dispensing tooth whitening agents or undertaking to whiten or bleach teeth as one of the activities within the practice of dentistry;
- (5) Changing its effective date to January 7, 2112, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of 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. 725, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 725, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1209 Consumer Protection & Commerce on S.B. No. 868

The purpose of this measure is to authorize county liquor commissions to regulate dancing in premises licensed to serve alcohol.

In addition, this measure requires liquor commissions that regulate dancing to:

- (1) Adopt or amend rules regarding limitations on dancing in premises licensed to serve alcohol; and
- (2) Define the term "dancing."

Your Committee finds that some county liquor commissions have established rules relating to dancing in licensed premises. However, your Committee finds that these rules may be confusing or ambiguous and thus difficult for members of the public and business owners to follow. Specifically, there may be confusion and ambiguity in regulations that prohibit dancing under certain circumstances, but fail to define dancing. For example, a broad definition of dancing could be interpreted to prohibit a variety of movements ranging from simply bobbing one's head to moving in synchronization with another individual for an extended period of time. Your Committee finds that statutorily authorizing each county liquor commission to regulate and define dancing will assist the county liquor commissions in creating regulations that members of the public and business owners can easily understand and obey.

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. 868, S.D. 1, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1210 Consumer Protection & Commerce on S.B. No. 1095

The purpose of this measure is to update title 24 of the Hawaii Revised Statutes, relating to insurance.

Specifically, the measure:

- (1) Prohibits any person, business, or entity from changing or rerating any rate approved by the Insurance Commissioner in any subsequent transfer, sale, resale, or pass through of health insurance issued by a managed care plan;
- (2) Authorizes the suspension, revocation, or denial of a mutual benefit society's certificate of authority under certain conditions;
- (3) Makes various changes to chapter 431M, Hawaii Revised Statutes, to conform to existing law; and
- (4) Amends the definition of "emergency services" to conform to the Patient Protection and Affordable Care Act.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee circulated a Proposed House Draft 1 and notified the public that it would accept testimony on the proposed draft. The proposed draft amended Senate Draft 1 by deleting its contents and inserting language that defines the term "habilitative services" to mean health care services, including but not limited to physical and occupational therapy, speech-language therapy, speech and swallowing therapy, applied behavior analysis, medical equipment, orthotics, and prosthetics, that help a person keep, learn, or improve skills and functioning for daily living. The proposed draft also changed the measure's effective date to July 1, 2112, to facilitate further discussion on the measure.

Your Committee received testimony in support of the proposed draft from Autism Speaks; BAYADA Habilitation; BAYADA Home Health Care on Maui; Hawaii Association for Behavior Analysis; and two individuals. Your Committee received testimony in opposition to the proposed draft from the League of Women Voters and the Hawaii Medical Service Association. The Department of Commerce and Consumer Affairs provided comments on the proposed draft.

Your Committee finds that the Patient Protection and Affordable Care Act specifies ten essential health benefit categories that must be included in any qualified health plan. Your Committee further finds that rules issued by the United States Department of Health and Human Services on essential

health benefits authorize the states to define "habilitative services" for the purposes of establishing the scope of essential health benefits in each state's benchmark health plan. Your Committee believes that, by defining "habilitative services," this measure will result in more complete health insurance coverage for treatments that benefit individuals with autism and other developmental disabilities.

Accordingly, your Committee has amended this measure by adopting the proposed draft.

Your Committee notes that the federal government's analysis of the proposed definition of "habilitative services" is still unclear. Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider whether enactment of the definition in the proposed draft would result in the creation of a new a state-mandated insurance benefit for which the State must defray costs rather than a clarification of Hawaii's existing essential health benefits.

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. 1095, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1095, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1211 Health on S.B. No. 841

The purpose of this measure is to improve the delivery of school health services by tasking the Department of Education and Department of Health to jointly convene an interagency working group to create a comprehensive school health program.

The Community Children's Council of Hawaii and Hawaii Primary Care Association supported this measure. The Department of Education supported the intent of this measure. The University of Hawaii and Hawaii Public Health Institute supported this measure with amendments. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Adjusting the membership of the interagency working group;
- (2) Clarifying that the working group shall create a comprehensive school-based health program;
- (3) Changing the effective date to July 1, 2112, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 841, 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. 841, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1212 Health on S.B. No. 550

The purpose of this measure, as received by your Committee, is to prohibit the possession or consumption of a tobacco product, including electronic smoking devices, by persons under 18 years of age in a public place.

For the purposes of a public hearing on this measure, your Committee circulated a proposed H.D. 1 that adds a new part that prohibits the consumption, purchase, possession, sale, offer for sale, or distribution of powdered alcohol in the State.

Your Committee received testimony from the following agencies, organizations, and individuals on S.B. No. 550, S.D. 1, as introduced, and on the proposed draft:

S.B. No. 550, S.D. 2: The Council Member of District 3, Hawaii County Council; Honolulu Police Department; and several individuals testified in support of this measure. The American Heart Association, Coalition for a Tobacco-Free Hawaii, Hawaii Youth Services Network, PC Gamerz, and numerous individuals opposed this measure.

S.B. No. 550, H.D. 1, Proposed Draft: The Department of Public Safety supported this measure. The City and County of Honolulu Liquor Commission and County of Kauai Department of Liquor Control supported the intent of this measure. The Department of Health opposed Part I of this proposed measure and commented on Part II of this proposed measure.

Upon consideration of Proposed H.D. 1, your Committee has amended this measure by:

- (1) Adopting only Part II of the Proposed H.D. 1, relating to powdered alcohol; and
- (2) Changing its effective date to July 1, 2112, to facilitate 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. 550, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 550, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1213 Health on S.B. No. 1036

The purpose of this measure is to convene a task force to address health care and payment reform steps to implement an effective addiction treatment system as a component of health care to improve outcomes and reduce overall health care costs.

The Community Health Outreach Work Project testified in support of this measure. The Hawaii Substance Abuse Coalition supported this measure with amendments. The Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Establishing a working group, rather than a task force;
- (2) Amending the focus of the measure to address publicly-funded substance abuse treatment services;
- (3) Making the appropriation for convening the working group applicable to Fiscal Year 2015-2016;
- (4) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes the testimony of the Department of Health that it will cost \$17,000 to convene the working group, including travel and other expenses related to the duties of the working group.

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. 1036, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1036, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1214 Health on S.B. No. 791

The purpose of this measure is to require that health insurance policies and contracts issued in this State provide coverage for autism diagnosis and treatment for individuals under 11 years of age.

The Hawaii Chapter of the American Physical Therapy Association, KJN Corporation, Kaiser Permanente Hawaii, and numerous individuals supported this measure. Autism Speaks, Hawaii Association for Behavior Analysis, and several individuals testified in support of this measure with amendments. The State Council on Developmental Disabilities, Special Education Advisory Council, Community Children's Council of Hawaii, Easter Seals Hawaii, and three individuals testified in support of the intent of this measure. The Department of Health, Department of Commerce and Consumer Affairs, American Council of Life Insurers, The Chamber of Commerce of Hawaii, Autism Society of Hawaii, Hawaii Medical Service Association, Hawaii Psychological Association, Hawaii Disability Rights Center, and several individuals provided comments.

Your Committee has amended this measure by:

- (1) Increasing the maximum age of eligibility for the treatment of autism spectrum disorders to 18 years of age;
- (2) Changing the term "behavioral health treatment" to "habilitative services";
- (3) Amending the term "autism service provider" to mean any person, entity, or group that provides treatment for autism and meets the minimum licensure requirements;
- (4) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity and style.

At the public hearing held by your Committee on this measure, discussion centered on whether the State will bear the cost of the autism diagnosis and treatment coverage under this measure or whether it is included under the ten essential health benefits requirements of the federal Patient Protection and Affordable Care Act. Your Committee respectfully requests further consideration of that issue as this measure continues through the legislative process.

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. 791, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 791, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1215 Health on S.B. No. 1030

The purpose of this measure is to increase the minimum age for persons who may purchase tobacco products or electronic smoking devices from eighteen to twenty-one years of age. This measure also defines "tobacco product" to mean any product intended for human consumption that is made or derived from tobacco and contains nicotine, including electronic smoking devices.

The Department of Health, Department of Public Safety, Honolulu Police Department, University of Hawaii, University of Hawaii Student Health Advisory Council, American Heart Association, American Lung Association of the Mountain Pacific, American Cancer Society Cancer Action Network, Coalition for a Tobacco Free Hawaii, Hawaii Medical Service Association, and many concerned individuals testified in support of this measure. The Hawaii Smokers Alliance, PC Gamerz, and many concerned individuals testified in opposition. The Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure to:

- (1) Prohibit the possession or consumption in public places of tobacco products, including electronic smoking devices, by persons under 18 years of age;
- (2) Change the effective date to July 1, 2112, to promote further discussion; and
- (3) Make technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1030, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1030, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1216 Consumer Protection & Commerce/Judiciary on S.B. No. 519

The purpose of this measure is to:

- (1) Extend for one additional year, the changes adopted by Act 326, Session Laws of Hawaii 2012, which, among other things, established local contact and informational requirements for transient accommodations;
- (2) Require the Department of Taxation to submit an annual report to the Legislature on the implementation of Act 326, Session Laws of Hawaii 2012;
- (3) Authorize the Department of Taxation to enforce civil penalties for operators and plan managers who fail to display certificates of registration and registration identification numbers as required by section 437D-4, Hawaii Revised Statutes; and
- (4) Authorize the deposit of monetary fines into the Tax Administration Special Fund.

The Hawaii Lodging & Tourism Association; Hawaii Association of Vacation Rental Managers; Rental By Owner Awareness Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Outrigger Enterprises Group; Boundless Hawaii, LLC; Abbey Vacation Rentals; Hawaiian Dream Properties; Kohala Coast Properties Inc.; Sullivan Properties, Inc.; SunQuest Vacations; Timberline Land Co. HI, LLC; Kailua Neighborhood Board; and numerous individuals supported this measure. The Department of Taxation; Public Utilities Commission; Maui Hotel & Lodging Association; Condominium Rentals Hawaii; South Kohala Management; Waikaloa Vacation Rental Management; and Captain Cook Real Estate commented on this measure.

Your Committees have amended this measure by:

- (1) Adding new definitions for "transient" and "transient accommodations broker";
- (2) Clarifying the definition of "transient accommodations";
- (3) Clarifying the process for the displaying of registration identification numbers by those that offer transient accommodations;
- (4) Clarifying the definition of "local contact" in Act 326, Session Laws of Hawaii 2012, to not contravene the Landlord Tenant and Real Estate Codes;
- (5) Changing the effective date to July 1, 2112, to encourage further discussion; 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 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. 519, 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. 519, S.D. 2, H.D. 2.

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

SCRep. 1217 Consumer Protection & Commerce/Judiciary on S.B. No. 1280

The purpose of this measure is to preserve alternative forms of transportation services available to consumers while affording consumers the protection of law by regulating transportation network companies. Among other things, this measure:

- (1) Requires the Public Utilities Commission (PUC) to regulate transportation network companies and transportation network company drivers;
- (2) Establishes motor vehicle insurance requirements for the transportation network company industry;
- (3) Establishes minimum qualifications for transportation network company drivers; and
- (4) Appropriates funds for the PUC to carry out the regulation of transportation network companies and their drivers.

The Hawaii Transportation Association; Property Casualty Insurers Association of America; State Farm Mutual Automobile Insurance Company; United Services Automobile Association; Signature Cab Holdings, Inc.; Liberty Mutual Insurance; and Charley's Taxi & Limousine provided testimony in support of this measure. B.T. Trans, LLC; Uber Technologies; and a few individuals opposed this measure. The Department of the Attorney General;

Department of Commerce and Consumer Affairs; Public Utilities Commission; Hawaii Insurers Council; Roberts Hawaii; and Grassroot Institute of Hawaii submitted comments.

Your Committees have amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

Your Committees note that the counties may already have the authority to regulate the transportation network company industry. Additionally, your Committees received testimony regarding agreed upon language between UBER Technologies and several insurance companies nationally. Your Committees respectfully request that your Committee on Finance further examine these issues.

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. 1280, 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. 1280, S.D. 2, H.D. 2.

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

SCRep. 1218 Consumer Protection & Commerce on S.B. No. 1096

The purpose of this measure is to ensure that electric utilities serving as a billing and collection agent in a purely "pass-through" capacity for any on-bill financing or repayment program are exempt from various state or county taxes and state laws regulating financial institutions, escrow depositories, and collection agencies.

The Public Utilities Commission; Department of Business, Economic Development and Tourism; Department of Taxation; Hawaiian Electric Company; Hawaii Electric Light Company; Maui Electric Company; and an individual testified in support of this measure. The Tax Foundation of Hawaii provided comments.

Your Committee notes that it has been the intent of the Legislature to not treat the collection of revenues, where such collection represents a pure reimbursement, as income for taxation purposes. In the current measure, your Committee finds that a utility, while serving as a billing and collection entity, is not actually raising revenues. Rather, the billed and collected on-bill obligations represent pass-through expenses.

Your Committee has amended this measure by changing its effective date to July 1, 2112.

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. 1096, S.D. 1, 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. 1096, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1219 Consumer Protection & Commerce on S.B. No. 737

The purpose of this measure is to limit the total amount of fees charged for the deferred deposit of a personal check to an annual percentage rate of 36 percent.

The Department of Commerce and Consumer Affairs; Hawaii Alliance for Community-Based Economic Development; Moveon.org Honolulu Council; Hawaii Appleseed Center for Law and Economic Justice; Phocused; Catholic Charities Hawaii; Faith Action for Community Equity; Hawaiian Community Assets; The ILWU Local 142; Progressive Democrats of Hawaii; AARP; Community Alliance on Prisons; and many individuals provided testimony in support of this measure. Dollar Financial Group, Inc.; Money Mart; Money Service Centers of Hawaii, Inc.; Aloha Finance, Inc.; Hawaii Check Cashing; Maui Loan Inc.; Cash in Advance, Inc.; and one concerned individual submitted testimony opposing this measure.

Your Committee has amended this measure by:

- (1) Limiting the total amount of fees charged for the deferred deposit of a personal check to an unspecified annual percentage rate;
- (2) Beginning July 1, 2015, requiring licensed businesses in the State to notify the Department of Commerce and Consumer Affairs at the end of each fiscal year if they conducted any deferred deposit transaction;
- (3) Requiring the Department of Commerce and Consumer Affairs to keep a record of all licensed businesses that conduct deferred deposit transactions in each fiscal year beginning July 1, 2015;
- (4) Prohibiting a check casher from entering into an agreement for deferred deposit with a customer within five days immediately following the end of the customer's earlier agreement for a deferred deposit;
- (5) Raising the fine for a wilful violation of chapter 480F, Hawaii Revised Statutes, up to a maximum of \$5,000; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee respectfully requests that your Committee on Finance further examine the annual percentage rate limit for the deferred deposit of a personal check and whether the annual percentage rate limit is the appropriate measurement solution.

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. 737, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 737, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1220 Consumer Protection & Commerce on S.B. No. 1154

The purpose of this measure is to reduce, from forty-five to thirty days, the minimum time between notice of a public hearing and the date the hearing is held for a liquor license application in a county with a population of five hundred thousand or more.

Your Committee received testimony in support of this measure from the Liquor Commission of the City and County of Honolulu and one individual.

Your Committee finds that obtaining a liquor license is a crucial step for many new or expanding businesses. Currently, liquor license applicants must wait at least forty-five days after notice of a public hearing until the date the hearing is held. During this forty-five day period, an applicant may be prohibited from opening or expanding their business because the liquor license has not yet been approved. As a result, the applicant may not be able to hire staff and generate revenue required for the applicant to undertake the capital investment necessary for the new or expanded business. Reducing the required wait time from forty-five days to thirty days between notice and hearing would expedite the process to obtain a liquor license and benefit Hawaii's economy by more quickly generating additional revenue streams for businesses.

Your Committee also finds that the public hearing process to comment on liquor license applications is a valuable community tool. Communities have the ability to shape their neighborhoods by presenting opposition to, or support of, a liquor license application. Your Committee believes that thirty days is sufficient notice to alert communities in larger, more urban counties, of a public hearing on a liquor license application and gather community support or opposition.

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. 1154 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1221 Consumer Protection & Commerce on S.B. No. 1032

The purpose of this measure is to strengthen the cigarette tax and tobacco tax law by:

- (1) Expanding the definition of "tobacco products" to include products that do not contain tobacco, but contain nicotine;
- (2) Increasing the license fees of cigarette and tobacco product wholesalers and dealers; and
- (3) Increasing the retail tobacco permit fees of retailers.

The Department of Health; American Heart Association; American Cancer Society Cancer Action Network; and the Coalition for a Tobacco-Free Hawaii supported this measure. The Department of Taxation commented on this measure. The Hawaii Food Industry Association; Hawaii Cigar Association; Kauai Cigar Company; PC Gamerz; and numerous individuals opposed this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2015.

Your Committee finds that the current license fee for tobacco wholesalers and retailers is \$2.50 and has remained unchanged since 1995. Of the 40 states that have fees, 26 states charge \$100 or more per year, 14 states charge \$200 or more per year, and nine states charge between \$500 and \$1500 per year. Hawaii is only one of two states that charge a wholesaler less than a retailer. Your Committee notes that tobacco licensing is an effective public health tool for controlling the negative health consequences of tobacco use by ensuring that wholesalers and retailers comply with responsible sales practices.

Your Committee notes that the amount of the fee, while not onerous, should be balanced between the burden on the small businesses and the funding of health programs to address tobacco related issues. However, because the State can expect revenue from these fees to diminish over time, the State should use these kinds of fees as a short term funding solution, not a long term means of financing entities.

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. 1032, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1032, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 1222 Judiciary on S.B. No. 577

The purpose of this measure is to assist the Campaign Spending Commission's (Commission) revenue stream by:

- (1) Requiring the deposit of any fees that are assessed by the Commission into the Hawaii Election Campaign fund (Fund);
- (2) Authorizing the Commission to use moneys from the Fund for investigation expenses and repealing the allocation of Fund monies to the Commission's personnel and operating expenses; and
- (3) Requiring the Commission to conduct a study on the sustainability of its operations and finances.

The Department of Accounting and General Services and several concerned individuals submitted testimony in support of this measure. The Campaign Spending Commission; The League of Women Voters Hawaii; Common Cause Hawaii; and a concerned individual submitted testimony in opposition of this measure.

Your Committee has amended this measure by:

- (1) Specifying that the operating expenses, which include staff salaries and fringe benefits, of the Commission be paid for through the general fund;

- (2) Removing the provision that allowed for the Commission to use Hawaii Election Campaign fund moneys for investigation expenses;
- (3) Appropriating an unspecified amount from the general fund to the Commission for administrative expenses, including investigation expenses;
- (4) Removing the study tasked to the Commission; 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. 577, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 577, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, McDermott and Thielen.

SCRep. 1223 Judiciary on S.B. No. 1287

The purpose of this measure is to:

- (1) Provide authors of sound recordings that were fixed prior to February 15, 1972, with an exclusive ownership interest in the original work until February 15, 2067; and
- (2) Add a fine of up to \$1,000 to the penalties under section 482C-5, Hawaii Revised Statutes, for violations of the law on copyrights in sound recordings.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition from KFVE, Hawaii Association of Broadcasters, KITV, Salem Media of Hawaii, and one individual.

Your Committee finds that the federal Copyright Act of 1976, specifically, 17 U.S.C. section 301(c), explicitly leaves to the states the protection of sound recordings fixed prior to February 15, 1972, as follows:

"With respect to sound recordings fixed before February 15, 1972, any rights or remedies under the common law or statutes of any State shall not be annulled or limited by this title until February 15, 2067. The preemptive provisions of subsection (a) shall apply to any such rights and remedies pertaining to any cause of action arising from undertakings commenced on and after February 15, 2067. Notwithstanding the provisions of section 303, no sound recording fixed before February 15, 1972, shall be subject to copyright under this title before, on, or after February 15, 2067."

Accordingly, your Committee finds that Hawaii's current law governing copyright in sound recordings should be updated to reflect current developments in the distribution of sound recordings and provide recording artists with a public performance right in their sound recordings under state law, since Congress explicitly left this area of regulation to the states. Hawaii's artists should enjoy the same rights that artists in other states may enjoy, under court decisions such as *Flo & Eddie, Inc. v. Sirius XM Radio, Inc. et. al*, Case No. CV 13-5693 PSG (RZX) (Sept. 22, 2014), from the United States District Court for the Central District of California. Furthermore, your Committee finds that to date, the criminal enforcement provisions have been insufficient to provide artists with a means to enforce their rights against third parties.

Your Committee has amended this measure by:

- (1) Updating the purpose section of this measure to clarify the purpose and statutory basis for this measure;
- (2) Deleting the amendment to the penalties under section 482C-5, Hawaii Revised Statutes, since the courts may already impose fines for misdemeanors;
- (3) Adding language providing for a civil right of enforcement for infringement, including the right to request injunctive relief, money damages, and attorney's fees, in conformity with the judicial relief provided to the owners in this State of other intellectual property such as trademarks or trade secrets;
- (4) Conforming section 482C-4, Hawaii Revised Statutes, to allow for the new performance right and provide exemptions for non-commercial educational use, archival use, or fair use, or use based upon a negotiated or statutory license; and
- (5) Adding language that civil remedies for infringement will not be available unless sound recordings are made available for license through a collecting society or performing rights management organization.

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. 1287, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1287, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Woodson.

SCRep. 1224 Water & Land on S.B. No. 774

The purpose of this measure is to improve protections for wetland taro lands and related historic agricultural structures by:

- (1) Adding to the Board of Land and Natural Resources' (Board) Intensive Agricultural Use classification of public lands, a Fourth Class—Taro Lands classification comprising undeveloped public lands in the land use conservation district that were in wetland taro cultivation prior to statehood or traditional taro lands that retain historic structural evidence of wetland taro lands; and

- (2) Authorizing and appropriating funds for the Board, in conjunction with the Taro Security and Purity Task Force, to create an inventory of Fourth Class—Taro Lands.

The Department of Land and Natural Resources, Aha Moku Advisory Committee, Hawaii Land Restoration Institute, Hawaii Farmers Union United, Land Use Research Foundation of Hawaii, Taro Security and Purity Task Force, Association of Hawaiian Civic Clubs, Kalihi Palama Hawaiian Civic Club, and numerous individuals provided testimony in support of the measure. The Department of Agriculture, Office of Hawaiian Affairs, and an individual provided comments.

Your Committee has amended this measure by:

- (1) Deleting the Fourth Class-Taro Lands classification from the Intensive Agricultural Use classification of public lands;
- (2) Requiring the Board, in conjunction with the Taro Security and Purity Task Force, to create an inventory of taro lands; and
- (3) Requiring the Board to submit a report of its findings and recommendations to the Legislature before the 2016 Regular Session.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 774, 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. 774, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Evans and Lowen.

SCRep. 1225 Water & Land on S.B. No. 284

The purpose of this measure is to:

- (1) Allocate transient accommodations tax revenues of \$3,000,000 annually to the special land and development fund, to be expended pursuant to title 12, Hawaii Revised Statutes, in accordance with the long-range strategic plan for tourism developed by the Hawaii Tourism Authority;
- (2) Authorize the Department of Budget and Finance to issue \$40,000,000 in revenue bonds and to use the proceeds to acquire a conservation easement in Turtle Bay, Oahu;
- (3) Require the Department of Budget and Finance to transfer the conservation easement to the Department of Land and Natural Resources; and
- (4) Allocate transient accommodations tax revenues of \$3,000,000 annually to the Department of Budget and Finance to pay the debt service on the revenue bonds and ongoing expenses related to the bonds.

The Trust for Public Land, North Shore Community Land Trust, Pacific Resource Partnership, CountryTalkStory.com, Conservation Council for Hawaii, Free Access Coalition, The Nature Conservancy, Hawaii Construction Alliance, Hawaiian Islands Land Trust, Defend Oahu Coalition, Farm Lovers Farmers Markets, Hawaii Advocates For Consumer Rights, UNITE HERE Local 5, Hawaii's Thousand Friends, Surfrider Foundation Oahu Chapter, keepthenorthshorecountry.org, Windward Ahupuaa Alliance, and many individuals provided testimony in support of the measure. The Department of Budget and Finance, Department of Land and Natural Resources, Hawaii Tourism Authority, State-County Functions Working Group, Tax Foundation of Hawaii, League of Women Voters of Hawaii, and an individual provided comments.

Your Committee has amended this measure by:

- (1) Removing the language creating and allocating money to the special land and development fund;
- (2) Changing the method of financing the Turtle Bay conservation easement from revenue bonds to reimbursable general obligation bonds;
- (3) Emphasizing that the public shall have perpetual access to the Turtle Bay conservation easement;
- (4) Making the Department of Land and Natural Resources responsible for the appraisal and due diligence on the easement and appropriating funds to do so;
- (5) Adding a repeal and reenactment provision conditional on a contract for the easement being entered into by December 31, 2015;
- (6) Adding new language that appropriates to the State's Office of Planning moneys to appraise the Dole lands and study the feasibility of a land exchange between the State and Dole for the preservation of the North Shore agricultural lands;
- (7) Blanking out all appropriation amounts; and
- (8) Making technical, nonsubstantive amendments for consistency, clarity, and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider:

- (1) Authorizing the Department of Budget and Finance to issue \$40,000,000 in reimbursable general obligation bonds;
- (2) Allocating \$3,000,000 annually from the excess transient accommodations tax to the Turtle Bay conservation easement fund; and
- (3) Appropriating:

- (A) \$500,000 to the Department of Land and Natural Resources for the purpose of obtaining an appraisal and performance of due diligence on the Turtle Bay conservation easement;
- (B) \$40,000,000 out of the Turtle Bay conservation easement special fund to carry out the purpose of acquiring the conversation easement in Turtle Bay, Oahu; and
- (C) \$400,000 to the Office of Planning to investigate the possibility of acquiring lands owned by Dole Food Company, Inc.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 284, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 284, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 1226 Consumer Protection & Commerce on S.B. No. 1050

The purpose of this measure is to enhance resident accessibility to the benefits of renewable energy by, among other things:

- (1) Requiring the Public Utilities Commission to establish a community-based renewable energy tariff or tariffs;
- (2) Requiring that community-based renewable energy projects:
 - (A) Equal to or less than one megawatt in size be subject to streamlined and standardized interconnection approval processes established by the Public Utilities Commission; and
 - (B) Greater than one megawatt in size be subject to the Public Utilities Commission's individualized review and approval;
- (3) Allowing an electric utility to develop and implement its own community-based renewable energy project or projects, as long as the project or projects are subject to the Public Utilities Commission's review and approval; and
- (4) Requiring that the community-based renewable energy tariff and related interconnection processes be, to the extent possible, standardized.

The Department of Commerce and Consumer Affairs, Hawaiian Electric Company, Inc., Blue Planet Foundation, Ulupono Initiative, Hawaii Solar Energy Association, Democratic Party of Hawaii, Hawaii Green Growth, and numerous individuals testified in support of this measure. The Public Utilities Commission and Hawaii Renewable Energy Alliance testified in support of the intent of this measure. The Department of Business, Economic Development and Tourism testified in support of this measure and provided amendments. The Office of Hawaiian Affairs provided comments.

Your Committee has amended this measure by:

- (1) Requiring that each electric utility in the State file a proposed community-based renewable energy tariff with the Public Utilities Commission by October 1, 2015;
- (2) Removing provisions regarding wattage requirements that would trigger the need for streamlined and standardized interconnection processes;
- (3) Defining the types of projects that qualify as a community-based renewable energy project;
- (4) Amending the definition of "community-based renewable energy tariff" to consider the standardization of interconnection processes for community-based renewable energy projects; and
- (5) Changing its effective date to July 1, 2015.

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. 1050, 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. 1050, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1227 Consumer Protection & Commerce on S.B. No. 401

The purpose of this measure is to amend the excise tax rate on sales of large cigars that occur on or after December 31, 2015, to the lesser of:

- (1) Fifty cents for each large cigar; or
- (2) Fifty percent of the wholesale price of each large cigar.

The International Premium Cigar & Pipe Retailers Association; Cigar Association of America, Inc.; Cigar Rights of America; Hawaii Food Industry Association; Hawaii Cigar Association; Kauai Cigar Company; ABC Stores; and numerous individuals testified in support of this measure. The Department of Health; American Cancer Society Cancer Action Network; American Heart Association; Coalition for a Tobacco-Free Hawaii; and numerous individuals testified in opposition to this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by deleting its contents and replacing it with the provisions of H.B. 145 H.D. 1, which was previously heard by this Committee. As amended, this measure:

- (1) Establishes a refundable income tax credit for taxpayers who produce, in the State, cigars for sale; and
- (2) Stipulates that the tax credit is applicable to taxable years beginning after December 31, 2112, to facilitate further discussion.

Your Committee respectfully notes that the tax credit applies to a taxpayer who has filed income tax returns in Hawaii for a period of not less than five consecutive years immediately prior to claiming the credit. Therefore, the measure subjects both residents and non-residents to the same five-year income tax filing requirement.

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. 401, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 401, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1228 Energy & Environmental Protection on S.B. No. 349

The purpose of this measure is to promote greater energy security for Hawaii by:

- (1) Establishing a refundable renewable fuels production tax credit; and
- (2) Repealing the ethanol facility tax credit.

The Hawaii Energy Policy Forum, Hawaii Renewable Energy Alliance, Pacific Biodiesel Technologies, Renewable Energy Action Coalition of Hawaii, Hawaii Clean Energy Foundation, and Hawaiian Electric Vehicle Network supported the measure. The Ulupono Initiative supported the measure with amendments. The Department of Business, Economic Development, and Tourism; Department of Taxation; Tax Foundation of Hawaii; and Bioenergy Associates LLC submitted comments.

Your Committee has amended the measure by:

- (1) Specifically including sugar and starch crops including but not limited to sugar cane and cassava as renewable feedstocks, from which qualifying renewable fuels can be produced; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 349, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 349, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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

SCRep. 1229 Energy & Environmental Protection on S.B. No. 1214

The purpose of this measure is to authorize the Department of Budget and Finance to issue up to \$800,000,000 in special purpose revenue bonds to assist Hawaiian Electric Company, Inc.; Hawaii Electric Light Company, Inc.; and Maui Electric Company, Limited, to continue multi-project capital improvement programs.

The Hawaiian Electric Company, Inc.; Hawaii Electric Light Company, Inc.; Maui Electric Company, Limited; and Land Use Research Foundation of Hawaii supported the measure. A concerned individual testified in opposition. The Department of Budget and Finance submitted comments.

Your Committee has amended the measure by:

- (1) Deleting the amounts of the special purpose revenue bonds to be authorized;
- (2) Deleting the lapsing date of the authorization period for the special purpose revenue bonds;
- (3) Requiring that electric utilities, in order to be eligible to receive special purpose revenue bonds, unbundle customer rates and charges in a manner approved by the Public Utilities Commission, including filing an application with the Public Utilities Commission by July 1, 2016, for this purpose;
- (4) Specifying the requirements for unbundled customer bills; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider authorizing the issuance of \$320,000,000 in special purpose revenue bonds over two years, instead of \$800,000,000 in special purpose revenue bonds over five years.

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 is in accord with the intent and purpose of S.B. No. 1214, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1214, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Yamane and Pouha.
(Representatives Say and Thielen voted no.)

SCRep. 1230 Health/Consumer Protection & Commerce on S.B. No. 1338

The purpose of this measure is to improve the operations of the Hawaii Health Connector and assist its achievement of full financial self-sustainability by authorizing the sale of fully-insured large group health plans through the Connector and instituting certain coverage and notice requirements in conformity with controlling federal law. Specifically, this measure ends the authorization to issue or renew transitional renewal policies effective January 1, 2016, authorizes the sale through the Connector of small employer group health plans for employers with up to the maximum number of employees permitted under federal law, and requires health insurers to provide notice to group health plans of the availability through the Connector of continuing coverage pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

The Maui Chamber of Commerce, Chamber of Commerce of Hawaii, and Hawai'i Lodging and Tourism Association submitted testimony in opposition to this measure. The Department of Commerce and Consumer Affairs, Hawaii Primary Care Association, ProService Hawaii, and Hawaii Medical Service Association submitted comments.

Your Committees have amended this measure by:

- (1) Ending the authorization to issue or renew transitional renewal policies on October 1, 2016, the latest day permissible under federal law;
- (2) Deleting provisions relating to the sale of small employer group health plans through the Connector;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1338, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1338, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami and Tupola.
(Representative McDermott voted no.)

SCRep. 1231 Health/Consumer Protection & Commerce on S.B. No. 1028

The purpose of this measure is to ensure that the operations of the Hawaii Health Connector are in compliance with federal requirements for provider network adequacy and financial self-sufficiency by:

- (1) Requiring the qualified health plans offered through the Connector to meet the requirements of an essential community provider under federal law and to contract with federally-qualified health centers to provide covered health care services;
- (2) Authorizing the Connector to generate revenue through the issuance of debentures and the provision of benefit administration services for employer-based health plans that are not offered through the Connector and other ancillary products and services; and
- (3) Appropriating funds from the Emergency and Budget Reserve Fund to serve as a reserve for the all debentures issued by the Connector.

Your Committees received testimony in opposition to this measure from the Hawai'i Lodging and Tourism Association, Maui Chamber of Commerce, Hawaii Medical Service Association, Kaiser Permanente Hawaii, the Chamber of Commerce of Hawaii, and one individual. The Department of Commerce and Consumer Affairs, Department of Budget and Finance, Department of the Attorney General, and Hawaii Primary Care Association submitted comments.

Your Committees note the concerns raised in testimony by the Department of Budget and Finance regarding this measure's authorization for the State to guarantee debentures issued by the Hawaii Health Connector. The Department expressed concern that such guaranteed debentures would negatively affect the State's credit rating, thereby limiting its ability to raise capital through general obligation bonds, and trigger the requirement for a larger budget reserve pursuant to Article VII, section 13 of the Hawaii Constitution. Further, the Department expressed concern with the use of the Emergency and Budget Reserve Fund as the State's guarantee. Your Committees are in agreement with the Department regarding these issues. Accordingly, your Committees find that the issuance of debentures as contemplated by this measure would be imprudent at this time.

Your Committees have amended this measure by:

- (1) Amending language related to federal network adequacy standards and contract with federally-qualified health centers to conform to the requirements of federal implementing regulations;
- (2) Clarifying that the requirements to contract with federally-qualified health centers shall not affect or impair any existing insurer contracts;
- (3) Deleting all provisions related to authorizing the Connector to issue debentures and appropriating reserve funds;
- (4) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (5) Making nonsubstantive technical amendments.

As affirmed by the records of votes of the members of your Committees on Health and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1028, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1028, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami and Tupola.
(Representative McDermott voted no.)

SCRep. 1232 Health on S.B. No. 1291

The purpose of this measure is to prohibit discrimination against medical marijuana patients and primary caregivers by schools, landlords, the courts, and others with regard to medical care and parental rights.

More specifically, this measure:

- (1) Prohibits discrimination by schools and landlords against qualifying patients who use medical marijuana and their primary caregivers who are in strict compliance with the State's medical marijuana laws, except if the school or landlord would lose a monetary or licensing-related benefit under federal law;
- (2) Protects registered qualifying medical marijuana patients from discrimination related to receiving medical care; and
- (3) Protects qualifying patients or their primary caregivers who are parents from discrimination related to child custody or visitation issues.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, American Civil Liberties Union of Hawaii, Community Alliance on Prisons, Drug Policy Forum of Hawaii, Drug Policy Action Group, Green Futures, and six individuals. Your Committee received comments on this measure from the Judiciary, Department of Health, and Department of the Attorney General.

Your Committee finds that medical marijuana patients have limited protections against discrimination. Your Committee believes that medical marijuana patients should not be subject to discrimination due to the use of medical marijuana to treat a medical condition. Your Committee finds that this measure will ensure basic protections for the civil liberties of medical marijuana patients, particularly in the areas of housing, school enrollment, medical care, and parental rights.

Your Committee finds that existing privacy laws may prevent schools and landlords from ascertaining whether medical marijuana patients or caregivers are in compliance with the State's medical marijuana laws. Your Committee further finds that the present parental rights language regarding the standard of proof may inadvertently extend greater protections to parents using medical marijuana than other parents at the expense of vulnerable children. Accordingly, your Committee has amended the measure by:

- (1) Allowing schools and landlords limited access to the Department of Health's medical marijuana registry, as determined to be necessary by the Department of Health, to ensure that qualifying patients or primary caregivers are validly registered with the Department of Health;
- (2) Harmonizing the new section in chapter 329, Hawaii Revised Statutes, with chapter 587A, Hawaii Revised Statutes, by deleting reference to "unreasonable" danger and changing the evidentiary standard for determining danger to the safety of a minor from "clear and convincing" to a "preponderance of the evidence";
- (3) Changing the effective date to January 7, 2112, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive amendments for the purpose of style, clarity, and consistency.

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. 1291, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1291, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1233 Health/Judiciary on S.B. No. 682

The purpose of this measure is to facilitate the acquisition and use of medical marijuana by qualifying patients under state law.

More specifically, this measure:

- (1) Allows a qualifying patient, primary caregiver, or an owner or employee of a medical marijuana production center or dispensary to transport medical marijuana in any public place;
- (2) Requires that medical marijuana transported in a public place be kept in a sealed container, not be visible to the public, and not be consumed or used in any way in the public place;
- (3) Repeals a requirement that a certifying physician be the qualifying patient's primary care physician; and
- (4) Has an effective date of July 1, 2050, that is contingent upon the passage and subsequent enactment of S.B. No. 1302, in any form, during the Regular Session of 2015.

Your Committees received testimony in support of this measure from the American Civil Liberties Union of Hawaii, the Community Alliance on Prisons, the Drug Policy Action Group, the Drug Policy Forum of Hawaii, Green Futures, the University of Hawaii Biology Alumni Association, and eight individuals. Testimony in opposition to this measure was submitted by the Department of the Prosecuting Attorney of the City and County of Honolulu. The Department of the Attorney General, the Department of Health, and one individual submitted written comments on the measure.

Your Committees note that the provisions in this measure are intended to facilitate the effective use of medical marijuana for qualifying patients within the context of a medical marijuana dispensary scheme, but were separated from the provisions of S.B. No. 1302 due to concerns raised by the Attorney General as to whether they fit under the scope of that measure's title. Rather than making these provisions effective contingent upon the passage of S.B. No. 1302 in any form, your Committees believe that it would be both more cogent and more efficient to keep these provisions together with provisions establishing a comprehensive medical marijuana dispensary scheme, such as that found in H.B. No. 321, H.D. 1.

Your Committees find that legitimate concerns have been raised regarding the potential for unauthorized diversion of medical marijuana from licensed dispensaries and production centers and that additional, prudent regulatory practices are needed to address those concerns and ensure a well-regulated, tightly controlled medical marijuana dispensary scheme.

Your Committees further find that a regulatory system that phases in limited numbers of licensed dispensaries and production centers over two or more years would provide additional safeguards and allow additional time to identify and respond to any problems that may arise with regard to the medical marijuana dispensary scheme.

Accordingly, your Committees have amended this measure by adding to the measure the substantive provisions of H.B. No. 321, H.D. 1, which establish a system of medical marijuana dispensaries and production centers in the State and prohibit counties from enacting zoning regulations that discriminate against licensed dispensaries and production centers. Your Committees have further amended the measure by:

- (1) Defining "transport" of medical marijuana to allow only transportation of medical marijuana on the same island between a:
 - (a) Qualifying patient and primary caregiver;
 - (b) Production center and a dispensary; or
 - (c) Production center and another production center;
 and making conforming amendments deleting language related to interisland transportation of marijuana;
- (2) Changing the requirement that a physician who is certifying that a qualifying patient would benefit from the use of medical marijuana be the qualifying patient's primary care physician to a requirement that the physician have a bona fide physician-patient relationship with the qualifying patient;
- (3) Amending the date on which the Department of Health may begin offering medical marijuana dispensary licenses from January 1, 2017, to July 1, 2016;
- (4) Amending the date on which licensed dispensaries may begin dispensing medical marijuana from July 1, 2017, to January 1, 2017;
- (5) Amending the number of medical marijuana dispensary licenses that shall be offered by the Department of Health from twenty-six by January 1, 2019, to six that may be offered by July 1, 2016, and twelve that may be offered by July 1, 2017;
- (6) Providing that, of the six initial dispensary licenses that may be offered by July 1, 2016, two licenses may be offered in the City and County of Honolulu, two may be offered in the County of Hawaii, and one may be offered in each of the counties of Kauai and Maui;
- (7) Providing that the Department of Health may consider whether to offer additional medical marijuana dispensary licenses after July 1, 2017, based on qualifying patient need;
- (8) Amending the number of medical marijuana production center licenses that may be offered by the Department of Health from thirty commencing on July 1, 2016, to unspecified numbers on March 1, 2016, and March 1, 2017, respectively;
- (9) Changing to unspecified sums the fee amounts for dispensary and production center licenses from \$20,000 for a dispensary license and \$30,000 for a license renewal, and \$2,000 for a production center license to cultivate an unspecified number of plants and \$4,000 for a production center license to cultivate a second unspecified number of plants;
- (10) Requiring that a numerical tag be affixed to each marijuana plant controlled by a production center, and specifying that the tag shall be the basis for the inventory tracking system to be required by the Department of Health pursuant to rules;
- (11) Requiring the establishment of a medical marijuana advisory commission that shall include voting members with specific subject matter expertise appointed by the Governor, Senate, House of Representatives, and the Mayor of each county, respectively, and ex-officio non-voting members who represent the Department of Agriculture, Department of Health, and Department of Taxation;
- (12) Requiring that any combination of qualifying patients and primary caregivers who jointly cultivate more than twenty-eight marijuana plants register with the Department of Health and implement constant video monitoring and recording of the cultivation site and other reasonable security measures deemed necessary by the Department of Health;
- (13) Establishing an unspecified limit on the number of marijuana plants that may be jointly cultivated by a combination of qualifying patients and primary caregivers without requiring a production center license;
- (14) Prohibiting primary caregivers from cultivating medical marijuana for qualifying patients after June 30, 2018; provided that a primary caregiver who is the parent, guardian, or person having legal custody of a qualifying patient who is a minor or an adult lacking legal capacity may cultivate marijuana for the qualifying patient;
- (15) Requiring the Legislative Reference Bureau to submit to the Legislature, not later than twenty days prior to the convening of the regular session of 2018, proposed legislation to conform chapters 321 and 329, Hawaii Revised Statutes, with the provisions of this measure regarding the prohibition of primary caregivers cultivating medical marijuana;

- (16) Changing the effective date to an unspecified date and providing that the appropriation section shall take effect on July 1, 2050, to facilitate further discussion on the measure; and
- (17) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

Should the Committee on Finance decide to hear this measure, your Committees respectfully request that it consider providing an appropriation of \$750,000 and five full-time equivalent (FTE) positions in the Department of Health to adequately fund and implement the provisions of this measure.

Your Committees also respectfully request that subsequent committees that may consider this measure consult with the Department of Health to determine the appropriate number of medical marijuana production center licenses that should be offered in light of the changes being made in this measure.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 682, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 682, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Woodson, McDermott and Tupola.

SCRep. 1234 Labor & Public Employment on H.R. No. 69

The purpose of this measure is to improve teacher retention within the Department of Education.

Specifically, this measure requests the Legislative Reference Bureau:

- (1) In consultation with the Department of Education and University of Hawaii at Manoa College of Education, to prepare a study that examines and provides recommendations on improving the retention of teachers within the Department of Education; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2016.

Your Committee received testimony in support of this measure from the Hawaii State Teachers' Association and one individual. The Legislative Reference Bureau, Department of Education, and one individual commented on the measure.

Your Committee finds that the systemic shortage of public school teachers within the Department of Education is exacerbated by multiple factors, including the limited pool of qualified applicants to recruit and the subsequent administrative challenge of retaining teachers once employed. Your Committee believes that the study requested by this measure will provide information and recommendations necessary to improve retention of highly qualified teachers in public schools, which is critical to achieving long-standing educational goals and meeting academic standards set by the State.

Your Committee has amended this measure by:

- (1) Requesting the Department of Education to provide certain information to the Legislative Reference Bureau by July 31, 2015;
- (2) Clarifying that the Legislative Reference Bureau is requested to conduct the study based upon information received from the Department of Education;
- (3) Requesting the University of Hawaii at Manoa College of Education and the Department of Education to cooperate with the Legislative Reference Bureau and provide any information the Bureau may require to complete its report in the timeframe established; and
- (4) Making technical nonsubstantive changes for the purposes of 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 concurs with the intent and purpose of H.R. No. 69, as amended herein, and recommends that it be referred to the Committees on Education and Higher Education in the form attached hereto as H.R. No. 69, H.D. 1.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1235 Labor & Public Employment on H.C.R. No. 116

The purpose of this measure is to improve teacher retention within the Department of Education.

Specifically, this measure requests the Legislative Reference Bureau:

- (1) In consultation with the Department of Education and University of Hawaii at Manoa College of Education, to prepare a study that examines and provides recommendations on improving the retention of teachers within the Department of Education; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2016.

Your Committee received testimony in support of this measure from the Hawaii State Teachers' Association and one individual. The Legislative Reference Bureau, Department of Education, and one individual commented on the measure.

Your Committee finds that the systemic shortage of public school teachers within the Department of Education is exacerbated by multiple factors, including the limited pool of qualified applicants to recruit and the subsequent administrative challenge of retaining teachers once employed. Your Committee believes that the study requested by this measure will provide information and recommendations necessary to improve retention of highly qualified teachers in public schools, which is critical to achieving long-standing educational goals and meeting academic standards set by the State.

Your Committee has amended this measure by:

- (1) Requesting the Department of Education to provide certain information to the Legislative Reference Bureau by July 31, 2015;
- (2) Clarifying that the Legislative Reference Bureau is requested to conduct the study based upon information received from the Department of Education;
- (3) Requesting the University of Hawaii at Manoa College of Education and the Department of Education to cooperate with the Legislative Reference Bureau and provide any information the Bureau may require to complete its report in the timeframe established; and
- (4) Making technical nonsubstantive changes for the purposes of 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 concurs with the intent and purpose of H.C.R. No. 116, as amended herein, and recommends that it be referred to the Committees on Education and Higher Education in the form attached hereto as H.C.R. No. 116, H.D. 1.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1236 Tourism on H.R. No. 99

The purpose of this measure is to address unauthorized activity on managed and closed areas by commercial tour operators and excursion groups and ensure the safety of touring residents and visitors by requesting the Legislative Reference Bureau to examine if and how other states regulate tour operators within their jurisdiction.

A concerned individual supported this measure. The Department of Land and Natural Resources and Legislative Reference Bureau offered comments.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 99 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Cachola, Ito and Ward.

SCRep. 1237 Tourism on H.C.R. No. 162

The purpose of this measure is to address unauthorized activity on managed and closed areas by commercial tour operators and excursion groups and ensure the safety of touring residents and visitors by requesting the Legislative Reference Bureau to examine if and how other states regulate tour operators within their jurisdiction.

A concerned individual supported this measure. The Department of Land and Natural Resources and Legislative Reference Bureau offered comments.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 162 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Cachola, Ito and Ward.

SCRep. 1238 Human Services on H.R. No. 12

The purpose of this measure is to request the Hawaii Access to Justice Commission to assemble a working group of interested government agencies and community entities to develop a plan that will determine which agency or organization is best suited to administer funding for civil legal services to low- and moderate-income individuals.

The Legal Aid Society of Hawaii and Access to Justice Commission supported this measure. The Office of Community Services commented on this measure.

Should the Committee on Judiciary deliberate this measure further, your Committee respectfully requests that it consider the amendments proposed by the Legal Aid Society of Hawaii and consider inviting more stakeholders to be participants in the working group.

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. 12 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 1239 Human Services on H.C.R. No. 30

The purpose of this measure is to request the Hawaii Access to Justice Commission to assemble a working group of interested government agencies and community entities to develop a plan that will determine which agency or organization is best suited to administer funding for civil legal services to low- and moderate-income individuals.

The Legal Aid Society of Hawaii, Access to Justice Commission, Volunteer Legal Services Hawaii, and an individual supported this measure. The Office of Community Services commented on this measure.

Should the Committee on Judiciary deliberate this measure further, your Committee respectfully requests that it consider the amendments proposed by the Legal Aid Society of Hawaii and consider inviting more stakeholders to be participants in the working group.

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. 30 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 1240 Human Services on H.C.R. No. 22

The purpose of this measure is to determine the best practices for collecting, storing, and sharing data on homeless youth by requesting the Hawaii Interagency Council on Homelessness to convene a task force that will identify data points most useful for identifying and assessing the homeless youth population in the State and design a system for collecting, consolidating, securing, and sharing that data across departments.

The Department of Education, Hawaii Youth Services Network, and two individuals supported this measure.

Your Committee has amended this measure by:

- (1) Including representatives from:
 - (A) Hawaii Youth Services Network;
 - (B) Hale Kipa;
 - (C) Maui Youth and Family Services;
 - (D) Salvation Army Family Intervention Services;
 - (E) Hale Opio Kauai;
 - (F) Waikiki Health; and
 - (G) Family Support Hawaii,
 to serve as members 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 Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 22, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 22, H.D. 1.

Signed by all members of the Committee except Representatives Belatti and Oshiro.

SCRep. 1241 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 19

The purpose of this measure is to aid female active duty service members, as well as female veterans, with their specific needs and issues by requesting the Office of Veterans' Services to establish and fund a Veteran Women Services Coordinator position within the Office and appoint a veteran, or present member or discharged member of the Hawaii Air or Army National Guard, as the Coordinator.

The Office of Veterans' Services and Hawaii Military Women's Task Force Committee provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 19 and recommends that it be referred to the Committee on Judiciary.

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

SCRep. 1242 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 45

The purpose of this measure is to aid female active duty service members, as well as female veterans, with their specific needs and issues by requesting the Office of Veterans' Services to establish and fund a Veteran Women Services Coordinator position within the Office and appoint a veteran, or present member or discharged member of the Hawaii Air or Army National Guard, as the Coordinator.

The Office of Veterans' Services and Hawaii Military Women's Task Force Committee provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 45 and recommends that it be referred to the Committee on Judiciary.

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

SCRep. 1243 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 126

The purpose of this measure is to recognize the Japanese Women's Society Foundation and its President Lillian Yajima for creating the "Adopt-a-Mom" program, which provides women in care homes who have given much to their families and society but who would not otherwise receive visitors on Mother's Day with recognition, honor, and the opportunity to celebrate this important day.

The Japanese Women's Society Foundation and several concerned citizens testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 126 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1244 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 191

The purpose of this measure is to recognize the Japanese Women's Society Foundation and its President Lillian Yajima for creating the "Adopt-a-Mom" program, which provides women in care homes who have given much to their families and society but who would not otherwise receive visitors on Mother's Day with recognition, honor, and the opportunity to celebrate this important day.

The Japanese Women's Society Foundation and several concerned citizens testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 191 and recommends that it be referred to the Committee on Finance.

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

SCRep. 1245 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 41

The purpose of this measure is to convey the Legislature's expression of condolence to the people of France for the tragic loss of life on January 7, 2015, in the terrorist attack on Paris that impacted the lives of so many in France.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts 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 Representatives Cachola and Woodson.

SCRep. 1246 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 77

The purpose of this measure is to convey the Legislature's expression of condolence to the people of France for the tragic loss of life on January 7, 2015, in the terrorist attack on Paris that impacted the lives of so many in France.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts 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 Representatives Cachola and Woodson.

SCRep. 1247 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 66

The purpose of this measure is to protect underground aquifers from contamination and preserve the quality and sustainability of drinking water for the people of Hawaii by requesting the Director of Health to develop and implement a course of action between the State and the United States Navy to address and resolve the issues relating to the leakage of fuel from the Red Hill Underground Storage Facility and submit a report of findings and recommendations to the Legislature.

The Board of Water Supply supported this measure. The Department of Land and Natural Resources provided comments.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 66 and recommends that it be referred to the Committee on Health.

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

SCRep. 1248 Economic Development & Business on H.C.R. No. 189

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to establish a working group to create a master plan of providing universal high speed broadband access in resort areas throughout Hawaii.

There were no testifiers present at the hearing.

Your committee has amended this measure by:

- (1) Amending its title to read: "REQUESTING THE BROADBAND ASSISTANCE ADVISORY COUNCIL TO CREATE A MASTER PLAN OF PROVIDING UNIVERSAL HIGH SPEED BROADBAND ACCESS IN RESORT AREAS AND OTHER AREAS OF IMPORTANCE THROUGHOUT HAWAII, INCLUDING BUT NOT LIMITED TO HONOLULU INTERNATIONAL AIRPORT AND HAWAII PUBLIC SCHOOLS.";
- (2) Requesting that the existing Broadband Assistance Advisory Council currently under the Department of Commerce and Consumer Affairs create the master plan as requested in this measure rather than creating a new working group under the Department of Business, Economic Development, and Tourism; and
- (3) Stipulating that the Broadband Assistance Advisory Council include within their working groups one representative from Hawaiian Electric Company.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 189, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 189, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Ohno and Ward.

SCRep. 1249 Education on H.R. No. 70

The purpose of this measure is to request the Board of Education to review whether the student representative to the board should be allowed voting rights.

There was no testimony submitted for 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.R. No. 70 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.

SCRep. 1250 Education on H.C.R. No. 117

The purpose of this measure is to request the Board of Education to review whether the student representative to the board should be allowed voting rights.

There was no testimony submitted for 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. 117 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.

SCRep. 1251 Education on H.C.R. No. 81

The purpose of this measure is to urge the Department of Education to offer credit toward salary for certain practical experiences when hiring teachers for areas with shortages.

The Department of Education and another individual offered comments, mentioning that teacher compensation is subject to negotiation with the Hawaii State Teachers Association and could eventually result in the need for an increased appropriation. Another individual offered comments mentioning that credit should be extended to teachers in all areas, not just limited to shortage areas.

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. 81 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.

SCRep. 1252 Education on H.C.R. No. 138

The purpose of this measure is to urge the Department of Education to permit student athletic teams to run and train off school campus.

The Department of Education testified in opposition of this resolution. A number of individuals testified in support 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. 138 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.
(Representative Say voted no.)

SCRep. 1253 Housing on H.C.R. No. 120

The purpose of this measure is to request the Governor, in coordination with the Office of Planning and the Hawaii Housing Finance and Development Corporation, to update the State Housing Functional Plan.

The Hawaii Housing Finance and Development Corporation supported this measure. The Office of Planning 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 concurs with the intent and purpose of H.C.R. No. 120 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1254 Education on H.R. No. 157

The purpose of this measure The purpose of this measure is to honor Al Lewis by naming the new Waimanalo Elementary and Intermediate school building after him.

The United States Representative for the 1st Congressional District, the Department of Education, the Oahu County Committee Democratic Party of Hawaii, Hawaii Government Employees Association, the United Public Workers, AFSCME, Local 646, and a number of individuals testified in support of this resolution. One individual offered comments.

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. 157 and recommends its adoption.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.

SCRep. 1255 Education on H.C.R. No. 224

The purpose of this measure is to honor Al Lewis by naming the new Waimanalo Elementary and Intermediate school building after him.

The United States Representative for the 1st Congressional District, the Department of Education, the Oahu County Committee Democratic Party of Hawaii, Hawaii Government Employees Association, the United Public Workers, AFSCME, Local 646, and a number of individuals testified in support of this resolution. One individual offered comments.

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. 224 and recommends its adoption.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.

SCRep. 1256 Tourism on H.R. No. 135

The purpose of this measure is to boost tourism and promote Hawaii's natural beauty to the world by supporting the concept of the Rainbow Stop Pilot Project that would create State-approved rainbow viewing locations throughout the State where residents and visitors would be able to view their vehicles over to a safe roadside area to view Hawaii's natural, beautiful rainbows.

Idea Hunter and a concerned individual supported this measure. The Department of Land and Natural Resources offered comments.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 135 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Ito and Ward.

SCRep. 1257 Tourism on H.C.R. No. 199

The purpose of this measure is to boost tourism and promote Hawaii's natural beauty to the world by supporting the concept of the Rainbow Stop Pilot Project that would create State-approved rainbow viewing locations throughout the State where residents and visitors would be able to pull their vehicles over to a safe roadside area to view Hawaii's natural, beautiful rainbows.

Idea Hunter and a concerned individual supported this measure. The Department of Land and Natural Resources offered comments.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 199 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Ito and Ward.

SCRep. 1258 Judiciary on H.R. No. 141

The purpose of this measure requests the Department of Health to examine existing and alleged violations in the solid waste recycling industry and fairly and equally enforce applicable laws and regulations for all companies.

There was no submitted testimony for 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. 141 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Nakashima and Woodson.

SCRep. 1259 Judiciary on H.C.R. No. 205

The purpose of this measure requests the Department of Health to examine existing and alleged violations in the solid waste recycling industry and fairly and equally enforce applicable laws and regulations for all companies.

The Surfrider Foundation and Schnitzer Steel testified in support of this measure. The Department of Health provided comments

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. 205 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Nakashima and Woodson.

SCRep. 1260 Judiciary on H.R. No. 58

The purpose of this measure is to request the Department of the Attorney General to convene a task force to investigate and coordinate the provision of medical, educational, housing, and social services to migrants from freely associated states.

There was no submitted testimony for this resolution

Your committee requests that the introducers of this resolution understand the need for submitted testimony in order for committee members to better understand the needs of the task force and problems with the affected community.

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. 58 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Nakashima and Woodson.

SCRep. 1261 Judiciary on H.C.R. No. 105

The purpose of this measure is to request the Department of the Attorney General to convene a task force to investigate and coordinate the provision of medical, educational, housing, and social services to migrants from freely associated states.

There was no testimony submitted for this resolution.

Your committee requests that the introducers of this resolution understand the need for submitted testimony in order for committee members to better understand the needs of the task force and problems with the affected community.

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. 105 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Nakashima and Woodson.

SCRep. 1262 Judiciary on H.R. No. 87

The purpose of this measure is to form a working a working group to examine smarter sentencing to improve the quality and reliability and reliability of state criminal sentencing practices.

There were no testifiers for this resolution

Your Committee has amended this measure by:

- (1) Inserted language on page 2 lines 1-3 to include background information on sentencing done in Hawaii and who contains the legal authority on sentencing guidelines for minimum terms of imprisonment; and
- (2) In page 2 lines 5-8 recommended that the Judiciary is more appropriate in retaining authority on sentencing rather than the Hawaii Paroling Authority; and
- (3) Adopted the Department of Public Safety concerns about sentencing authority. Changed the working group request from Department of Public Safety to Hawaii Paroling Authority; and
- (4) Revised the language on page 2, lines 8-9 to include "such as whether a crime is especially heinous, atrocious or cruel"; and
- (5) Inserted page 3, lines 39-42 to exempt working group members from Chapter 84; 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 concurs with the intent and purpose of H.R. No. 87, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 87, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Woodson.

SCRep. 1263 Judiciary on H.C.R. No. 146

The purpose of this measure is to form a working a working group to examine smarter sentencing to improve the quality and reliability and reliability of state criminal sentencing practices.

The Community Alliance on Prisons testified in support. The Department of Public Safety offered comments.

Your Committee has amended this measure by:

- (1) Inserted language on page 2 lines 1-3 to include background information on sentencing done in Hawaii and who contains the legal authority on sentencing guidelines for minimum terms of imprisonment; and
- (2) In page 2 lines 5-8 recommended that the Judiciary is more appropriate in retaining authority on sentencing rather than the Hawaii Paroling Authority; and
- (3) Adopted the Department of Public Safety concerns about sentencing authority. Changed the working group request from Department of Public Safety to Hawaii Paroling Authority; and
- (4) Revised the language on page 2, lines 8-9 to include "such as whether a crime is especially heinous, atrocious or cruel"; and
- (5) Inserted page 3, lines 39-42 to exempt working group members from Chapter 84; 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 concurs with the intent and purpose of H.C.R. No. 146, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 146, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Woodson.

SCRep. 1264 Judiciary on H.R. No. 143

The purpose of this measure requests an audit of all state departments and agencies utilizing state funds for outside counsel

The Attorney General offered comments.

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. 143 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Woodson.

SCRep. 1265 Judiciary on H.C.R. No. 207

The purpose of this measure requests an audit of all state departments and agencies utilizing state funds for outside counsel

An individual Raj Kumar offered testimony in support. The Attorney General and Grassroot Institute of Hawaii offered comments

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. 207 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Woodson.

SCRep. 1266 Human Services on H.C.R. No. 104

The purpose of this measure is to request the Auditor to conduct an audit of the Department of Human Services, including its Med-QUEST Division and KOLEA, the eligibility determination system of the Division.

The Hawaii Primary Care Association supported this measure. The Department of Human Services supported the intent of this measure and offered a proposed H.D. 1.

Your Committee has amended this measure by adopting the language of the proposed H.D. 1, which, among other things:

- (1) Requests the Office of the Governor to have an audit conducted, rather than specifying that the audit be conducted by the Auditor;
- (2) Requests the audit to examine the process of procurement of the KOLEA system and whether the system met the objectives and results expected, and make recommendations to improve purchase, design, operation and maintenance processes and controls; and
- (3) Requests that the audit be conducted in an expedited manner and completed by November 1, 2015.

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. 104, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 104, H.D. 1.

Signed by all members of the Committee except Representatives Oshiro and Fukumoto Chang.

SCRep. 1267 Human Services on H.R. No. 60

The purpose of this measure is to request the Department of Human Services to:

- (1) Evaluate and consider an alternate methodology for establishing the basic prospective payment system rates for intermediate care facilities for individuals with intellectual disabilities;
- (2) Adopt rules that require rebasing of the basic prospective payment system rates using updated cost report data at least every two fiscal years; and
- (3) Adopt rules that allow intermediate care facilities for individuals with intellectual disabilities to reserve a bed for no more than twenty-four days per calendar year for a resident who is absent from the facility, regardless of whether the absence is due to hospitalization or other reasons.

The State Council on Developmental Disabilities, Arc in Hawaii, and several individuals supported this measure. The Department of Human Services opposed 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. 60 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Oshiro and Fukumoto Chang.

SCRep. 1268 Human Services on H.C.R. No. 107

The purpose of this measure is to request the Department of Human Services to:

- (1) Evaluate and consider an alternate methodology for establishing the basic prospective payment system rates for intermediate care facilities for individuals with intellectual disabilities;
- (2) Adopt rules that require rebasing of the basic prospective payment system rates using updated cost report data at least every two fiscal years; and
- (3) Adopt rules that allow intermediate care facilities for individuals with intellectual disabilities to reserve a bed for no more than twenty-four days per calendar year for a resident who is absent from the facility, regardless of whether the absence is due to hospitalization or other reasons.

The State Council on Developmental Disabilities, Arc in Hawaii, and several individuals supported this measure. The Department of Human Services opposed this measure. An individual commented on 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. 107 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Oshiro and Fukumoto Chang.

SCRep. 1269 Labor & Public Employment on H.R. No. 150

The purpose of this measure is to encourage alternate modes of transportation and equalize commuter benefit programs, which currently benefit only those who drive automobiles, by requesting the Director of Human Resources Development to develop and implement a comprehensive pre-tax public transportation benefit program for various modes of transportation so that benefits, including subsidies, are available to all State employees regardless of their mode of transportation. This measure further requests the Director of Human Resources Development to submit a report to the Legislature prior to the 2016 Regular Session that details the progress made towards implementing the program.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and a concerned individual testified in support of this measure. The Department of Human Resources Development provided 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 H.R. No. 150 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1270 Labor & Public Employment on H.C.R. No. 215

The purpose of this measure is to encourage alternate modes of transportation and equalize commuter benefit programs, which currently benefit only those who drive automobiles, by requesting the Director of Human Resources Development to develop and implement a comprehensive pre-tax public transportation benefit program for various modes of transportation so that benefits, including subsidies, are available to all State employees regardless of their mode of transportation. This measure further requests the Director of Human Resources Development to submit a report to the Legislature prior to the 2016 Regular Session that details the progress made towards implementing the program.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and a concerned individual testified in support of this measure. The Department of Human Resources Development provided 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 H.C.R. No. 215 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1271 Labor & Public Employment on H.R. No. 36

The purpose of this measure is to ensure that safety standards and practices are adequately upheld, and that workers are protected against workplace hazards, by requesting the Department of Labor and Industrial Relations to perform an internal review of Hawaii Occupational Safety and Health Division rules and policies with respect to incidents that pose an immediate danger to life and health and submit a report of its findings and recommendations to the Legislature.

A concerned individual submitted testimony in support of this measure. The Department of Labor and Industrial Relations opposed this measure.

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. 36 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1272 Labor & Public Employment on H.C.R. No. 69

The purpose of this measure is to ensure that safety standards and practices are adequately upheld, and that workers are protected against workplace hazards, by requesting the Department of Labor and Industrial Relations to perform an internal review of Hawaii Occupational Safety and Health Division rules and policies with respect to incidents that pose an immediate danger to life and health and submit a report of its findings and recommendations to the Legislature.

A concerned individual submitted testimony in support of this measure. The Department of Labor and Industrial Relations opposed this measure.

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. 69 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1273 Labor & Public Employment on H.C.R. No. 58

The purpose of this measure is to ensure that employees of the State who are injured in work-related incidents are receiving timely medical treatment and compensation by requesting the Department of Labor and Industrial Relations to issue a report, to be submitted to the Legislature prior to the 2016 session, that includes data from calendar years 2013 and 2014 and encompasses:

- (1) The number of processed and unprocessed workers' compensation cases for injured State employees and the status of those cases;
- (2) The number of claims made, and the number of cases that have been settled but in which payment has not been made; and
- (3) The average time period taken to completely resolve workers' compensation claims for State employees.

The United Public Workers, AFSCME, Local 646, AFL-CIO submitted testimony in support of this measure.

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. 58 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1274 Labor & Public Employment on H.C.R. No. 226

The purpose of this measure is to protect local jobs in Hawaii's energy industries by requesting the State Auditor to perform an evaluation of the impact that the NextEra Energy merger with Hawaiian Electric Industries may have on Hawaii's workers in the energy industries and report findings to the Legislature. This evaluation is requested to include the possibilities of:

- (1) Transitioning current workers into new jobs in the field of renewable energy;
- (2) Incentivizing current companies to transition into new areas of "renewable electrical energy" using their current workforce;
- (3) Incentivizing companies to continue sustainable employment for workers directly affected by the merger; and
- (4) Deterring companies involved in the energy industry from acting in ways that may be detrimental to Hawaii's workers and the community.

The International Brotherhood of Electrical Workers Local Union 1260 testified in support of this measure.

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. 226 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1275 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 80

The purpose of this measure is to assist the Department of Land and Natural Resources with effective management of the State's marine and reef resources by encouraging the Department to adopt administrative rules requiring aquarium fish dealers to report regularly on their purchases and sales. Reports by dealers will assist the Department in tracking and verification of the data in monthly catch reports submitted to the Department by commercial marine licensees as required pursuant to state statute.

Wayne's Ocean World, Inc., and numerous individuals submitted testimony in support of this measure. Several individuals submitted testimony in opposition to this measure. The Department of Land and Natural Resources submitted comments.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 80 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representative Ing.

SCRep. 1276 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 68

The purpose of this measure is to request that the state agencies responsible for setting and enforcing the State's marine conservation policies strengthen the requirements for protection of the State's indigenous marine wildlife, particularly spinner dolphins, other marine mammals, and sea turtles, including through collaboration with federal partner agencies and pursuit of federal and private grant funding sources.

The Department of Land and Natural Resources, R.T. Distributors, Inc., and two individuals submitted testimony in support of this measure. One individual submitted comments.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 68 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 1277 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 119

The purpose of this measure is to request that the Department of Land and Natural Resources conduct a study of the causes of limu and reef fish decline between Pu'uloa and Barber's Point on the Ewa Coast of Oahu and make recommendations for actions to stop the decline.

Three individuals testified in support of this measure. The Department of Land and Natural Resources and two individuals commented on this measure.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 119 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 1278 Ocean, Marine Resources, & Hawaiian Affairs on H.R. No. 152

The purpose of this measure is to request that the Judiciary convene a task force composed of representatives of the legal profession, technical experts, and the Hawaiian language community to investigate the necessary resources cost, and to develop a plan, to make Hawaiian language resources available on the Judiciary's public website.

An individual testified in support of this measure. The Center for Hawaiian Sovereignty Studies submitted testimony in opposition to this measure. The Judiciary and the Office of Hawaiian Affairs submitted comments on this measure.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 152, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.R. No. 152, H.D. 1.

Signed by all members of the Committee except Representative Ing.

SCRep. 1279 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 217

The purpose of this measure is to request that the Judiciary convene a task force composed of representatives of the legal profession, technical experts, and the Hawaiian language community to investigate the necessary resources cost, and to develop a plan, to make Hawaiian language resources available on the Judiciary's public website.

An individual testified in support of this measure. The Center for Hawaiian Sovereignty Studies submitted testimony in opposition to this measure. The Judiciary and the Office of Hawaiian Affairs submitted comments on this measure.

Your Committee has amended this measure by specifying that the representative of the Office of Hawaiian Affairs shall be the OHA Administrator or the Administrator's designee.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 217, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.C.R. No. 217, H.D. 1.

Signed by all members of the Committee except Representative Ing.

SCRep. 1280 Energy & Environmental Protection on H.R. No. 155

The purpose of this measure is to help protect the environment by requesting the Department of Business, Economic Development, and Tourism to convene a task force to develop recommendations to divest public investments from fossil fuels.

Two concerned individuals supported the measure. The Department of Business, Economic Development, and Tourism and Employees' Retirement System submitted comments.

Your Committee has amended the measure by:

- (1) Requesting the Department of Business, Economic Development, and Tourism to convene a task force to consider the feasibility of divesting public investments from fossil fuels;
- (2) Changing its title to "REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A TASK FORCE TO CONSIDER THE FEASIBILITY OF DIVESTING PUBLIC INVESTMENTS FROM FOSSIL FUELS."; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 155, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 155, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1281 Energy & Environmental Protection on H.C.R. No. 222

The purpose of this measure is to help protect the environment by requesting the Department of Business, Economic Development, and Tourism to convene a task force to develop recommendations to divest public investments from fossil fuels.

Two concerned individuals supported the measure. The Department of Business, Economic Development, and Tourism and Employees' Retirement System submitted comments.

Your Committee has amended the measure by:

- (1) Requesting the Department of Business, Economic Development, and Tourism to convene a task force to consider the feasibility of divesting public investments from fossil fuels;
- (2) Changing its title to "REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A TASK FORCE TO CONSIDER THE FEASIBILITY OF DIVESTING PUBLIC INVESTMENTS FROM FOSSIL FUELS."; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 222, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 222, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1282 Energy & Environmental Protection on H.R. No. 66

The purpose of this measure is to urge the City and County of Honolulu to consider amending the Revised Ordinances of Honolulu to include trees on private property among the items authorized to be cut or removed when the item is determined to be a nuisance, as prescribed under the Revised Ordinances of Honolulu.

No public testimony was received for 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. 66 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1283 Energy & Environmental Protection on H.C.R. No. 113

The purpose of this measure is to urge the City and County of Honolulu to consider amending the Revised Ordinances of Honolulu to include trees on private property among the items authorized to be cut or removed when the item is determined to be a nuisance, as prescribed under the Revised Ordinances of Honolulu.

No public testimony was received for 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. 113 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1284 Energy & Environmental Protection on H.R. No. 78

The purpose of this measure is to protect public health and safety by requesting, among other things:

- (1) The Director of Health to extend the task force studying the effects of the January 2014 fuel tank leak at the Red Hill Underground Fuel Storage Facility and to continue serving as the chairperson of the task force;
- (2) The Director of Health to invite the same interested parties, as well as any additional, appropriate interested parties, to serve as members of the task force;
- (3) The task force to monitor developments and gather new information about the Red Hill fuel tanks and the impact of the January 2014 leak for purposes of supplementing its 2014 report; and
- (4) The Director of Health to submit a supplemental report of the task force's findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2016.

The Department of Health and Board of Water Supply of the City and County of Honolulu supported the measure. The Department of Land and Natural Resources submitted comments.

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. 78 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1285 Energy & Environmental Protection on H.C.R. No. 126

The purpose of this measure is to protect public health and safety by requesting, among other things:

- (1) The Director of Health to extend the task force studying the effects of the January 2014 fuel tank leak at the Red Hill Underground Fuel Storage Facility and to continue serving as the chairperson of the task force;
- (2) The Director of Health to invite the same interested parties, as well as any additional, appropriate interested parties, to serve as members of the task force;
- (3) The task force to monitor developments and gather new information about the Red Hill fuel tanks and the impact of the January 2014 leak for purposes of supplementing its 2014 report; and
- (4) The Director of Health to submit a supplemental report of the task force's findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2016.

The Department of Health and Board of Water Supply of the City and County of Honolulu supported the measure. The Department of Land and Natural Resources submitted comments.

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. 126 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1286 Energy & Environmental Protection on H.R. No. 65

The purpose of this measure is to protect the scenic beauty of Oahu by encouraging the City and County of Honolulu to expand:

- (1) The number of refuse convenience centers and transfer stations that accept bulky items; and
- (2) The types of bulky items that can be accepted at each site.

No public testimony was received for his 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. 65 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1287 Energy & Environmental Protection on H.C.R. No. 112

The purpose of this measure is to protect the scenic beauty of Oahu by encouraging the City and County of Honolulu to expand:

- (1) The number of refuse convenience centers and transfer stations that accept bulky items; and
- (2) The types of bulky items that can be accepted at each site.

No public testimony was received for 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. 112 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1288 Energy & Environmental Protection on H.C.R. No. 9

The purpose of this measure is to request the Public Utilities Commission to hold a public hearing on the approval of the sale of Hawaiian Electric Industries, Inc.

The Public Utilities Commission submitted comments.

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. 9 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1289 Energy & Environmental Protection on H.C.R. No. 140

The purpose of this measure is to request the Hawaii Coastal Zone Management Program, Hawaii Emergency Management Agency, and Department of Emergency Management of the City and County of Honolulu to establish a long-term, risk-based strategy and implementation plan to mitigate the potential harm from coastal hazards in urban Honolulu.

The Office of Planning supported the intent of the 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. 140 and recommends that it be referred to the Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1290 Health on H.C.R. No. 88

The purpose of this measure is to request the Department of Health to provide written notification within a reasonable time to applicants for water quality certification if the application is incomplete, including specific requirements the applicant needs to satisfy in order to complete the application. If the applicant is not notified in writing that the application is incomplete within a reasonable time after submission, the Department of Health is requested to deem the application complete.

The Department of Health provided comments on this measure.

Your Committee on Health notes that the Department of Health requested that a second opinion be obtained as a means of achieving more expeditious results.

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 that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1291 Health on H.C.R. No. 167

The purpose of this measure is to request the Auditor to:

- (1) Conduct a mental health workforce assessment of mental health professionals and mental health facilities in Hawaii to identify shortages and determine how those shortages can be reduced; and
- (2) Submit its findings and recommendations, including any proposed legislation to the Legislature no later than 20 days prior to the convening of the Regular Session of 2016.

Hawaii Medical Association, Mental Health America, and Helping Hands Hawaii provided testimony in support of this measure. The Department of Health supported the intent of this measure. The Institute for Human Services provided testimony in support of this measure with comments. Several individuals provided testimony in opposition to this measure.

Your Committee has amended this measure by making a technical, nonsubstantive amendment 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. 167, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 167, H.D. 1.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1292 Health on H.C.R. No. 161

The purpose of this measure is to request the Auditor to conduct a management and financial audit of the Hawaii Health Systems Corporation and to report findings and recommendations to the Legislature no later than 20 days prior to the convening of the Regular Session of 2016.

The Hawaii Government Employees Association provided comments on 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. 161 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Fukumoto Chang and Tupola.

SCRep. 1293 Health on H.C.R. No. 136

The purpose of this measure is to request the Hawaii Bankers Association to:

- (1) Opine whether member financial institutions and their staff who choose to service medical marijuana-related businesses risk civil and criminal prosecution under federal law; and
- (2) Submit a report to the Legislature at least twenty days prior to convening of the Regular Session of 2016.

The Hawaii Bankers Association testified in opposition of this measure. The Department of Commerce and Consumer Affairs provided comments on 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. 136 and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Fukumoto Chang and Tupola.

SCRep. 1294 Health on H.R. No. 95

The purpose of this measure is to urge the United States Congress to examine the Fair Housing Amendments Act as it relates to emotional support or comfort animals and to take necessary actions to prevent related abuses.

The Disability and Communication Access Board testified in support of the intent this measure. The Hawaii Civil Rights Commission provided comments on 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. 95 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Fukumoto Chang and Tupola.

SCRep. 1295 Health on H.C.R. No. 157

The purpose of this measure is to urge the United States Congress to examine the Fair Housing Amendments Act as it relates to emotional support or comfort animals and to take necessary actions to prevent related abuses.

The Disability and Communication Access Board testified in support of the intent this measure. The Hawaii Civil Rights Commission provided comments on 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. 157 and recommends that it be referred to the Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Fukumoto Chang and Tupola.

SCRep. 1296 Health on H.R. No. 62

The purpose of this measure is to encourage all food service facilities in the State that offer a children's menu of meal options, or a meal that is represented as a children's meal, to serve children's meals with higher nutritional quality and include only bottled water or low-fat milk as the default beverage included in the meal or menu option.

The Hawaii Pacific Health Institute, American Heart Association, and an individual 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 H.R. No. 62 and recommends that it be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1297 Health on H.C.R. No. 109

The purpose of this measure is to encourage all food service facilities in the State that offer a children's menu of meal options, or a meal that is represented as a children's meal, to serve children's meals with higher nutritional quality and include only bottled water or low-fat milk as the default beverage included in the meal or menu option.

The Department of Health, Hawaii Pacific Health Institute, and American Heart Association testified in support of this measure. The Hawaii Restaurant Association provided comments on 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. 109 and recommends that it be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee except Representatives Jordan, Fukumoto Chang and Tupola.

SCRep. 1298 Education on H.R. No. 109

The purpose of this measure is to request the Department of Education and Board of Education to develop a strategic plan addressing chronic absenteeism by students that:

- (1) Identifies weaknesses in attendance policies and procedures;
- (2) Specifies the desired outcomes for parent contact and classroom support; and
- (3) Develops effective ways to collect and report data to administrators, guardians and respective neighborhood boards.

A concerned individual supported the measure. A concerned individual supported the measure with amendments. A concerned individual opposed the measure. The Department of Education submitted comments.

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. 109, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 109, H.D. 1.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.

SCRep. 1299 Education on H.C.R. No. 173

The purpose of this measure is to request the Department of Education and Board of Education to develop a strategic plan addressing chronic absenteeism by students that:

- (1) Identifies weaknesses in attendance policies and procedures;
- (2) Specifies the desired outcomes for parent contact and classroom support; and
- (3) Develops effective ways to collect and report data to administrators, guardians and respective neighborhood boards.

A concerned individual supported the measure. A concerned individual supported the measure with amendments. A concerned individual opposed the measure. The Department of Education submitted comments.

Your Committee has amended the measure by clarifying that it is a school administrator or administrative support staff member who should directly communicate with a student's guardians about absences or tardiness by a student.

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. 173, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 173, H.D. 1.

Signed by all members of the Committee except Representatives Aquino, Ito, LoPresti and Tupola.

SCRep. 1300 Education on H.R. No. 124

The purpose of this measure is to request the Department of Education, in conjunction with the Hawaii High School Athletic Association, to examine the feasibility of establishing Brazilian jiu-jitsu as a sanctioned sport and to submit a report of its findings and recommendations to the Legislature no later than 20 days prior to the convening of the Regular Session of 2016.

Four concerned individuals supported the measure. The Department of Education submitted comments.

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. 124 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Kong.

SCRep. 1301 Education on H.C.R. No. 190

The purpose of this measure is to request the Department of Education, in conjunction with the Hawaii High School Athletic Association, to examine the feasibility of establishing Brazilian jiu-jitsu as a sanctioned sport and to submit a report of its findings and recommendations to the Legislature no later than 20 days prior to the convening of the Regular Session of 2016.

Four concerned individuals supported the measure. The Department of Education submitted comments.

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. 190 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Kong.

SCRep. 1302 Transportation on H.R. No. 119

The purpose of this measure increase HART's accountability in relation to the public eye by requesting that the audit examine:

- (1) HART's management and operations with respect to HART's financial and management policies, practices, and processes associated with the plans, design, bidding, and construction of the Honolulu Rail Transit Project;
- (2) HART's financial plan and related systems of accounting and internal controls;
- (3) The contracts awarded and expenditures associated with the rail transit project contracts, including payments to contractors, subcontractors, and consultants, and what the expenditures are being used for;
- (4) The factors contributing to cost increases, cost inflation, and cost escalation of the rail transit project, including delays in the project; change orders; requirements affecting the planning, design, bidding, and construction of the project; work restrictions; and bidding procedures; and
- (5) Cost containment measures, efficacy of fiscal operations and decisions, and other actions HART has taken to mitigate the burgeoning costs and shortfalls of the rail transit project

HART and several concerned individuals supported 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 H.R. No. 119 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1303 Transportation on H.C.R. No. 181

The purpose of this measure is to increase HART's accountability in relation to the public eye by requesting that the audit examine:

- (1) HART's management and operations with respect to HART's financial and management policies, practices, and processes associated with the plans, design, bidding, and construction of the Honolulu Rail Transit Project;
- (2) HART's financial plan and related systems of accounting and internal controls;
- (3) The contracts awarded and expenditures associated with the rail transit project contracts, including payments to contractors, subcontractors, and consultants, and what the expenditures are being used for;
- (4) The factors contributing to cost increases, cost inflation, and cost escalation of the rail transit project, including delays in the project; change orders; requirements affecting the planning, design, bidding, and construction of the project; work restrictions; and bidding procedures; and
- (5) Cost containment measures, efficacy of fiscal operations and decisions, and other actions HART has taken to mitigate the burgeoning costs and shortfalls of the rail transit project

HART and several concerned individuals supported 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 H.C.R. No. 181 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1304 Transportation on H.R. No. 52

The purpose of this measure is to improve public safety by requesting the Department of Transportation to convene a working group to report its findings, recommendations and proposed legislation after investigating and assessing concerns and potential improvements for Queen Kaahumanu Highway.

The Department of Transportation, members from the Hawaii County Council People's Advocacy for Trails Hawaii, Kona Brewing Company, Hawaii Cycling Club, and several concerned individuals testified in support.

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. 52 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1305 Transportation on H.C.R. No. 98

The purpose of this measure is to improve public safety by requesting the Department of Transportation to convene a working group to report its findings, recommendations and proposed legislation after investigating and assessing concerns and potential improvements for Queen Kaahumanu Highway.

The Department of Transportation, members from the Hawaii County Council People's Advocacy for Trails Hawaii, Kona Brewing Company, Hawaii Cycling Club, and several concerned individuals testified in support.

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. 98 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1306 Transportation on H.R. No. 120

The purpose of this measure is to alleviate slowdowns on Kahekili Highway by requesting the Department of Transportation to conduct a traffic study and make recommendations.

The Department of Transportation, Ko'olaupoko Hawaiian Civic Club, and several concerned individuals provided comments in support.

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. 120 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1307 Transportation on H.C.R. No. 182

The purpose of this measure is to alleviate slowdowns on Kahekili Highway by requesting the Department of Transportation to conduct a traffic study and make recommendations.

The Department of Transportation, Ko'olaupoko Hawaiian Civic Club, and several concerned individuals provided comments in support.

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. 182 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1308 Transportation on H.R. No. 98

The purpose of this measure is to request the Hawaii Department of Transportation, the City and County of Honolulu's Department of Design and Construction, and the City and County of Honolulu's Department of Facility Maintenance to join as a task force to coordinate road maintenance scheduling to minimize public inconvenience.

The Department of Transportation, The Hawaii Asphalt Paving Industry and a concerned individual testified in support.

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. 98 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1309 Transportation on H.R. No. 118

The purpose of this measure is to improve public safety by urging the Department of Transportation Services and Department of Parks and Recreation of the City and County of Honolulu to evaluate the intersection of Managers Drive and Hiapo Street in Waipahu to determine any measures that can be taken to improve traffic and safety at this intersection and the surrounding surface streets.

Department of Transportation Services of the City and County of Honolulu and a concerned individual testified in support.

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. 118 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1310 Human Services on H.C.R. No. 208

The purpose of this measure is to request the United States Department of the Interior and the United States Congress to provide additional federal aid and reimbursements to the State of Hawaii for expenses relating to health care assistance services provided to migrants under the Compact of Free Association.

The Hawaii Primary Care Association and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure. HealthyPacific.Org supported this measure and recommended the adoption of a proposed H.D. 1.

Your Committee has amended this measure by

- (1) Amending its title to read: "STRONGLY URGING THE UNITED STATES CONGRESS AND THE UNITED STATES DEPARTMENT OF THE INTERIOR TO RESTORE FEDERAL HEALTHCARE FUNDING FOR U.S. RESIDENTS PRESENT UNDER THE COMPACTS OF FREE ASSOCIATION, IN RECOGNITION OF THEIR UNIQUE HISTORIC AND ONGOING SACRIFICES AND CONTRIBUTIONS TO THE UNITED STATES OF AMERICA AND TO THE WORLD;" and
- (2) Deleting its contents and inserting provisions based on the proposed H.D. 1 that was provided by HealthyPacific.Org, which urges the United States Congress and the United States Department of the Interior to restore federal healthcare funding for migrants from Freely Associated States residing in the United States.

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. 208, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 208, H.D. 1.

Signed by all members of the Committee.

SCRep. 1311 Human Services on H.R. No. 56

The purpose of this measure is to request the Executive Office on Aging to establish an Adult Education Working Group, to:

- (1) Review various education services and opportunities presently offered to seniors;
- (2) Consider the effectiveness of consolidating some programs in order to provide new learning opportunities for seniors; and
- (3) Explore other potential education programs that may be beneficial to seniors.

No testimony was submitted on 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. 56 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Oshiro and Fukumoto Chang.

SCRep. 1312 Human Services on H.C.R. No. 101

The purpose of this measure is to request the Executive Office on Aging to establish an Adult Education Working Group, to:

- (1) Review various education services and opportunities presently offered to seniors;
- (2) Consider the effectiveness of consolidating some programs in order to provide new learning opportunities for seniors; and
- (3) Explore other potential education programs that may be beneficial to seniors.

An individual 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. 101 and recommends that it be referred to the Committee on Higher Education.

Signed by all members of the Committee except Representatives Oshiro and Fukumoto Chang.

SCRep. 1313 Human Services on H.R. No. 59

The purpose of this measure is to:

- (1) Request the Department of Human Services and Department of Health to not consider, as income, the Social Security Act Title II benefit or any increase in that benefit if the benefit makes an individual ineligible for the state supplement to Supplemental Security Income and Medicaid benefits; and

- (2) Request the Departments to adopt rules that allow a provider of Medicaid home- and community-based adult day health services to bill in fifteen minute increments.

The State Council on Developmental Disabilities, Arc in Hawaii, Easter Seals Hawaii, Lanakila Pacific, and several individuals supported this measure. The Department of Human Services opposed 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. 59 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Oshiro and Fukumoto Chang.

SCRep. 1314 Human Services on H.C.R. No. 106

The purpose of this measure is to:

- (1) Request the Department of Human Services and Department of Health to not consider, as income, the Social Security Act Title II benefit or any increase in that benefit if the benefit makes an individual ineligible for the state supplement to Supplemental Security Income and Medicaid benefits; and
- (2) Request the Departments to adopt rules that allow a provider of Medicaid home- and community-based adult day health services to bill in fifteen minute increments.

The State Council on Developmental Disabilities, Arc in Hawaii, Easter Seals Hawaii, Lanakila Pacific, and several individuals supported this measure. The Department of Human Services opposed this measure. The Department of Health commented on 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. 106 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Oshiro and Fukumoto Chang.

SCRep. 1315 Energy & Environmental Protection on H.R. No. 158

The purpose of this measure is to protect the public interest in reviewing the proposed acquisition of the Hawaiian Electric Companies by NextEra Energy, Inc., by requesting the Public Utilities Commission to make various determinations regarding whether the proposed acquisition is beneficial to the State and its people and to consider imposing strict conditions on the proposed acquisition.

Inter-Island Solar Supply; Hoomana Pono, LLC; The Alliance for Solar Choice; and two concerned individuals supported the measure. NextEra Energy, Inc., supported the intent of the measure. A concerned individual testified in opposition. The Public Utilities Commission, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, International Brotherhood of Electrical Workers Local Union 1260, and a concerned individual submitted comments.

Your Committee has amended the measure by:

- (1) Adjusting and increasing both the number and specificity of the various determinations that the Public Utilities Commission is requested to make regarding whether the proposed acquisition is beneficial to the State and its people;
- (2) Urging the Public Utilities Commission to adopt the recommendation of the Consumer Advocate and establish a procedural schedule that would have the regulatory review process completed by June 2016 to allow for a complete and thorough review of the concerns raised by the merger application docket;
- (3) Extending the deadline by which the Public Utilities Commission is requested to submit its findings and recommendations, including any proposed legislation, to the House of Representatives to no later than 20 days prior to the convening of the Regular Session of 2017; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 158, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 158, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1316 Energy & Environmental Protection on H.C.R. No. 227

The purpose of this measure is to protect the public interest in reviewing the proposed acquisition of the Hawaiian Electric Companies by NextEra Energy, Inc., by requesting the Public Utilities Commission to make various determinations regarding whether the proposed acquisition is beneficial to the State and its people and to consider imposing strict conditions on the proposed acquisition.

Inter-Island Solar Supply; Hoomana Pono, LLC; The Alliance for Solar Choice; and two concerned individuals supported the measure. NextEra Energy, Inc., supported the intent of the measure. A concerned individual testified in opposition. The Public Utilities Commission, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, International Brotherhood of Electrical Workers Local Union 1260, and a concerned individual submitted comments.

Your Committee has amended the measure by:

- (1) Adjusting and increasing both the number and specificity of the various determinations that the Public Utilities Commission is requested to make regarding whether the proposed acquisition is beneficial to the State and its people;
- (2) Urging the Public Utilities Commission to adopt the recommendation of the Consumer Advocate and establish a procedural schedule that would have the regulatory review process completed by June 2016 to allow for a complete and thorough review of the concerns raised by the merger application docket;
- (3) Extending the deadline by which the Public Utilities Commission is requested to submit its findings and recommendations, including any proposed legislation, to the House of Representatives to no later than 20 days prior to the convening of the Regular Session of 2017; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 227, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 227, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1317 Energy & Environmental Protection on H.R. No. 105

The purpose of this measure is to express the Legislature's support of efforts to facilitate local ownership and control of electric utilities and local generation of energy.

The Hawaii Farm Bureau; Hoomana Pono, LLC; Indigenous Consultants, LLC; a member of the Hawaii County Council; and numerous concerned individuals supported the measure. The International Brotherhood of Electrical Workers Local Union 1260 and Life of the Land submitted comments.

Your Committee has amended the measure by:

- (1) Also expressing its encouragement of robust discussions that include the exploration of alternative ownership models for electric utilities and whether these would provide a positive outcome for Hawaii's consumers;
- (2) Changing its title to "EXPRESSING SUPPORT OF FURTHER DISCUSSION ON THE POSSIBILITY OF LOCAL OWNERSHIP AND CONTROL OF ELECTRIC UTILITIES AND ENCOURAGEMENT OF ROBUST DISCUSSIONS THAT INCLUDE THE EXPLORATION OF ALTERNATIVE OWNERSHIP MODELS FOR ELECTRIC UTILITIES."; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 105, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 105, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1318 Energy & Environmental Protection on H.C.R. No. 169

The purpose of this measure is to express the Legislature's support of efforts to facilitate local ownership and control of electric utilities and local generation of energy.

The Hawaii Farm Bureau; Hoomana Pono, LLC; Indigenous Consultants, LLC; a member of the Hawaii County Council; and numerous concerned individuals supported the measure. The International Brotherhood of Electrical Workers Local Union 1260 and Life of the Land submitted comments.

Your Committee has amended the measure by:

- (1) Also expressing its encouragement of robust discussions that include the exploration of alternative ownership models for electric utilities and whether these would provide a positive outcome for Hawaii's consumers;
- (2) Changing its title to "EXPRESSING SUPPORT OF FURTHER DISCUSSION ON THE POSSIBILITY OF LOCAL OWNERSHIP AND CONTROL OF ELECTRIC UTILITIES AND ENCOURAGEMENT OF ROBUST DISCUSSIONS THAT INCLUDE THE EXPLORATION OF ALTERNATIVE OWNERSHIP MODELS FOR ELECTRIC UTILITIES."; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 169, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 169, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1319 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 99

The purpose of this measure is to request the Governor to authorize the establishment of a sister-state relationship, as advised by the Hawaii Sister State Committee, between Hawaii and the Prefecture of Hokkaido, Japan.

The Office of the Lieutenant Governor, Hokkaido Club Hawaii, and a concerned individual supported this measure. The Department of Business, Economic Development, and Tourism supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 99 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives DeCoite, Woodson, Matsumoto and Ward.

SCRep. 1320 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 158

The purpose of this measure, as it was received by your Committee, is to express the Legislature's support for declaring the cellana exarata shell as the Hawaii state sea shell.

For purposes of a public hearing on this measure, your Committee made available to the public a draft of Proposed H.C.R. No. 158, H.D. 1 and notified the public that testimony would be accepted on it. The proposed draft requests the Governor to authorize the establishment of a sister-state relationship, as advised by the Hawaii Sister State Committee, between Hawaii and the Region of Grand Casablanca of the Kingdom of Morocco.

Testimony on Proposed H.C.R. No. 158, H.D. 1, was as follows: The Department of Business, Economic Development, and Tourism supported its intent. The Muslim Association of Hawaii supported it with amendments.

Your Committee, after careful consideration, has amended the measure as received by your Committee by deleting its contents and substituting therefor, the provisions of Proposed H.C.R. No. 158, H.D. 1. Your Committee has further amended Proposed H.C.R. No. 158, H.D. 1, by:

- (1) Changing references to the Region of Grand Casablanca to the State of Dakhla of the Region of Oued Ed-Dahab-Lagouira of the Kingdom of Morocco, including changing the measure's title to read:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE HAWAII SISTER STATE COMMITTEE TO APPROVE THE ESTABLISHMENT OF A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE STATE OF DAKHLA OF THE REGION OF OUED ED-DAHAB-LAGOUIRA OF THE KINGDOM OF MOROCCO;"
- (2) Specifying that the Governor of Dakhla, rather than the Governor of Grand Casablanca, shall receive a copy of this Concurrent Resolution; 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 Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 158, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 158, H.D. 1.

Signed by all members of the Committee except Representatives DeCoite, Woodson, Matsumoto and Ward.

SCRep. 1321 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 137

The purpose of this measure is to establish, within the Department of Accounting and General Services, a task force to plan and coordinate the celebration of the fiftieth anniversary of the Hawaii State Capitol.

The Department of Accounting and General Services and State Foundation on Culture and the Arts supported this measure.

Your Committee has amended this measure by:

- (1) Changing the commencement date for the series of celebratory and commemorative events from July 1, 2016, to January 1, 2017; and
- (2) Deleting language relating to nonapplicability of public agency meetings and records law and State employee standards of conduct law.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 137, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 137, H.D. 1.

Signed by all members of the Committee except Representatives Cachola and Woodson.

SCRep. 1322 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 201

The purpose of this measure is to establish, within the Department of Accounting and General Services, a task force to plan and coordinate the celebration of the fiftieth anniversary of the Hawaii State Capitol.

The Department of Accounting and General Services and State Foundation on Culture and the Arts supported this measure.

Your Committee has amended this measure by:

- (1) Changing the commencement date for the series of celebratory and commemorative events from July 1, 2016, to January 1, 2017; and
- (2) Deleting language relating to nonapplicability of public agency meetings and records law and State employee standards of conduct law.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 201, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 201, H.D. 1.

Signed by all members of the Committee except Representatives Cachola and Woodson.

SCRep. 1323 Water & Land on H.C.R. No. 40

The purpose of this measure is to authorize the Board of Land and Natural Resources (BLNR) to issue a term, non-exclusive easement to Kahaluu Pond, Inc., for the use, repair, and maintenance of the seawall located at Kahaluu, Koolaupoko, Oahu, for a term of 55 years, as approved by BLNR.

The Department of Land and Natural Resources testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 40 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Say and Pouha.

SCRep. 1324 Water & Land on H.C.R. No. 198

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism and attached agencies to prioritize the development of Kapolei into a job center in support of the State's and the City and County of Honolulu's policies to develop Kapolei into Oahu's "Secondary Urban Center" by, among other things:

- (1) Setting goals and developing a strategy and implementation plan to steer economic development to Kapolei; and
- (2) Working with businesses and business groups to determine a program of incentives that will effectively encourage more companies to locate or relocate to Kapolei.

The Office of Planning and the Land Use Research Foundation of Hawaii supported this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 198 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Say and Pouha.

SCRep. 1325 Water & Land on H.R. No. 79

The purpose of this measure is to request the Department of Land and Natural Resources to work with Royal Hawaiian Golf Club to develop a plan for the management and maintenance of Old Government Road.

The Department of Land and Natural Resources testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 79 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Say and Pouha.

SCRep. 1326 Water & Land on H.C.R. No. 130

The purpose of this measure is to request the Department of Land and Natural Resources to work with Royal Hawaiian Golf Club to develop a plan for the management and maintenance of Old Government Road.

The Department of Land and Natural Resources testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 130 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Say and Pouha.

SCRep. 1327 Energy & Environmental Protection on H.C.R. No. 97

The purpose of this measure is to protect the environment by requesting the Department of Health to:

- (1) Assure that any substantial land discharge of wastewater, occurring by injection well or other means, is in all cases, adequately reviewed and permitted;

- (2) Consider for inclusion, other discharge methods for wastewater, other than by injection well, in the review and permit process; and
- (3) Adopt rules, pursuant to Chapter 91, Hawaii Revised Statutes, to include other discharge methods for wastewater in the review and permit process.

Two concerned individuals supported the measure. The Department of Health submitted comments.

Your Committee has amended the measure by:

- (1) Requesting the Department of Health to assure that any land discharge of domestic wastewater over 1,000 gallons per day, occurring by injection well, seepage ponds, or seepage pits, is in all cases, adequately reviewed and permitted;
- (2) No longer requesting the Department of Health to consider for the inclusion of other discharge methods for wastewater, other than by injection well, in the review and permit process;
- (3) Requesting the Department of Health to adopt rules, pursuant to Chapter 91, Hawaii Revised Statutes, to include seepage ponds and seepage pits in the review and permit process, or to consider prohibiting seepage ponds and seepage pits altogether; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 97, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 97, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Yamane.

SCRep. 1328 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.R. No. 84

The purpose of this measure is to increase access for persons with disabilities to Hawaii's beaches by requesting the Department of Land and Natural Resources and the counties to provide reasonable accommodations for beach access.

The Office of Veterans Services, Hawaii Civil Rights Commission, and an individual submitted testimony in support of this measure. The Department of Land and Natural Resources, State Council on Developmental Disabilities, and Disability and Communication Access Board submitted comments. The Department of Parks and Recreation of the City and County of Honolulu submitted testimony in opposition.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 84, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 84, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1329 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 141

The purpose of this measure is to increase access for persons with disabilities to Hawaii's beaches by requesting the Department of Land and Natural Resources and the counties to provide reasonable accommodations for beach access.

The Office of Veterans Services, Hawaii Civil Rights Commission, and an individual submitted testimony in support of this measure. The Department of Land and Natural Resources, State Council on Developmental Disabilities, Disability and Communication Access Board, and Hawaii Disability Rights Center submitted comments. The Department of Parks and Recreation of the City and County of Honolulu submitted testimony in opposition.

Your Committees have amended this measure as follows:

- (1) Changing all references from "accommodation" to "access" to avoid unintended legal consequences and comply with the American with Disabilities Act;
- (2) Changing references from "disabled persons" to "persons with disabilities" and from "wheelchair-bound" to "those with mobility limitations" to ensure political correctness;
- (3) Amending its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTIES TO PROVIDE BEACH ACCESS FOR PERSONS WITH DISABILITIES IN HAWAII;" and
- (4) Making other technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 141, as amended herein, and recommend 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 Ing and Pouha.

SCRep. 1330 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.R. No. 148

The purpose of this measure is to address the needs of the residents of Molokai by requesting the Department of Land and Natural Resources to conduct a feasibility and cost study relating to the construction of a boat ramp in Pukoo, Molokai.

Several individuals provided testimony in support of this measure. The Department of Land and Natural Resources provided comments. Several individuals provided testimony in opposition.

Your Committees have amended this measure by specifying the location of the feasibility and cost study as east Molokai, between mile markers ten and sixteen.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 148, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 148, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1331 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 213

The purpose of this measure is to address the needs of the residents of Molokai by requesting the Department of Land and Natural Resources to conduct a feasibility and cost study relating to the construction of a boat ramp in Pukoo, Molokai.

Several individuals provided testimony in support of this measure. The Department of Land and Natural Resources provided comments. Hui Malama O Mo'omomi and many individuals provided testimony in opposition.

Your Committees have amended this measure by specifying the location of the feasibility and cost study as east Molokai, between mile markers ten and sixteen.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 213, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 213, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1332 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 86

The purpose of this measure is to ensure the health and safety of customers and workers in the watersports excursion industry by requesting that the Department of Land and Natural Resources consider adopting administrative rules that require that employees who take customers on excursions receive lifeguard training and certification.

Octopus Reef and two individuals submitted testimony in support of this measure. The Ocean Tourism Coalition, Maui Dive Shop, Fair Wind Cruises and Kona Sunrise Charters, Quicksilver Charters, Aqua Lung Pacific, and one individual submitted testimony in opposition to this measure. The Department of Land and Natural Resources submitted comments.

Your Committee has amended this measure by:

- (1) Amending its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER DEVELOPING PERMITTING PROVISIONS TO REQUIRE EMPLOYEES OF WATERSPORT EXCURSION COMPANIES WHO TAKE CUSTOMERS ON WATERSPORT EXCURSIONS ARE TRAINED IN BASIC SAFETY MEASURES,";
- (2) Requesting that the Department engage stakeholders in its consideration of adopting permit provisions for watersports excursion companies to require training for employees in basic safety measures, in consideration of diverse employee roles and the existing requirements of self-regulated industries and the United States Coast Guard; 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 Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 86, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 86, H.D. 1.

Signed by all members of the Committee except Representative Ing.

SCRep. 1333 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 149

The purpose of this measure is to request the Department of Health to adopt administrative rules and policies applicable to the processing, burial, and transportation of a corpse to encourage and promote the use of traditional Hawaiian burial practices.

The Aha Moku Advisory Committee, Ko'olau Foundation, and Ko'olaupoko Hawaiian Civic Club submitted testimony in support of this measure. The Department of Health submitted testimony in opposition.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 149 and recommends that it be referred to the Committee on Health.

Signed by all members of the Committee except Representative Ing.

SCRep. 1334 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 6

The purpose of this measure is to assist the State in upholding its constitutional obligations and duties to the Native Hawaiian people by requesting that all Executive Branch departments and agencies that use or manage public lands provide an accurate and complete accounting of all receipts from public land trust lands annually to facilitate the determination of the Office of Hawaiian Affairs' pro rata share of the revenues of these lands.

The Office of Hawaiian Affairs, Association of Hawaiian Civic Clubs, Benefits and Trusts Committee of the Association of Hawaiian Civic Clubs, Kalihi Palama Hawaiian Civic Club, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, and several individuals submitted testimony in support of this measure. The Department of Budget and Finance and Department of Land and Natural Resources submitted comments.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 6 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 1335 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 142

The purpose of this measure is to provide for the financial accountability of the Aha Moku Advisory Committee by requesting that its Chairperson submit to the Legislature itemized financial statements, including sources of funding, expenditures made, projected expenditures, and operational costs for the 2012-2013, 2013-2014, and 2014-2015 fiscal years.

Hookipa Network – Kauai, Aha Moku Hana, Aha Moku O Kahikinui, and two individuals submitted testimony in support of this measure. The Aha Moku Advisory Committee submitted comments.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 142 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 1336 Ocean, Marine Resources, & Hawaiian Affairs on H.R. No. 39

The purpose of this measure is to enable the Aha Moku Advisory Committee to fulfil its intended statutory functions and purpose by requesting that the Committee engage with stakeholders and relevant state agencies to develop and adopt administrative rules for its own operations and administration.

The Aha Moku Advisory Committee, Po'o-'Aha Kiolo o Moloka'i, Aha Moku O Kahikinui, Aha Moku Hana, Ho'okipa Network – Kauai, and several individuals submitted testimony in support of this measure. The Office of Hawaiian Affairs submitted comments.

Your Committee has amended this measure by adding the Association of Hawaiian Civic Clubs to the entities asked to assist the Advisory Committee with creating rules for the Advisory Committee's operations and administration.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 39, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 39, H.D. 1.

Signed by all members of the Committee except Representative Ing.

SCRep. 1337 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 74

The purpose of this measure is to enable the Aha Moku Advisory Committee to fulfil its intended statutory functions and purpose by requesting that the Committee engage with stakeholders and relevant state agencies to develop and adopt administrative rules for its own operations and administration.

The Aha Moku Advisory Committee, Po'o-'Aha Kiolo o Moloka'i, Aha Moku O Kahikinui, and several individuals submitted testimony in support of this measure. The Office of Hawaiian Affairs submitted comments.

Your Committee has amended this measure by adding the Association of Hawaiian Civic Clubs to the entities asked to assist the Advisory Committee with creating rules for the Advisory Committee's operations and administration.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 74, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 74, H.D. 1.

Signed by all members of the Committee except Representative Ing.

SCRep. 1338 Transportation on H.R. No. 128

The purpose of this measure is to increase pedestrian safety by urging the Department of Transportation Services to consider the following recommendations for the area surrounding Honowai Elementary School:

- (1) Raised crosswalks or the use of different materials for crosswalks;

- (2) The use of pedestrian crossing signs;
- (3) Painting "School Xing" on the roadway before crosswalks; and
- (4) Painting visual cues on the roadway leading to sidewalks.

The Honolulu Police Department and several concerned individuals testified in support of this measure.

Your committee notes the concerns raised by the individuals from the Waipahu community and would like to amend the measure to include two other schools in addition to Honowai Elementary School, Mauka Lani Elementary School, and Kalei'opu'u Elementary School.

Accordingly, your Committee has amended this measure by:

- (1) Adding the areas around Mauka Lani Elementary School and Kalei'opu'u Elementary School to the places where the City and County of Honolulu is being requested to increase pedestrian safety;
- (2) Changing its title to read: "URGING THE CITY AND COUNTY OF HONOLULU TO INCREASE PEDESTRIAN SAFETY IN THE AREA SURROUNDING HONOWAI ELEMENTARY SCHOOL, MAUKA LANI ELEMENTARY SCHOOL, AND KALEI'OPU'U ELEMENTARY SCHOOL IN DISTRICT 39"; 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 concurs with the intent and purpose of H.R. No. 128, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 128, H.D. 1.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1339 Transportation on H.C.R. No. 193

The purpose of this measure is to increase pedestrian safety by urging the Department of Transportation Services to consider the following recommendations for the area surrounding Honowai Elementary School:

- (1) Raised crosswalks or the use of different materials for crosswalks;
- (2) The use of pedestrian crossing signs;
- (3) Painting "School Xing" on the roadway before crosswalks; and
- (4) Painting visual cues on the roadway leading to sidewalks.

The Honolulu Police Department and several concerned individuals testified in support of this measure.

Your Committee notes the concerns raised by the individuals from the Waipahu community and would like to amend the measure to include two other schools in addition to Honowai Elementary School, Mauka Lani Elementary School, and Kalei'opu'u Elementary School.

Accordingly, your Committee has amended this measure by:

- (1) Adding the areas around Mauka Lani Elementary School and Kalei'opu'u Elementary School to the places where the City and County of Honolulu is being requested to increase pedestrian safety;
- (2) Changing its title to read: "URGING THE CITY AND COUNTY OF HONOLULU TO INCREASE PEDESTRIAN SAFETY IN THE AREA SURROUNDING HONOWAI ELEMENTARY SCHOOL, MAUKA LANI ELEMENTARY SCHOOL, AND KALEI'OPU'U ELEMENTARY SCHOOL IN DISTRICT 39"; 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 concurs with the intent and purpose of H.C.R. No. 193, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 193, H.D. 1.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1340 Health on H.C.R. No. 145

The purpose of this measure is to request a co-chair from the Senate, appointed by the President of the Senate, and a co-chair from the House of Representatives, appointed by the Speaker of the House of Representatives, to convene a Family Caregivers Working Group to examine and assess the issues contained in S.B. No. 296, Regular Session of 2015.

The County of Kauai Agency on Elderly Affairs, Hawaii Alliance for Retired Americans, AARP Hawaii, Policy Advisory Board for Elder Affairs, Project Dana, Kokua Council, AARP 60, ILWU Local 142, American Cancer Society Cancer Action Network, and several individuals provided testimony in support of this measure. The Department of Health, The Queen's Health Systems, Healthcare Association of Hawaii, Hawaii Pacific Health, and an individual provided comments on this measure.

Your Committee notes this measure received broad community support and no opposition. Comments on this measure include suggesting:

- (1) Increases in funding to the county offices on aging and the Aging and Disability Resource Centers; and
- (2) An assessment of community-based resources that could address the caregiver problem.

Your Committee further notes that during the public hearing, the Department of Health announced that the working group convened in accordance with H.C.R. No. 78 (2014) has completed its report and the report has since been made available. The Department of Health further recommended in its testimony that the Legislature review this report in its entirety and consider all its findings, conclusions, and recommendations before proceeding on this resolution.

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. 145 and recommends that it be referred to the Committee on Finance for further discussion in light of the recommendations of the Department of Health.

Signed by all members of the Committee except Representatives Fukumoto Chang and Tupola.

SCRep. 1341 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 4

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term lease and non-exclusive easement for the tide pool stairs in the Manele-Hulopoe Marine Life Conservation District on the island of Lanai.

The Department of Land and Natural Resources, Ahu Moku Advisory Committee, and Pulama Lanai provided testimony in support of the measure.

Your Committees have amended this measure by indicating that the square footage of the stairs is approximate, subject to confirmation by the Department of Accounting and General Services.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 4, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 4, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1342 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 5

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term lease and non-exclusive easement for the pier pilings at Pulawai on the island of Lanai.

The Department of Land and Natural Resources and Pulama Lanai provided testimony in support of the measure.

Your Committees have amended this measure by indicating that the square footage of the pier pilings is approximate, subject to confirmation by the Department of Accounting and General Services.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 5, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 5, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1343 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 23

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a 55-year, non-exclusive easement for the use, maintenance, and repair of an existing seawall constructed on State submerged lands following the expiration of the original 30-year easement on February 28, 2014.

The Department of Land and Natural Resources testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 23 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1344 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 24

The purpose of this measure is to authorize the issuance of a non-exclusive easement for the use, maintenance, and repair of an existing abandoned drainage structure constructed on State submerged lands fronting the property identified as tax map key: (1) 5-6-003: seaward of 010, Kahuku, Koolauloa, Oahu.

The Department of Land and Natural Resources supported this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 24 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1345 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 25

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Hauula on the island of Oahu for the use, maintenance and repair of an existing residence, foundation and lanai.

The Department of Land and Natural Resources provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 25 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1346 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 26

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (1) 4-4-022: seaward of 007, Kaneohe, Koolaupoko, Oahu, for the use, maintenance, and repair of the existing CRM wall, landscaping area, floating dock, and concrete pier constructed thereon.

The Department of Land and Natural Resources testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 26 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1347 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 34

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement for the use, maintenance and repair of an existing seawall and steps in Waimanalo on the island of Oahu.

The Department of Land and Natural Resources provided testimony in support of the measure.

Your Committees have amended this measure by correcting the description of the state submerged lands to reflect a size of 4,539 square feet.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 34, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 34, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1348 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 73

The purpose of this measure is to authorize the issuance of a 55-year, non-exclusive easement covering a portion of state submerged lands at Lahaina, Maui, to Paul D. Gossman, trustee of the Paul D. Gossman Residence Trust dated December 18, 2008, for seawall encroachment purposes.

The Department of Land and Natural Resources testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 73 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1349 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 82

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement over State submerged lands fronting the property identified as tax map key: (1) 3-6-001:017 for an existing pier in Waikiki on the island of Oahu.

The Department of Land and Natural Resources and an individual provided testimony in support of the measure.

Your Committees have amended this measure by clarifying that the non-exclusive easement will cover an estimated area of 288 square feet, subject to confirmation by the Department of Accounting and General Services. 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 Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 82, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 82, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1350 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 185

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue four term, non-exclusive easements covering a portion of state submerged lands fronting the property identified as seaward of Tax Map Keys: (2) 3-8-002:071, 074, 077, 078, and 094: Spreckelsville, Wailuku, Maui, for the use, maintenance, and repair of the existing four rock groin structures.

The Department of Land and Natural Resources testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 185 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1351 Consumer Protection & Commerce on H.R. No. 6

The purpose of this measure is to ensure rural community access to advanced telecommunications by, among other things:

- (1) Requesting the Public Utilities Commission to report on efforts to ensure that all consumers are provided telecommunication services comparable to those in the metropolitan areas of the State and are provided with nondiscriminatory, reasonable, and equitable access to high quality telecommunications network facilities and capabilities, including efforts and plans to find and fund such services; and
- (2) Requesting the Director of Commerce and Consumer Affairs to report on the progress and plans to establish affordable, accessible broadband services to unserved and underserved areas of Hawaii and efforts to find and access funding for providing such services.

Mainstreet Pahoia Association and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs supported the intent of this measure. An individual commented on this measure.

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. 6 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1352 Consumer Protection & Commerce on H.C.R. No. 131

The purpose of this measure is to ensure rural community access to advanced telecommunications by, among other things:

- (1) Requesting the Public Utilities Commission to report on efforts to ensure that all consumers are provided telecommunication services comparable to those in the metropolitan areas of the State and are provided with nondiscriminatory, reasonable, and equitable access to high quality telecommunications network facilities and capabilities, including efforts and plans to find and fund such services; and
- (2) Requesting the Director of Commerce and Consumer Affairs to report on the progress and plans to establish affordable, accessible broadband services to unserved and underserved areas of Hawaii and efforts to find and access funding for providing such services.

Mainstreet Pahoia Association and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs supported the intent of this measure. An individual commented on this measure.

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. 131 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1353 Consumer Protection & Commerce on H.R. No. 139

The purpose of this measure is to ensure access to quality health care for residents from island nations impacted by nuclear bomb testing in the 1950s by requesting the State Auditor to conduct a review of the cost implications and other effects that may result from the transfer from Medicaid to insurance plans purchased through the Hawaii Health Connector by Hawaii residents from Compact of Free Association nations.

PHOCUSED provided testimony in support of this measure. The Department of Human Services commented on this measure.

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. 139 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1354 Consumer Protection & Commerce on H.C.R. No. 203

The purpose of this measure is to ensure access to quality health care for residents from island nations impacted by nuclear bomb testing in the 1950s by requesting the State Auditor to conduct a review of the cost implications and other effects that may result from the transfer from Medicaid to insurance plans purchased through the Hawaii Health Connector by Hawaii residents from Compact of Free Association nations.

PHOCUSED provided testimony in support of this measure. The Department of Human Services commented on this measure.

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. 203 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1355 Consumer Protection & Commerce on H.R. No. 22

The purpose of this measure is to request the Auditor, as required by section 26H-6, Hawaii Revised Statutes, to conduct a sunrise analysis of the regulatory scheme proposed by H.B. No. 825 and S.B. No. 1237, Regular Session of 2015, regarding the need for licensing and regulating transient vacation rentals.

The Hawaii Association of Vacation Rental Managers, Rentals by Owner Awareness Association, and several individuals opposed this measure. The Department of Commerce and Consumer Affairs commented on this measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 22, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1356 Consumer Protection & Commerce on H.C.R. No. 48

The purpose of this measure is to request the Auditor, as required by section 26H-6, Hawaii Revised Statutes, to conduct a sunrise analysis of the regulatory scheme proposed by H.B. No. 825 and S.B. No. 1237, Regular Session of 2015, regarding the need for licensing and regulating transient vacation rentals.

The Hawaii Tourism Authority testified in support of this measure. The Hawaii Association of Vacation Rental Managers; Rentals by Owner Awareness Association; Bridges to Paradise Rentals, Inc.; Going Maui Vacation Rentals; Timberline Land Co. Hawaii, LLC; Hawaii Haven, LLC; and numerous individuals opposed this measure. The Department of Commerce and Consumer Affairs and several individuals commented on this measure.

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. 48, H.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1357 Consumer Protection & Commerce on H.R. No. 82

The purpose of this measure is to request the Auditor to perform an audit of the policies, procedures, and management of the Real Estate Commission (Commission) including an analysis of the Commission's practices and procedures regarding:

- (1) Management;
- (2) Investigative powers, including the Commission's award of contracts to other entities to carry out investigations;
- (3) Adoption of administrative rules to implement Chapter 514B, Hawaii Revised Statutes;
- (4) The condominium program; and
- (5) The collection of fees relating to condominium mediation and training programs.

Numerous individuals testified in support of this measure. The Real Estate Commission offered comments on this measure.

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. 82 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1358 Consumer Protection & Commerce on H.C.R. No. 134

The purpose of this measure is to request the Auditor to perform an audit of the policies, procedures, and management of the Real Estate Commission (Commission) including an analysis of the Commission's practices and procedures regarding:

- (1) Management;
- (2) Investigative powers, including the Commission's award of contracts to other entities to carry out investigations;
- (3) Adoption of administrative rules to implement Chapter 514B, Hawaii Revised Statutes;
- (4) The condominium program; and
- (5) The collection of fees relating to condominium mediation and training programs.

Numerous individuals testified in support of this measure. The Real Estate Commission offered comments on this measure.

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. 134 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1359 Consumer Protection & Commerce on H.R. No. 104

The purpose of this measure is to streamline the State's workers' compensation process by requesting the establishment of a working group in the Department of Labor and Industrial Relations.

The Department of Labor and Industrial Relations, Hawaii Insurers Council, and an individual testified in support of this measure.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purpose of 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 concurs with the intent and purpose of H.R. No. 104, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 104, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1360 Consumer Protection & Commerce on H.C.R. No. 168

The purpose of this measure is to streamline the State's workers' compensation process by requesting the establishment of a working group in the Department of Labor and Industrial Relations.

The Department of Labor and Industrial Relations, Hawaii Insurers Council, and an individual testified in support of this measure.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purpose of 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 concurs with the intent and purpose of H.C.R. No. 168, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 168, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1361 Consumer Protection & Commerce on H.C.R. No. 46

The purpose of this measure, as received by your Committee, is to urge Congress to exempt the domestic shipment of goods to and from Hawaii, Alaska, and Puerto Rico, from the Jones Act requirement that the transporting ship be constructed in the United States.

For the purposes of a public hearing on this measure, your Committee circulated a proposed H.C.R. No. 46, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The purpose of the Proposed Draft is to request the Auditor to conduct a sunrise analysis of the proposed regulation of transportation network companies.

The Department of Commerce and Consumer Affairs and USAA commented on the Proposed Draft. The Hawaii Insurers Council and State Farm Mutual Automobile Insurance Company opposed the Proposed Draft. The Grassroot Institute of Hawaii commented on the measure as received by your Committee.

Your Committee considered the merits of both H.C.R. No. 46, as received by your Committee, and the Proposed Draft and, upon careful consideration, adopted the Proposed Draft. As amended, the title of this measure has been changed to: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE ANALYSIS OF THE PROPOSED REGULATION OF TRANSPORTATION NETWORK COMPANIES." Your Committee further amended the Proposed Draft by 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 concurs with the intent and purpose of H.C.R. No. 46, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 46, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami and Yamane.

SCRep. 1362 Judiciary on H.R. No. 93

The purpose of this measure is to request the Judicial Council to appoint a committee to review and recommend revisions to the Hawaii Penal Code

The Hawaii Humane Society supported this measure. The Judiciary offered comments.

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. 93 and recommends its adoption.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Woodson.

SCRep. 1363 Judiciary on H.C.R. No. 155

The purpose of this measure is to request the Judicial Council to appoint a committee to review and recommend revisions to the Hawaii Penal Code

The Hawaii Humane Society and the Community Alliance on Prisons supported this measure. The Judiciary and the Legislative Reference Bureau offered comments.

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. 155 and recommends its adoption.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Woodson.

SCRep. 1364 Judiciary on S.B. No. 211

The purpose of this measure is to clarify the offense of refusal or failure to provide specimen for forensic identification by specifying that the intentional or knowing refusal or failure to provide required blood specimens, buccal swab samples, or print impression for forensic identification is a class C felony, and the reckless or negligent failure to do so is a misdemeanor.

The Department of the Attorney General, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kauai, and the Department of the Prosecuting Attorney of the City and County of Honolulu supported this measure and recommended amendments. The Office of the Public Defender and Community Alliance on Prisons opposed this measure.

Your Committee has amended this measure by:

- (1) Deleting the negligent refusal or failure to provide specimens from the offense of refusal or failure to provide specimen for forensic identification;
- (2) Making it a misdemeanor, rather than a class C felony, to intentionally or knowingly refuse or fail to provide specimen for forensic identification;
- (3) Downgrading reckless refusal or failure to provide specimen for forensic identification to a petty misdemeanor; and
- (4) Changing its effective date to take effect upon approval.

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. 211, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 211, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1365 Judiciary on S.B. No. 214

The purpose of this measure is to:

- (1) Establish exclusive jurisdiction of the Small Claims Division of the District Court over cases for the recovery of money in which the amount claimed is \$1,000 or less, exclusive of interest and costs; and
- (2) Expand the jurisdiction of the Small Claims Division to any personal property worth \$5,000 or less.

The Judiciary testified in support of this measure. The Hawaii State Bar Association Collection Law Section and Financial Services Association testified in opposition and recommended amendments.

Your Committee has amended this measure to:

- (1) Amend section 633-27, Hawaii Revised Statutes, by making technical, nonsubstantive conforming amendments for clarity, consistency, and style; and
- (2) Make this measure take effect on its approval.

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. 214, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 214, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1366 Judiciary on S.B. No. 223

The purpose of this measure is to:

- (1) Prohibit the Office of the Public Guardian from petitioning for its own appointment as guardian of an incapacitated person; and
- (2) Provide that the Office of the Public Guardian may be authorized to manage a ward's financial assets when no conservator has been appointed to protect the ward's estate.

The Judiciary testified in support of this measure.

Your Committee has amended this measure to:

- (1) Terminate the Office of the Public Guardian's authority to manage an incapacitated person's financial affairs if a conservator is appointed to protect the ward's estate; and
- (2) Make this measure effective upon its approval.

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. 223, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 223, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1367 Judiciary on S.B. No. 218

The purpose of this measure is to allow for an expeditious transition of powers and duties to the successor to the office of Lieutenant Governor by clarifying the order of succession to the office of Lieutenant Governor when that office becomes vacant. Specifically, this measure:

- (1) Requires the President of the Senate and the Speaker of the House of Representatives to be of the same political party as the Governor as a qualification for succession;
- (2) Deletes the Attorney General, Comptroller, Director of Taxation, and Director of Human Resources Development from the order of succession; and
- (3) Allows the Governor to appoint a qualified person who is a member of the same political party as the Governor in the event that the President of the Senate, Speaker of the House of Representatives, or Director of Finance are unable to serve.

No testimony was received on this measure.

Your Committee has amended this measure by:

- (1) Deleting the Director of Finance from the order of succession;
- (2) Making conforming amendments to ensure that the process for devolution of the powers and duties of the office in the temporary absence or disability of the Lieutenant Governor remains unchanged;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee finds that it is of great importance that the individuals eligible to succeed to the office of the Lieutenant Governor be of the same political party as the Governor, in order to respect the will of the voters who elected the Governor and Lieutenant Governor in a partisan election. Your Committee notes that while this bill clarifies the list of eligible individuals who may succeed to the office of the Lieutenant Governor, it nonetheless does not fill the absence in current law of a failsafe option in the event that the named individuals are unwilling or unqualified to serve as Lieutenant Governor and the appointing office of Governor is unoccupied. Your Committee respectfully requests that, as this bill continues through the Legislative process, consideration be given to the list of eligible individuals and concerns raised in the veto of H.B. No. 1288, H.D.1, S.D.1, C.D.1 in 2014.

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. 218, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 218, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives San Buenaventura and Thielen.

SCRep. 1368 Labor & Public Employment on S.B. No. 1219

The purpose of this measure is to ensure that the employment security law for independent contractors is applied consistently and appropriately by the Department of Labor and Industrial Relations (Department) by:

- (1) Codifying the Internal Revenue Service's 20 common law factors for determining whether an employer-employee relationship exists, in addition to the "ABC" test in section 383-6, Hawaii Revised Statutes;
- (2) Including definitions for "client" and "independent contractor"; and
- (3) Requiring the Department to report to the Legislature on the guidelines developed by the Unemployment Insurance Coverage Committee and covered employment determinations.

The Chamber of Commerce Hawaii; Envisions Entertainment & Productions, Inc.; Maui Chamber of Commerce; National Federation of Independent Business; Society for Human Resource Management; The Maui Closet Company; Feed My Sheep; Pacific Whale Foundation; and several concerned individuals supported this measure. The ILWU Local 142, Hawaii State AFL-CIO, and a concerned individual opposed this measure. The Department of the Attorney General, Department, and Hawaii Association of Realtors commented on this measure.

Your Committee has amended this measure by:

- (1) Replacing the Internal Revenue Service's 20 factors with the 20 factors and definitions prescribed in section 12-5-2, Hawaii Administrative Rules, which are used by the Department to determine whether an employer-employee relationship exists;
- (2) Removing the definitions of "client" and "independent contractor";
- (3) Specifying that the Department shall consider and address all of the 20 factors in making their determination;
- (4) Specifying that the annual report regarding covered employment determinations shall be submitted for five years;
- (5) Changing the effective date to July 1, 2115; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee has concerns over the inability of businesses to have some predictability regarding the outcomes of employer-employee audits. Your Committee recommends that the Department develop a program for institutionalizing these findings to establish the basis for greater predictability in the determination process. The Department should also incorporate into its practices, the ongoing training of auditors, peer reviews, and case studies, to ensure that the application of the law is consistent.

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. 1219, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1219, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1369 Judiciary/Consumer Protection & Commerce on S.B. No. 2

The purpose of this measure is to ensure the safe movement of all types of vessels in the State's commercial harbors by:

- (1) Requiring all port pilot renewal applications to comply with the Uniform Professional and Vocational Licensing Act;
- (2) Requiring every vessel to employ a licensed port pilot when entering or departing from any port in the State or traversing waters of the State designated as pilotage waters, regardless of whether the vessel is engaged in trade or commerce, unless otherwise exempt; and
- (3) Exempting vessels under 300 gross tons from pilotage regulation.

The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, The Hawaii Association for Justice, and the Hawaii Pilots Association testified in support of this measure.

Your Committees have amended this measure by making it take effect upon its approval.

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

Signed by all members of the Committee except Representatives Brower, Har, Lee, Nakashima, Oshiro and Yamane.

SCRep. 1370 Judiciary on S.B. No. 1131

The purpose of this measure is to update the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes (HRS), for consistency with amendments to federal law on controlled substances. In addition, this measure:

- (1) Amends section 329-20, HRS, to add new controlled substances that have been federally scheduled as required under section 329-11, HRS; and
- (2) Adds a new synthetic cathinone and eight new synthetic cannabinoids to section 329-14, HRS.

The Department of Public Safety and Green Futures testified in support of this measure and recommended amendments. One concerned individual testified in opposition and recommended amendments.

Your Committee has amended this measure to:

- (1) Amend section 329-16(b), HRS to remove naloxegol and its salts from the Schedule II narcotic drugs;
- (2) Make technical, nonsubstantive amendments for clarity, consistency and style; and
- (3) Make this measure take effect on its approval.

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. 1131, 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. 1131, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1371 Judiciary on S.B. No. 550

The purpose of this measure is to ensure public safety by prohibiting the consumption, purchase, possession, sale, offer for sale, or distribution of powdered alcohol in the State.

The Department of Public Safety, Honolulu Police Department, a member of the Hawaii County Council, and Coalition for a Drug-Free Hawaii provided testimony in support of this measure. Hawaii Smokers Alliance and two individuals provided testimony in opposition.

Your Committee has amended this measure by making the measure effective upon approval.

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. 550, 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. 550, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1372 Judiciary on S.B. No. 1113

The purpose of this measure is to protect some of Hawaii's most vulnerable patient populations by expanding the scope of background checks conducted by the Department of Health to include criminal history as well as sex offender registry, adult abuse perpetrator, child abuse and neglect, and certified nurse aide registry record checks for any prospective applicants, operators, direct patient access employees, and adult volunteers of a healthcare facility, and, in the case of any healthcare facility operated in a private residence, all adults living in the home other than the clients.

The Department of Health and the State Council on Developmental Disabilities provided testimony in support of this measure. The Hawaii Civil Rights Commission provided 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. 1113, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1373 Judiciary on S.B. No. 388

The purpose of this measure is to provide additional accountability and transparency of police departments by requiring each county police department to post on its official website, its policies relating to domestic violence, officer-involved domestic violence, and standards of conduct.

The Hawaii State Democratic Women's Caucus, Hawaii State Coalition Against Domestic Violence, and Hawaii State Commission on the Status of Women testified in support of this measure.

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

Signed by all members of the Committee.

SCRep. 1374 Judiciary on S.B. No. 419

The purpose of this measure is to allow neighborhood board members to attend meetings or presentations without violating the Sunshine Law, under certain conditions.

The Neighborhood Commission Office of the City and County of Honolulu, Hawaii Kai Neighborhood Board, Waikiki Neighborhood Board, and a handful of individuals provided testimony in support of this measure. The Civil Beat Law Center for the Public Interest, League of Women Voters, and two individuals provided testimony in opposition. The Office of Information Practices provided comments.

Your Committee has amended this measure by:

- (1) Restricting permitted interactions of neighborhood board members to meetings or presentations located on Oahu;
- (2) Restricting neighborhood board member interaction at meetings or presentations to asking questions of persons other than fellow board members only, preventing participation in discussion on any board business;
- (3) Changing the measure's effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of 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. 419, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 419, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives San Buenaventura and Thielen.

SCRep. 1375 Agriculture on S.B. No. 434

The purpose of this measure is to promote the cultural heritage of the State's host culture while furthering the State's interest in food security and self-sufficiency by adding the growth and development of traditional Hawaiian farming systems and crops and the growth and development of small-scale farms as agricultural objectives of the economy component of the Hawaii State Planning Act.

The Office of Hawaiian Affairs, University of Hawaii System, two members of the Kauai County Council, Hawaii Green Growth, Land Use Research Foundation of Hawaii, Association of Hawaiian Civic Clubs, Aha Moku Advisory Committee, and three concerned individuals supported this measure.

Your Committee has amended this measure by making a technical, nonsubstantive amendment 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 is in accord with the intent and purpose of S.B. No. 434, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 434, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Ito, Kong, Ohno, Matsumoto and Ward.

SCRep. 1376 Energy & Environmental Protection on S.B. No. 320

The purpose of this measure is to encourage greater environmental sustainability by allowing composting operations on agricultural district lands; provided that:

- (1) A county special use permit is granted for the composting operation; and
- (2) On land with soil classified as class A or B by the Land Study Bureau's detailed land classification, the composting operation is limited to on-site use and occupies not more than one acre or ten percent of the parcel, whichever is less.

The Department of Agriculture and two concerned individuals supported the measure. Pulama Lanai supported the measure with amendments. The Department of Planning and Permitting of the City and County of Honolulu and Maui EKO Systems testified in opposition. The Council Member for District 9 of the Hawaii County Council submitted comments.

Your Committee has amended the measure by requiring a county special use permit for a composting operation only for composting operations using materials sourced from off-site.

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 is in accord with the intent and purpose of S.B. No. 320, 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. 320, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Ing and Say.

SCRep. 1377 Judiciary on S.B. No. 415

The purpose of this measure is to help make bicycling safer by allowing bicyclists to signal a right-turn by extending their right hand and arm horizontally from the right side of the bicycle, as if pointing in the direction they are turning.

The Department of Transportation Services and Hawaii Bicycling League supported this measure.

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. 415 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Brower, Creagan, Kawakami, Lee, Nakashima and San Buenaventura.

SCRep. 1378 Judiciary on S.B. No. 225

The purpose of this measure is to strengthen existing law concerning the offense of habitually operating a vehicle under the influence of an intoxicant, also known as HOVUII, by amending the elements of the offense to include operating a vehicle under the influence of an intoxicant within ten years of at least one prior conviction for HOVUII.

The Department of Transportation, Office of the Prosecuting Attorney of the County of Kauai, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and the Hawaii Chapter of Mothers Against Drunk Driving supported this measure.

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. 225, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 1379 Judiciary on S.B. No. 564

The purpose of this measure is to extend the duration of the Reentry Commission from December 1, 2015, to December 1, 2019, thereby enabling the Reentry Commission to work with the Department of Public Safety in monitoring and reviewing the Comprehensive Offender Reentry Program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii Paroling Authority's oversight of parolees.

The Department of Public Safety; Community Alliance on Prisons; Ho‘omana Pono, LLC; and several individuals testified in support of this measure.

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. 564, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1380 Judiciary on S.B. No. 913

The purpose of this measure is to facilitate the provision of services to incarcerated parents and their children by requiring the Department of Public Safety to collect information during the corrections intake process that may help assess the programs and funding that can assist these families. Specifically, this measure requires the Department, using forms and questions developed in collaboration with the Family Reunification Working Group, to collect data on:

- (1) The number of offenders who are parents;
- (2) The number of children under the age of eighteen, per offender who is a parent; and
- (3) Any other information that the Department deems useful to facilitate the provision of services to incarcerated parents and their children.

The Department shall also develop a plan to manage data collection and public disclosure of the data.

The Office of Hawaiian Affairs, Aha Moku Advisory Committee, Hawaii Youth Services Network, Community Alliance on Prisons, Kalihi Palama Hawaiian Civic Club, Hawaii Appleseed Center on Law and Economic Justice, Blueprint for Change, Association of Hawaiian Civic Clubs, Family Programs Hawaii, Adult Friends for Youth, Drug Policy Action Group, Ho‘omana Pono LLC, and numerous concerned citizens supported this measure. The Department of Public Safety and a concerned citizen provided 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. 913, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lee.

SCRep. 1381 Consumer Protection & Commerce on S.B. No. 987

The purpose of this measure is to clarify that post-secondary educational institutions may request an administrative hearing pursuant to Chapter 91, Hawaii Revised Statutes, within fifteen days of receipt of notification of denial of or intent to suspend or terminate any post-secondary education institution authorization.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 987, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Belatti, Har, Yamane and McDermott.

SCRep. 1382 Finance on S.B. No. 1107

The purpose of this measure is to make an emergency appropriation to the Department of Human Services for the General Assistance Program to address budgetary shortfalls in order to maintain monthly maximum general assistance payments for clients.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 226 to the Legislature, requested immediate consideration and passage of this measure by the Legislature.

PHOCUSED and a concerned individual supported this measure. The Department of Human Services commented on this measure.

Your Committee has amended this measure by:

- (1) Inserting an emergency appropriation amount of \$2,514,822; 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. 1107, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1107, H.D. 2.

Signed by all members of the Committee.

SCRep. 1383 Judiciary on S.B. No. 1166

The purpose of this measure is to amend the penal code to recognize and support traditional Hawaiian burial or cremation practices by clarifying that the preparation, burial, or cremation of a corpse in a manner consistent with Hawaiian cultural customs and practices is not a violation of the penal code's prohibition of abuse of a corpse.

The Office of Hawaiian Affairs, Ko'olau Foundation, and Ko'olaupoko Hawaiian Civic Club supported this measure. The Center for Hawaiian Sovereignty Studies supported the intent of this measure.

Your Committee has amended this measure by changing its effective date to take effect upon approval.

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. 1166, 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. 1166, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Nakashima.

SCRep. 1384 Judiciary on S.B. No. 611

The purpose of this measure is to improve the effectiveness and efficiency of current statutes regarding license revocation for the operation of a vehicle under the influence of an intoxicant, and expedite the reissuance of a driver's license once a license revocation period has expired, by:

- (1) Allowing the holder of a valid ignition interlock permit to take tests necessary to apply for relicensing up to thirty days prior to the expiration of the revocation period;
- (2) Requiring the holder of an ignition interlock permit to have a valid State of Hawaii identification card in their immediate possession before operating a vehicle; and
- (3) Prohibiting a person who has been issued a notice of administrative revocation that serves as a temporary permit from operating a vehicle after the temporary permit has expired, unless the person has an otherwise valid driver's license.

The Department of Transportation; Office of the Prosecuting Attorney, County of Kauai; Honolulu Police Department; and Hawaii Chapter of Mothers Against Drunk Driving supported this measure. The Judiciary provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2016, to allow the Judiciary adequate time to modify the Administrative Drivers' License Revocation Office's database and revise the associated forms; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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. 611, 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. 611, S.D. 1, H.D. 2.

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

SCRep. 1385 Judiciary on S.B. No. 982

The purpose of this measure is to improve outcomes from overdoses and drug poisoning episodes by encouraging those affected by an overdose, and witnesses who might otherwise hesitate to act, to call for medical assistance by providing limited immunity from liquor, controlled substance, and drug paraphernalia possession charges.

The Hawaii State Commission on the Status of Women, Department of Health, a Council Member from the Maui County Council, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Big Island Chapter of Americans for Safe Access, the Drug Policy Forum of Hawaii, the Drug Policy Action Group, Hawaii Medical Association, and numerous concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Making it effective upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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. 982, 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. 982, S.D. 1, H.D. 2.

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

SCRep. 1386 Consumer Protection & Commerce on S.B. No. 233

The purpose of this measure is to improve the process for the registration of used vehicles sold through a car dealership or motor vehicle rental company by allowing the Directors of Finance of each county to enter into contracts with car dealerships and motor vehicle rental companies to register used vehicles, in the same manner that new vehicles are registered.

The Hawaii Automobile Dealers' Association testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2015.

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. 233, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 233, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Har, Kawakami, Yamane and McDermott.

SCRep. 1387 Consumer Protection & Commerce on S.B. No. 589

The purpose of this measure is to help current and future homeowners who reside in lava zone areas in Hawaii County to obtain and renew property insurance by requiring the renewal of certain property insurance policies in areas where a state of emergency has been declared due to the threat of lava flow and lifting the moratorium on issuing new property insurance policies in these same areas.

The Department of Commerce and Consumer Affairs testified in support of this measure. The Hawaii Insurers Council testified in support of the intent of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of 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. 589, 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. 589, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Har, Yamane and McDermott.

SCRep. 1388 Judiciary on S.B. No. 1156

The purpose of this measure is to amend or repeal various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, and deleting obsolete or unnecessary provisions.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau.

Your Committee has amended this measure by making it effective upon approval.

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. 1156, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1156, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives San Buenaventura and Thielen.

SCRep. 1389 Judiciary on S.B. No. 569

The purpose of this measure is to increase the minimum threshold value of stolen property or services from more than \$300 to more than \$400 for the offense of theft in the second degree.

The Office of the Public Defender and two individuals supported this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu, Community Alliance on Prisons, Chamber of Commerce Hawaii, and Hawaii Food Industry Association opposed this measure.

Your Committee finds that the current threshold for felony theft in Hawaii is one of the lowest in the nation and has not been adjusted in thirty years. The threshold value of \$750 was recommended by the Council on State Governments Justice Center in 2012 in its report, *Justice Reinvestment in Hawaii: Analyses & Policy Options to Reduce Spending on Corrections & Reinvest in Strategies to Increase Public Safety*. Updating the felony theft threshold will prevent lower level offenders from receiving felony charges.

Your Committee has amended this measure by:

- (1) Changing the threshold value of stolen property or services to more than \$750 rather than more than \$400;
- (2) Including language that provides an automatic two percent annual increase of the threshold value for stolen property or services, rounded up to the nearest dollar, beginning on January 1, 2017, and on January 1 of each year thereafter; and
- (3) Changing the effective date to upon approval.

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. 569, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 569, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative San Buenaventura.
(Representatives Kawakami, McDermott and Thielen voted no.)

SCRep. 1390 Public Safety on H.R. No. 114

The purpose of this measure is to urge the Governor to consolidate the Oahu Community Correctional Center within the Halawa Correctional Facility, facilitate the redevelopment of the land currently occupied by the Oahu Community Correctional Center, and partner with the private sector where necessary to benefit the Kalihi community and the State.

The Department of Public Safety, the House of Representatives member representing District 30, and a concerned individual supported this measure. Hoomana Pono, LLC opposed this measure.

Your Committee has amended this measure by:

- (1) Changing its title to read as follows: "HOUSE RESOLUTION URGING THE GOVERNOR TO DEVELOP A MODERNIZED OAHU CORRECTIONAL FACILITY WITHIN THE HALAWA CORRECTIONAL FACILITY THROUGH A PUBLIC-PRIVATE PARTNERSHIP;"
- (2) Increasing the capacity to 1500 or more beds for the new Oahu Community Correctional Center;
- (3) Specifying that the Governor is urged to develop a modernized Oahu Community Correctional Center within the Halawa Correctional Facility through a public-private partnership and issue a request for proposals for the private construction of the community correctional facility for the State on a turnkey basis; 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 Public Safety that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 114, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 114, H.D. 1.

Signed by all members of the Committee except Representatives Aquino, Har, Ichiyama and Tupola.

SCRep. 1391 Public Safety on H.C.R. No. 178

The purpose of this measure is to urge the Governor to consolidate the Oahu Community Correctional Center within the Halawa Correctional Facility, facilitate the redevelopment of the land currently occupied by the Oahu Community Correctional Center, and partner with the private sector where necessary to benefit the Kalihi community and the State.

The Department of Public Safety, the House of Representatives member representing District 30, and a concerned individual supported this measure. Hoomana Pono, LLC opposed this measure.

Your Committee has amended this measure by:

- (1) Changing its title to read as follows: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO DEVELOP A MODERNIZED OAHU CORRECTIONAL FACILITY WITHIN THE HALAWA CORRECTIONAL FACILITY THROUGH A PUBLIC-PRIVATE PARTNERSHIP;"
- (2) Increasing the capacity to 1500 or more beds for the new Oahu Community Correctional Center;
- (3) Specifying that the Governor is urged to develop a modernized Oahu Community Correctional Center within the Halawa Correctional Facility through a public-private partnership and issue a request for proposals for the private construction of the community correctional facility for the State on a turnkey basis; 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 Public Safety that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 178, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 178, H.D. 1.

Signed by all members of the Committee except Representatives Aquino, Har, Ichiyama and Tupola.

SCRep. 1392 Consumer Protection & Commerce on H.R. No. 99

The purpose of this measure is to request the Legislative Reference Bureau to examine how other states regulate commercial tour operators.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that tourism is the largest single contributor to the State's economy, consisting of twenty-one percent of Hawaii's gross domestic product. Your Committee also finds that it is in the best interest of the State to protect the safety of its visitors and residents. However, in recent years, tour guides have been charged with trespassing, reckless endangering, and conducting other illegal activities in natural area reserves. This measure will help to provide valuable information on how other states regulate tour operators, which will be helpful in determining whether any applicable, affordable, and successful models may be adopted by the Department of Land and Natural Resources to regulate tour operators.

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. 99 and recommends its adoption.

Signed by all members of the Committee except Representatives Har, Kawakami, Lee, Nakashima, Yamane and McDermott.

SCRep. 1393 Consumer Protection & Commerce on H.C.R. No. 162

The purpose of this measure is to request the Legislative Reference Bureau to examine how other states regulate commercial tour operators.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that tourism is the largest single contributor to the State's economy, consisting of twenty-one percent of Hawaii's gross domestic product. Your Committee also finds that it is in the best interest of the State to protect the safety of its visitors and residents. Unfortunately, in recent years, tour guides have been charged with trespassing, reckless endangering, and conducting other illegal activities in natural area reserves. This measure will help to provide valuable information on how other states regulate tour operators, which will be helpful in determining if any applicable, affordable, and successful models may be adopted by the Department of Land and Natural Resources to regulate tour operators.

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. 162 and recommends its adoption.

Signed by all members of the Committee except Representatives Har, Kawakami, Lee, Nakashima, Yamane and McDermott.

SCRep. 1394 Consumer Protection & Commerce on H.C.R. No. 189

The purpose of this measure is to request the Broadband Assistance Advisory Council to create a master plan to provide universal high speed broadband access in resort areas and other areas of importance throughout Hawaii, including but not limited to Honolulu International Airport and Hawaii public schools.

The Department of Commerce and Consumer Affairs and an individual testified in support of this measure. The Department of Business, Economic Development, and Tourism provided comments on this measure.

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. 189, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Har, Kawakami, Lee, Nakashima, Yamane and McDermott.

SCRep. 1395 Consumer Protection & Commerce on H.R. No. 105

The purpose of this measure is to express the House of Representative's support of further discussion on the possibility of local ownership and control of electric utilities and to encourage robust discussions that include the exploration of alternative ownership models for electric utilities.

Hawaii County Council Member Greggor Ilagan; Hawaii County Council member Dennis "Fresh" Onishi; and a few concerned individuals supported the measure.

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, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Belatti, Har, Hashem, Kawakami, Takayama and Yamane.

SCRep. 1396 Consumer Protection & Commerce on H.C.R. No. 169

The purpose of this measure is to express the Legislature's support of further discussion on the possibility of local ownership and control of electric utilities and to encourage robust discussions that include the exploration of alternative ownership models for electric utilities.

Hawaii County Council Member Greggor Ilagan; Hawaii County Council member Dennis "Fresh" Onishi; and numerous concerned individuals testified in support of this measure.

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. 169, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Belatti, Har, Hashem, Kawakami, Takayama and Yamane.

SCRep. 1397 Consumer Protection & Commerce on H.C.R. No. 9

The purpose of this measure is to request the Public Utilities Commission to hold a public hearing on the approval of the sale of Hawaiian Electric, Inc.

The Public Utilities Commission submitted comments and a few individuals testified in support of this measure.

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. 9 and recommends its adoption.

Signed by all members of the Committee except Representatives Belatti, Har, Hashem, Kawakami, Takayama and Yamane.

SCRep. 1398 Consumer Protection & Commerce on H.R. No. 158

The purpose of this measure is to request the Public Utilities Commission to protect the public interest in reviewing the proposed acquisition of Hawaiian Electric Industries by NextEra Energy, Inc.

A concerned individual testified in support. The Public Utilities Commission and NEXtera Energy submitted comments.

Your Committee has amended the measure by extending the procedural schedule beyond December 3, 2015 to ensure there would be adequate time for the Consumer Advocate and all 28 intervenors to review and analyze the proposed merger application.

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. 158, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 158, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Har, Hashem, Kawakami, Takayama and Yamane.

SCRep. 1399 Consumer Protection & Commerce on H.C.R. No. 227

The purpose of this measure is to request the Public Utilities Commission to protect the public interest in reviewing the proposed acquisition of Hawaiian Electric Industries by NextEra Energy, Inc.

A few concerned individuals testified in support. The Public Utilities Commission, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaiian Electric Company, Hawaii Electric Light Company, and Maui Electric Company submitted comments.

Your Committee has amended the measure by extending the procedural schedule beyond December 3, 2015 to ensure there would be adequate time for the Consumer Advocate and all 28 intervenors to review and analyze the proposed merger application.

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. 227, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 227, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Har, Hashem, Kawakami, Takayama and Yamane.

SCRep. 1400 Health on H.C.R. No. 149

The purpose of this measure is to request the Department of Health to review and implement administrative rules and policies applicable to the processing, burial, and transportation of a corpse to encourage and promote the use of traditional Hawaiian burial practices.

The Office of Hawaiian Affairs, Aha Moku Advisory Committee, Ko'olau Foundation, and Ko'olaupoko Hawaiian Civic Club testified in support of this measure. The Department of Health supported the intent of this measure with comments.

Your Committee notes that the Department of Health will be revising its administrative rules relative to traditional Hawaiian burial practices. Should this require any statutory change, the Department of Health will bring their recommendations to the Legislature in the 2016 Regular Session.

Your Committee has amended this measure by requesting the Department of Health to also develop administrative rules and policies applicable to the processing, burial, and transportation of a corpse that would encourage and promote the use of traditional Hawaiian burial 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. 149, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 149, H.D. 1.

Signed by all members of the Committee except Representatives Jordan, Oshiro, Fukumoto Chang and Tupola.

SCRep. 1401 Health on H.C.R. No. 66

The purpose of this measure is to protect underground aquifers from contamination and preserve the quality and sustainability of drinking water for the people of Hawaii by requesting the Director of Health to develop and implement a course of action that emphasizes collaboration, openness, and strengthening of the long-term relationship between the State and the United States Navy to address and resolve the issues relating to the leakage of fuel from the Red Hill Underground Storage Facility and submit a report of findings and recommendations to the Legislature.

The Department of Health, the Board of Water Supply of the City and County of Honolulu, and the Aha Moku Advisory Committee testified in support of this measure. The Department of Land and Natural Resources provided comments on 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. 66 and recommends its adoption.

Signed by all members of the Committee except Representatives Jordan, Oshiro, Fukumoto Chang and Tupola.

SCRep. 1402 Judiciary on H.R. No. 19

The purpose of this measure requests the State Department of Defense to establish and fund a Veteran Women Services Coordinator position within the Office of Veterans' Services

The Department of Defense-Office of Veterans Services, AAUW Windward, and the Women's Caucus of the Democratic Party of Hawaii testified in support. There was no testimony in opposition.

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. 19 and recommends its adoption.

Signed by all members of the Committee except Representatives Hashem and Lee.

SCRep. 1403 Judiciary on H.C.R. No. 45

The purpose of this measure requests the State Department of Defense to establish and fund a Veteran Women Services Coordinator position within the Office of Veterans' Services.

Hawaii State Commission on the Status of Women, Hawaii Women Veterans Task Force, Governor's Veterans Advisory Board, The Women's Caucus of the Democratic Party of Hawaii, and four citizens have testified in support. There were no testifiers in opposition.

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. 45 and recommends its adoption.

Signed by all members of the Committee except Representatives Hashem and Lee.

SCRep. 1404 Judiciary on H.C.R. No. 138

The purpose of this measure is to enable student athletic teams to run and train off campus.

Maui High Cross Country testified in support. The Department of Education testified in opposition.

Your Committee has amended this measure by:

- (1) Included language that requires students, their parents, and those serving in loco parentis that wish to participate in off campus training sign a complete waiver of liability; 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. 138, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 138, H.D. 1.

Signed by all members of the Committee except Representatives Hashem and Lee.

SCRep. 1405 Judiciary on H.R. No. 12

The purpose of this measure requests the Hawaii Access to Justice Commission to assemble a working group of interested government agencies and community entities to conduct meetings to develop a plan for determining which agency or organization should administer funding for civil legal services.

Legal Aid Society testified in support. There was no testimony in opposition.

Your Committee has amended this measure by:

- (1) Established a more thorough background and history of the role and importance civil legal services have played in society; and
- (2) Corrected the source of funding as from the general fund to grant-in-aid funding; and
- (3) Established that members of the working group may include other members as deemed necessary by the Access to Justice Commission; and
- (4) Insert language that states that by being a member of the working group does not deem you a state employee based solely on working group membership; 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 concurs with the intent and purpose of H.R. No. 12, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 12, H.D. 1.

Signed by all members of the Committee except Representatives Hashem and Lee.

SCRep. 1406 Judiciary on H.C.R. No. 30

The purpose of this measure requests the Hawaii Access to Justice Commission to assemble a working group of interested government agencies and community entities to conduct meetings to develop a plan for determining which agency or organization should administer funding for civil legal services.

Legal Aid Society, the Access to Justice Commission, and the Office of Community Services testified in support. There was no testimony in opposition.

Your Committee has amended this measure by:

- (1) Established a more thorough background and history of the role and importance civil legal services have played in society; and
- (2) Corrected the source of funding as from the general fund to grant-in-aid funding; and
- (3) Established that members of the working group may include other members as deemed necessary by the Access to Justice Commission; and
- (4) Insert language that states that by being a member of the working group does not deem you a state employee based solely on working group membership; 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 concurs with the intent and purpose of H.C.R. No. 30, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 30, H.D. 1.

Signed by all members of the Committee except Representatives Hashem and Lee.

SCRep. 1407 Consumer Protection & Commerce on H.C.R. No. 7

The purpose of this measure is to ensure the health and safety of fire personnel by convening a Firefighter Cancer Presumptive Task Force to develop recommendations for the enactment of a cancer presumptive statute relating to firefighters.

The Department of Health, Department of Labor and Industrial Relations, Hawaii Fire Department of the County of Hawaii, Department of Human Resources of the City and County of Honolulu, and an individual testified in support of this measure. The Department of Labor and Industrial Relations testified in support of the intent of this measure. The Department of Human Resources Development and University of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Adding the Director of Human Resources Development or the Director's designee to serve on the Firefighter Cancer Presumptive Task Force;
- (2) Requesting that a certified copy of this measure be transmitted to the Director of Human Resources Development; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 7, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 7, H.D. 2.

Signed by all members of the Committee except Representatives Har, Kawakami, Lee, Nakashima, Yamane and McDermott.

SCRep. 1408 Finance on H.C.R. No. 161

The purpose of this measure is to request the Office of the Auditor to conduct a management and financial audit of the Hawaii Health Systems Corporation.

As affirmed by the record of 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. 161 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1409 Finance on H.C.R. No. 167

The purpose of this measure is to request the Office of the Auditor to conduct a mental health workforce assessment of mental health professionals and mental health facilities to identify shortages and aid in proposing solutions to address those shortages.

As affirmed by the record of 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. 167, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1410 Finance on H.R. No. 104

The purpose of this measure is to request the Department of Labor and Industrial Relations to convene a working group to streamline the state's workers' compensation process.

As affirmed by the record of 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. 104, H.D. 2, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1411 Finance on H.C.R. No. 168

The purpose of this measure is to request the Department of Labor and Industrial Relations to convene a working group to streamline the state's workers' compensation process.

As affirmed by the record of 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. 168, H.D. 2, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1412 Finance on H.R. No. 119

The purpose of this measure is to request the Auditor to conduct a financial and management audit of the Honolulu Authority for Rapid Transportation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 119 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1413 Finance on H.C.R. No. 181

The purpose of this measure is to request the Auditor to conduct a financial and management audit of the Honolulu Authority for Rapid Transportation.

As affirmed by the record of 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. 181 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1414 Finance on H.R. No. 120

The purpose of this measure is to request the Department of Transportation to conduct a traffic study and make recommendations to alleviate traffic congestion on Kahekili Highway from the Likelike Highway intersection to Kamehameha Highway.

As affirmed by the record of 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. 120 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1415 Finance on H.C.R. No. 182

The purpose of this measure is to request the Department of Transportation to conduct a traffic study and make recommendations to alleviate traffic congestion on Kahekili Highway from the Likelike Highway intersection to Kamehameha Highway.

As affirmed by the record of 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. 182 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1416 Finance on H.C.R. No. 185

The purpose of this measure is to authorize the issuance of four term, non-exclusive easements covering portions of state submerged lands at Stable Road Beach, Stable Road, Sprecklesville, Wailuku, Maui, for the use, maintenance, and repair of four existing rock groins.

As affirmed by the record of 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. 185 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1417 Finance on H.R. No. 123

The purpose of this measure is to request the Department of Agriculture to convene a task force to clarify and coordinate agricultural-based commerce support of bona-fide farming operations across the state.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee 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.

SCRep. 1418 Finance on H.C.R. No. 187

The purpose of this measure is to request the Department of Agriculture to convene a task force to clarify and coordinate agricultural-based commerce support of bona-fide farming operations across the state.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 187, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1419 Finance on H.R. No. 124

The purpose of this measure is to request the Department of Education and the Hawaii High School Athletic Association to examine the feasibility of establishing Brazilian Jiu-jitsu as a sanctioned sport.

As affirmed by the record of 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. 124 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1420 Finance on H.C.R. No. 190

The purpose of this measure is to request the Department of Education and the Hawaii High School Athletic Association to examine the feasibility of establishing Brazilian Jiu-jitsu as a sanctioned sport.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 190 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1421 Finance on H.R. No. 126

The purpose of this measure is to commend the Japanese Women's Society Foundation for creating the "Adopt-A-Mom" program and encouraging all families and agencies working with the elderly of Hawaii to place "Adopt-A-Mom" day on their calendars, as the third Sunday of May, in observance of the elderly women of Hawaii who deserve to be cherished and appreciated for the invaluable role they play as the mothers of our keiki o ka aina.

As affirmed by the record of 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. 126 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1422 Finance on H.C.R. No. 191

The purpose of this measure is to commend the Japanese Women's Society Foundation for creating the "Adopt-A-Mom" program and encouraging all families and agencies working with the elderly of Hawaii to place "Adopt-A-Mom" day on their calendars, as the third Sunday of May, in observance of the elderly women of Hawaii who deserve to be cherished and appreciated for the invaluable role they play as the mothers of our keiki o ka aina.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 191 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1423 Finance on H.R. No. 127

The purpose of this measure is to request the creation of a task force to address the physician shortage in Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 127 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1424 Finance on H.C.R. No. 192

The purpose of this measure is to request the creation of a task force to address the physician shortage in Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 192 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1425 Finance on H.C.R. No. 29

The purpose of this measure is to request the Department of Accounting and General Services, after consultation with the Department of Transportation, to determine the cost of placing an overpass over the H-1 freeway, to extend between Nuuanu Stream and Queen Emma Street, which would reduce traffic noise pollution and be used as a park or other community use purpose.

The Department of Accounting and General Services commented on this measure. The Department of Transportation 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 concurs with the intent and purpose of H.C.R. No. 29 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1426 Finance on H.C.R. No. 78

The purpose of this measure is to request the Governor and Department of Transportation to include in the 2017-2018 supplemental capital improvement program request improvements to cruise ship passenger terminals at Nawiliwili Harbor on Kauai, Honolulu Harbor on Oahu, Kahului Harbor on Maui, and Hilo Harbor on Hawaii

The Department of Transportation supported this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 78 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1427 Finance on H.R. No. 130

The purpose of this measure is to request the Auditor to conduct a financial audit of each county to examine the use of and needs for state funds.

Testimony in support of this measure was received by an individual.

As affirmed by the record of 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. 130 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1428 Finance on H.C.R. No. 195

The purpose of this measure is to request the Auditor to conduct a financial audit of each county to examine the use of and needs for state funds.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 195 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1429 Finance on H.R. No. 25

The purpose of this measure is to request the United States Congress and the Barack Obama Foundation to support and recommend Hawaii as the site for the Barack Obama Presidential Library and Center.

The Hawaii Presidential Center, University of Hawaii, and an individual supported this measure. The Kakaako Makai Community Planning Advisory Council and an individual 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 concurs with the intent and purpose of H.R. No. 25 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1430 Finance on H.C.R. No. 55

The purpose of this measure is to request the United States Congress and the Barack Obama Foundation to support and recommend Hawaii as the site for the Barack Obama Presidential Library and Center.

The Hawaii Presidential Center and University of Hawaii supported this measure. The Kakaako Makai Community Planning Advisory Council and an individual 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 concurs with the intent and purpose of H.C.R. No. 55 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1431 Finance on H.R. No. 92

The purpose of this measure is to request the City and County of Honolulu to provide real property taxpayers who pay for their own trash collection services a property tax reduction, tax credit, or alternate method of compensation or reimbursement.

As affirmed by the record of 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. 92 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1432 Finance on H.C.R. No. 154

The purpose of this measure is to request the City and County of Honolulu to provide real property taxpayers who pay for their own trash collection services a property tax reduction, tax credit, or alternate method of compensation or reimbursement.

As affirmed by the record of 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. 154 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1433 Finance on H.R. No. 44

The purpose of this measure is to urge the Department of Accounting and General Services to operate the water pumping system of the State Capitol ponds for two hours per day.

The Department of Accounting and General Services provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 44 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1434 Finance on H.R. No. 80

The purpose of this measure is to request the Hawaii Community Development Authority (HCDA) to investigate the ownership of roads being challenged in the Kakaako development district.

Several individuals supported this measure. The Executive Director of the HCDA provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 80 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1435 Finance on H.R. No. 140

The purpose of this measure is to request the Chief Procurement Officer to conduct a comprehensive study of each individual procurement jurisdiction.

The State Procurement Office supported this measure with comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 140 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1436 Finance on H.C.R. No. 204

The purpose of this measure is to request the Chief Procurement Officer to conduct a comprehensive study of each individual procurement jurisdiction.

The State Procurement Office supported this measure with comments.

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

Signed by all members of the Committee.

SCRep. 1437 Finance on H.R. No. 61

The purpose of this measure is to request the convening of a Climate Change and Health Working Group to assess the scope and risks of climate change on the health of Hawaii's residents and to develop a strategic plan to address climate change risks to health statewide.

As affirmed by the record of 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. 61 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1438 Finance on H.C.R. No. 108

The purpose of this measure is to request the convening of a Climate Change and Health Working Group to assess the scope and risks of climate change on the health of Hawaii's residents and to develop a strategic plan to address climate change risks to health statewide.

As affirmed by the record of 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. 108 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1439 Finance on H.R. No. 65

The purpose of this measure is to encourage the City and County of Honolulu to expand the number of refuse convenience centers and transfer stations accepting bulky items.

As affirmed by the record of 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.

SCRep. 1440 Finance on H.C.R. No. 112

The purpose of this measure is to encourage the City and County of Honolulu to expand the number of refuse convenience centers and transfer stations accepting bulky items.

As affirmed by the record of 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. 112 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1441 Finance on H.C.R. No. 119

The purpose of this measure is to request a study of limu and reef fish decline in certain areas of the Ewa Coast 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. 119 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1442 Finance on H.R. No. 78

The purpose of this measure is to request the Director of Health to extend the task force studying the effects of the January 2014 fuel tank leak at the Red Hill Underground Fuel Storage Facility.

As affirmed by the record of 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. 78 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1443 Finance on H.C.R. No. 126

The purpose of this measure is to request the Director of Health to extend the task force studying the effects of the January 2014 fuel tank leak at the Red Hill Underground Fuel Storage Facility.

As affirmed by the record of 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. 126 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1444 Finance on H.R. No. 79

The purpose of this measure is to request the Department of Land and Natural Resources to work with the Royal Hawaiian Golf Club to develop a plan for the management and maintenance of Old Government Road.

As affirmed by the record of 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. 79 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1445 Finance on H.C.R. No. 130

The purpose of this measure is to request the Department of Land and Natural Resources to work with the Royal Hawaiian Golf Club to develop a plan for the management and maintenance of Old Government Road.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 130 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1446 Finance on H.C.R. No. 131

The purpose of this measure is to report regarding state agency action to ensure access by rural communities to cellular and broadband services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 131 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1447 Finance on H.R. No. 82

The purpose of this measure is to request the Auditor to conduct an audit of policies, procedures, and management of the Real Estate Commission.

As affirmed by the record of 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. 82 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1448 Finance on H.C.R. No. 134

The purpose of this measure is to request the Auditor to conduct an audit of policies, procedures, and management of the Real Estate Commission.

As affirmed by the record of 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. 134 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1449 Finance on H.R. No. 84

The purpose of this measure is to request the Department of Land and Natural Resources and the counties to provide beach access for persons with disabilities in Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 84, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1450 Finance on H.C.R. No. 141

The purpose of this measure is to request the Department of Land and Natural Resources and the counties to provide beach access for persons with disabilities in Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 141, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1451 Finance on H.R. No. 87

The purpose of this measure is to request the Department of Public Safety to form a working group to examine smarter sentencing in order to improve the quality and reliability of state criminal sentencing practices.

Your Committee has amended this measure by:

- (1) Inserting language to include the Sex Abuse Treatment Center representation in the working group;
- (2) Inserting language to include representation of a domestic violence advocacy group, such as the Hawaii State Coalition Against Domestic Violence, in the working group; and
- (3) Inserting language to include the Mothers Against Drunk Driving representation in the working group.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 87, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 87, H.D. 2.

Signed by all members of the Committee.

SCRep. 1452 Finance on H.C.R. No. 146

The purpose of this measure is to request the Department of Public Safety to form a working group to examine smarter sentencing in order to improve the quality and reliability of state criminal sentencing practices.

Your Committee has amended this measure by:

- (1) Inserting language to include the Sex Abuse Treatment Center representation in the working group;
- (2) Inserting language to include representation of a domestic violence advocacy group, such as the Hawaii State Coalition Against Domestic Violence, in the working group; and
- (3) Inserting language to include the Mothers Against Drunk Driving representation in the working group.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 146, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 146, H.D. 2.

Signed by all members of the Committee.

SCRep. 1453 Finance on H.R. No. 128

The purpose of this measure is to urge the City and County of Honolulu to increase pedestrian safety in the area surrounding Honowai Elementary School, Mauka Lani Elementary School, and Kalei'opu'u Elementary School in District 39.

As affirmed by the record of 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. 128, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1454 Finance on H.C.R. No. 193

The purpose of this measure is to urge the City and County of Honolulu to increase pedestrian safety in the area surrounding Honowai Elementary School, Mauka Lani Elementary School, and Kalei'opu'u Elementary School in District 39.

As affirmed by the record of 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. 193, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1455 Finance on H.R. No. 139

The purpose of this measure is to request the Auditor to conduct a review on the effect of the transfer from Medicaid to plans on the Hawaii Health Connector for non-eligible Medicaid Compact of Free Association residents.

As affirmed by the record of 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. 139 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1456 Finance on H.C.R. No. 203

The purpose of this measure is to request the Auditor to conduct a review on the effect of the transfer from Medicaid to plans on the Hawaii Health Connector for non-eligible Medicaid Compact of Free Association residents.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 203 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1457 Finance on H.R. No. 141

The purpose of this measure is to request the Department of Health to examine existing and alleged violations in the solid waste recycling industry and fairly and equally enforce applicable laws and regulations for all companies.

As affirmed by the record of 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. 141 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1458 Finance on H.C.R. No. 205

The purpose of this measure is to request the Department of Health to examine existing and alleged violations in the solid waste recycling industry and fairly and equally enforce applicable laws and regulations for all companies.

As affirmed by the record of 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.

SCRep. 1459 Finance on H.C.R. No. 208

The purpose of this measure is to strongly urge the United States Congress and the United States Department of the Interior to restore federal healthcare funding for U.S. residents present under the Compacts of Free Association, in recognition of their unique historic and ongoing sacrifices and contributions to the United States of America and to the world.

As affirmed by the record of 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. 208, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1460 Finance on H.C.R. No. 212

The purpose of this measure is to request federal and state agencies to consult with Hawaii small scale farmers, Hawaii small scale producers, and affected parties on the offsetting of costs associated with the implementation of the Food Safety Modernization Act.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 212 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1461 Finance on H.C.R. No. 215

The purpose of this measure is to request the Director of Human Resources Development to equalize transit benefits and subsidies for all state employees regardless of mode of transportation.

As affirmed by the record of 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. 215 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1462 Finance on H.C.R. No. 226

The purpose of this measure is to request the Auditor to evaluate the impacts that the NextEra energy merger may have on Hawaii workers in the energy industries.

As affirmed by the record of 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. 226 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1463 Finance on H.R. No. 6

The purpose of this measure is to request reports regarding state agency action to ensure access by rural communities to cellular and broadband services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 6 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1464 Finance on H.R. No. 35

The purpose of this measure is to request a progress report and plan for the implementation of U.S. Department of Agriculture recommendations for the Department of Agriculture Animal Quarantine Station.

As affirmed by the record of 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. 35, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1465 Finance on H.R. No. 118

The purpose of this measure is to urge the Department of Transportation Services and Department of Parks and Recreation of the City and County of Honolulu to conduct a study of the intersection of Managers drive and Hiapo Street in Waipahu and recommend safety measures for this intersection and the surrounding surface streets.

As affirmed by the record of 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. 118 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1466 Finance on H.R. No. 52

The purpose of this measure is to request the Department of Transportation to convene a working group to investigate and assess safety concerns and potential improvements for Queen Kaahumanu Highway from Makala Boulevard to Henry Street on the island of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 52 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1467 Finance on H.C.R. No. 98

The purpose of this measure is to request the Department of Transportation to convene a working group to investigate and assess safety concerns and potential improvements for Queen Kaahumanu Highway from Makala Boulevard to Henry Street on the island of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 98 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1468 Finance on H.R. No. 16

The purpose of this measure is to urge the Director of Business, Economic Development, and Tourism to establish the Commission for Hawaii's Future to guide and prepare Hawaii for reduced military spending.

As affirmed by the record of 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. 16, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1469 Finance on H.C.R. No. 42

The purpose of this measure is to urge the Director of Business, Economic Development, and Tourism to establish the Commission for Hawaii's Future to guide and prepare Hawaii for reduced military spending.

As affirmed by the record of 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.

SCRep. 1470 Finance on H.R. No. 22

The purpose of this measure is to request the Auditor to conduct an analysis of the need for the licensing and regulation of transient vacation rentals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 22, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1471 Finance on H.C.R. No. 48

The purpose of this measure is to request the Auditor to conduct an analysis of the need for the licensing and regulation of transient vacation rentals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 48, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1472 Finance on H.R. No. 29

The purpose of this measure is to urge the Hawaii Tourism Authority to coordinate with the hospitality industry to create a more welcoming environment for Chinese visitors.

As affirmed by the record of 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. 29, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1473 Finance on H.C.R. No. 59

The purpose of this measure is to urge the Hawaii Tourism Authority to coordinate with the hospitality industry to create a more welcoming environment for Chinese visitors.

As affirmed by the record of 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. 59, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1474 Finance on H.C.R. No. 68

The purpose of this measure is to request the Division of Aquatic Resources and Division of Conservation and Resources Enforcement to collaborate with federal partner agencies to protect important State marine 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. 68 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1475 Finance on H.C.R. No. 4

The purpose of this measure is to authorize the issuance of a term lease and non-exclusive easement for the tide pool stairs encroachment purposes in the Manele-Hulopoe Marine Life Conservation District on the island of Lanai.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 4, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1476 Finance on H.C.R. No. 5

The purpose of this measure is to authorize the issuance of a term lease and non-exclusive easement for the pier pilings encroachment purposes at Pulawai, on the island of Lanai.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 5, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1477 Finance on H.C.R. No. 10

The purpose of this measure is to request the Auditor to conduct a review and report on state correctional facilities' leave policies and correctional officers' leave usage rates.

As affirmed by the record of 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. 10, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1478 Finance on H.C.R. No. 23

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering portion of State submerged lands at Kahaluu, Koolaupoko, Oahu for the use, maintenance, and repair of the existing seawall constructed thereon.

As affirmed by the record of 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. 23 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1479 Finance on H.C.R. No. 34

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of State submerged lands at Waimanalo, Koolaupoko, Oahu for the use, maintenance, and repair of the existing seawall and steps.

As affirmed by the record of 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. 34, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1480 Finance on H.C.R. No. 40

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement to Kahaluu Pond, Inc., for the use, repair, and maintenance of the seawall located at Kahaluu, Koolaupoko, Oahu, TMK: (1) 4-7-011: seaward of 001.

As affirmed by the record of 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. 40 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1481 Finance on H.C.R. No. 73

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of State submerged lands at Lahaina, Maui for seawall encroachment purposes.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 73 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1482 Finance on H.C.R. No. 82

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of State submerged lands fronting the property identified as tax map key: (1) 3-6-001:017, Waikiki, Honolulu, 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. 82, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1483 Finance on H.C.R. No. 76

The purpose of this measure is to request the Auditor to conduct a financial and management audit of the Hawaii Invasive Species Council.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 76 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1484 Finance on H.C.R. No. 86

The purpose of this measure is to request the Department of Land and Natural Resources to consider developing permitting provisions to require that employees of watersport excursion companies who take customers on watersport excursions are trained in basic safety measures.

As affirmed by the record of 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. 86, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1485 Finance on H.C.R. No. 88

The purpose of this measure is to request the Department of Health to provide written notification within a reasonable time to applicants for water quality certification if the application is incomplete.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 88 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1486 Finance on H.C.R. No. 95

The purpose of this measure is to designate the month of October of each year as "Farm to School Month" in Hawaii to strengthen and support farm to school initiatives in Hawaii's schools.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 95 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1487 Finance on H.C.R. No. 97

The purpose of this measure is to request that the Department of Health assure that any substantial land discharge of wastewater, occurring by injection well or other means, is in all cases, adequately reviewed and permitted.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 97, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1488 Finance on H.C.R. No. 99

The purpose of this measure is to request the Governor to approve the establishment of a sister state relationship between the State of Hawaii and the Prefecture of Hokkaido, Japan.

As affirmed by the record of 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. 99 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1489 Finance on H.C.R. No. 104

The purpose of this measure is to request an audit of the Department of Human Services, including its Med-QUEST division and KOLEA, the eligibility determination system of the division.

Your Committee has amended this measure by:

- (1) Clarifying that the KOLEA system was developed to determine Medicaid eligibility and not to determine eligibility for advance premium tax credits;
- (2) Clarifying that the KOLEA system is intended to advance Hawaii's Medicaid system by offering applicants the option to submit applications online as well as submitting paper applications;
- (3) Requests the Auditor to have an audit conducted, rather than specifying that the audit be conducted by the Office of the Governor; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 104, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 104, H.D. 2.

Signed by all members of the Committee.

SCRep. 1490 Judiciary on S.B. No. 226

The purpose of this measure is to:

- (1) Define "business day" for purposes of calculating the period of separation imposed in conjunction with the offense of abuse of family or household members; and

- (2) Rather than specifying a 48-hour period of separation, instead specifying that the period of separation imposed by a police officer shall commence when the order is issued and expire at 6:00 p.m. on the second business day following the day the order was issued.

The Council Member of District 3, Hawaii County Council; the Council Chair, Kauai County Council; a Council Member, Kauai County Council; Department of the Prosecuting Attorney, City and County of Honolulu; Office of the Prosecuting Attorney, County of Kauai; Department of the Prosecuting Attorney, County of Maui; and the Honolulu Police Department testified in support of this measure. The Office of the Public Defender opposed this measure.

Your Committee has amended this measure by changing its effective date to take effect upon its approval.

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. 226, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 226, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Nakashima.

SCRep. 1491 Judiciary on S.B. No. 265

The purpose of this measure is to:

- (1) Establish the class A felony offense of Sex Trafficking in Chapter 712, Hawaii Revised Statutes, and sex offender registration requirements for the violent crime by which the person intentionally or knowingly procures, provides, or obtains sexual services of a person younger than eighteen years of age or of a person older than eighteen years of age through unlawful means including deception, coercion, assault, or the use of force, deadly force, or unlawful force;
- (2) Make victims of sex trafficking eligible for security and protection when acting as a witness in a criminal prosecution and for compensation from the crime victim compensation fund;
- (3) Subject a person convicted of sex trafficking to the forfeiture of property;
- (4) Authorize investigative or law enforcement officers with court approval to intercept wire, oral, or electronic communications to investigate evidence of sex trafficking; and
- (5) Provide immunity from criminal prostitution charges and liability for a person who is a victim of sex trafficking.

Cardinal Services, Family Programs Hawaii, Hawaii Catholic Conference, Hawaii Family Forum, Hawai'i Lodging & Tourism Association, Hawaii Women's Coalition, Ho Ola Na Pua, Parents and Children Together, Shared Hope International, and many concerned individuals testified in support of this measure. The County of Hawai'i Office of the Prosecuting Attorney, County of Kaua'i Office of the Prosecuting Attorney, IMUAlliance, The Pacific Alliance to Stop Slavery, and many concerned individuals testified in support and recommended amendments. The Department of the Attorney General, Office of the Public Defender, City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, The Libertarian Party of Hawaii, and Effective Change, LLC testified in opposition.

National organizations have rated Hawaii very highly for its laws against sex trafficking, including receiving the top "Tier One" rating by Polaris in its 2014 state reports, which only 11 other states were awarded. However, your Committee finds that it is important to do more to protect victims of sex trafficking. In recognition of the impact of terminology, this measure utilizes the existing framework of laws pertaining to the promotion of prostitution by means of coercion to more appropriately title these unlawful acts "sex trafficking."

Your Committee has amended this measure to:

- (1) Delete language that would have created a separate sex trafficking statute and instead amend the existing promoting prostitution statutes to encompass sex trafficking;
- (2) Rename the Class A felony Promoting Prostitution in the First Degree as Sex Trafficking and incorporate additional means of coercion including acts related to assault, kidnapping, unlawful imprisonment, sexual assault, extortion, deception, retiring or repaying a debt, schemes, plans, or patterns intending to cause a person to believe they or their family will be harmed, and domination, restraint, or control which would reasonably cause a person to engage in the conduct;
- (3) Rename the Class B felony Promoting Prostitution in the Second Degree as Promoting Prostitution to apply to non-trafficking situations where the perpetrator is profiting from the prostitution of another adult;
- (4) Establish a Class C felony for the act of paying for sex in "reckless disregard" of the fact that the other person is a victim of sex trafficking;
- (5) Reduce the penalty from petty misdemeanor to violation for a minor convicted of prostitution for providing sex;
- (6) Make conforming amendments to statutes relating to prostitution and retain conforming amendments to criminal statutes that reference the promotion of prostitution;
- (7) Make conforming amendments to chapter 663J, Hawaii Revised Statutes that relate to civil liability for the coercion of a person into prostitution;
- (8) Make technical, nonsubstantive amendments for clarity, consistency, and style; and
- (9) Make this measure take effect upon its approval.

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. 265, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 265, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Lee.

SCRep. 1492 Judiciary on S.B. No. 148

The purpose of this measure is to promote the enforcement of criminal gambling prohibitions by including gambling among the types of criminal offenses that are subject to the nuisance abatement laws.

The Office of the Prosecuting Attorney of the County of Hawai'i, Honolulu Police Department, Hawaii Catholic Conference, Hawaii Family Forum, Hawai'i Coalition Against Legalized Gambling, and League of Women Voters supported this measure. The Department of the Attorney General commented on this measure.

Your Committee has amended this measure by:

- (1) Adding language that excludes activities involving only social gambling from nuisance abatement laws; and
- (2) Changing the effective date to upon approval.

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. 148, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 148, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 1493 Finance on S.B. No. 1106

The purpose of this measure is to replace specific statutory program references to "QUEST" and "QUEST Expanded Access" with the terms "medicaid managed care" or "medicaid managed care program" to reflect the program name changes that have occurred within the Department of Human Services.

The Department of Human Services and Hawaii Primary Care Association supported this measure. Hawaii Community Pharmacists Association and several concerned individuals opposed this measure. One concerned individual 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. 1106, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1494 Finance on S.B. No. 139

The purpose of this measure is to update exemptions to the civil service procedures and position classification system and provide for the review of current exemptions by:

- (1) Deleting exemptions for special, research, and demonstration projects in the Department of Education;
- (2) Repealing the expiration of exemptions created after July 1, 2014;
- (3) Adding a new exemption for positions in the Department of Business, Economic Development, and Tourism supporting the Hawaii Clean Energy Initiative; and
- (4) Amending the statutory position review requirement to limit the positions subject to review to those that were created between July 1, 2002 and July 1, 2014, and requiring the Director of Human Resources Development to submit a report to the Legislature on this review.

The Office of Planning; The Judiciary; Department of Human Resources Development; Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Department of Health; Hawaii Housing Finance and Development Corporation; Hawaii Strategic Development Corporation; High Technology Development Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 139, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1495 Finance on S.B. No. 1074

The purpose of this measure is to continue efforts to develop goals and policies to guide the development of the State by requiring the Office of Planning to:

- (1) Review the Hawaii State Plan as set forth in the Hawaii State Planning Act and appropriate funds for that purpose; and

- (2) Submit a report to the Legislature prior to the 2017 Regular Session regarding the review of and proposed updates to the Hawaii State Planning Act.

The Office of Planning; Department of Business, Economic Development, and Tourism; and Hawaii Chapter of the American Planning Association testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1074, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1496 Finance on S.B. No. 1076

The purpose of this measure is to appropriate funds for fiscal biennium 2015-2017 to fund salary adjustments, collective bargaining cost items, and other cost adjustments for officers and employees within collective bargaining unit (14) and their excluded counterparts.

The Department of Budget and Finance; Office of Collective Bargaining; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and an individual 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 is in accord with the intent and purpose of S.B. No. 1076, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1497 Finance on S.B. No. 1077

The purpose of this measure is to authorize and appropriate funds for fiscal biennium 2015-2017 to fund salary adjustments, collective bargaining cost items, Hawaii-Employer Union Health Benefits Trust Fund costs, and other cost adjustments for officers and employees within collective bargaining unit (2) and their excluded counterparts.

The Department of Human Resources Development, Department of Budget and Finance, University of Hawaii, Hawaii Government Employees Association, East Hawaii Region of Hawaii Health Systems Corporation, and Hawaii Health Systems Corporation 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. 1077, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1498 Finance on S.B. No. 1078

The purpose of this measure is to appropriate and authorize funds for collective bargaining cost items, salary adjustments, and other cost adjustments for public officers and employees in collective bargaining unit (3) and their excluded counterparts for fiscal biennium 2015-2017.

The Department of Budget and Finance; Office of Collective Bargaining; University of Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Health Systems Corporation; East Hawaii Region of Hawaii Health Systems Corporation; and an individual 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 is in accord with the intent and purpose of S.B. No. 1078, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1499 Finance on S.B. No. 1079

The purpose of this measure is to appropriate funds for fiscal biennium 2015-2017 to fund salary adjustments, collective bargaining cost items, and other cost adjustments for employees within collective bargaining unit (4) and their excluded counterparts.

The Department of Budget and Finance; Office of Collective Bargaining; University of Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Health Systems Corporation; and East Hawaii Region of Hawaii Health Systems Corporation 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 is in accord with the intent and purpose of S.B. No. 1079, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1500 Finance on S.B. No. 1080

The purpose of this measure is to appropriate funds, for fiscal biennium 2015-2017, to fund salary adjustments, collective bargaining cost items, and other cost adjustments for employees within collective bargaining unit (5) and their excluded counterparts.

The Department of Budget and Finance, Office of Collective Bargaining, and Hawaii State Teachers Association 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 is in accord with the intent and purpose of S.B. No. 1080, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1501 Finance on S.B. No. 1081

The purpose of this measure is to authorize and appropriate funds for collective bargaining cost items, salary adjustments, and other cost items for public officers and employees in collective bargaining unit (10) and their excluded counterparts for fiscal biennium 2015-2017.

The Department of Budget and Finance; Office of Collective Bargaining; University of Hawaii; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Health Systems Corporation; and East Region of Hawaii Health Systems Corporation 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 is in accord with the intent and purpose of S.B. No. 1081, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1502 Finance on S.B. No. 1082

The purpose of this measure is to appropriate funds for fiscal biennium 2015-2017 to fund salary adjustments, collective bargaining cost items, and other cost adjustments for officers and employees within collective bargaining unit (11) and their excluded counterparts.

The Department of Budget and Finance, Office of Collective Bargaining, and Hawaii Fire Fighters Association 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 is in accord with the intent and purpose of S.B. No. 1082, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1503 Finance on S.B. No. 1083

The purpose of this measure is to appropriate and authorize funds for collective bargaining cost items, salary adjustments, and other cost adjustments for public officers and employees in collective bargaining unit (8) and their excluded counterparts for fiscal biennium 2015-2017.

The Office of Collective Bargaining, Department of Budget and Finance, University of Hawai'i, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported 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. 1083, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1504 Finance on S.B. No. 1084

The purpose of this measure is to appropriate and authorize funds for collective bargaining cost items, salary adjustments, and other cost adjustments for public officers and employees in collective bargaining unit (9) and their excluded counterparts for fiscal biennium 2015-2017.

The Office of Collective Bargaining, Department of Budget and Finance, University of Hawaii, Hawaii Government Employees Association AFSCME Local 152, East Hawaii Region of Hawaii Health Systems Corporation, and Hawaii Health Systems Corporation supported 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. 1084, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1505 Finance on S.B. No. 1090

The purpose of this measure is to ensure that retired State and county employees promptly receive their full retirement benefits by:

- (1) Requiring, rather than allowing, State and county departments to provide payroll and personal information electronically to the Employees' Retirement System (ERS) in a format prescribed by the ERS;
- (2) Including information on any changes or errors in payments that require correcting or updating with respect to payroll and personnel transactions as information required to be furnished to the ERS;
- (3) Establishing penalties for departments or agencies that fail to provide the required information in the required format to the ERS;

- (4) Providing the ERS with sole discretion to waive the penalties under certain situations; and
- (5) Requiring the ERS to submit annual reports that detail compliance with the reporting requirements and penalties assessed, if any.

The Employees' Retirement System testified in support of this measure. The Department of Education, County of Hawaii, and City and County of Honolulu provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1090, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1506 Finance on S.B. No. 1062

The purpose of this measure is to enhance the biosecurity program and quarantine inspection process by authorizing the Department of Agriculture to establish or participate in private-public partnerships, and appropriating funds to the Department for biosecurity projects, including an integrated computer manifest system.

The Coordinating Group on Alien Pest Species, Hawaii Farm Bureau Federation, and two concerned individuals provided testimony in support of this measure. The Department of Land and Natural Resources, Department of Agriculture, and Hawaii Invasive Species 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. 1062, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1507 Finance on S.B. No. 1118

The purpose of this measure is to preserve public health and address the dangerously low balance in the Environmental Response Revolving Fund (Fund) due to reduced deposits from the tax on petroleum products and increased demand for hazard evaluation and emergency response. Specifically, this measure provides an emergency appropriation of \$800,000 to the Fund and appropriates the same amount from the Fund for hazard evaluation and emergency response preparedness.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 227 to the Legislature, requested immediate consideration and passage of this measure by the Legislature.

The Department of Health and Kahalu'u Neighborhood Board #29 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. 1118, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1508 Finance on S.B. No. 971

The purpose of this measure is to ensure that affordable rental housing projects remain affordable by requiring a rental housing project with a general excise tax exemption to enter into a regulatory agreement to maintain affordability thresholds with the Hawaii Housing Finance and Development Corporation for a specified minimum time period to obtain certification for the tax exemption.

The Hawaii Housing Finance and Development Corporation provided testimony in support of this measure. The Department of Taxation and Tax Foundation of Hawaii 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. 971, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1509 Finance on S.B. No. 974

The purpose of this measure is to authorize the use of the Rental Housing Trust Fund (RHTF) for spaces for public use within mixed-use residential developments, provided that the rental housing component is the primary use within the development.

The Hawaii Housing Finance and Development Corporation, Land Use Research Foundation of Hawaii, PHOCUSED, Catholic Charities Hawaii, The Chamber of Commerce Hawaii, and Building Industry Association of Hawaii supported 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. 974, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1510 Finance on S.B. No. 1098

The purpose of this measure is to amend the Hawaii Revised Statutes to more accurately reflect long-standing practices of the Board of Education, Hawaii State Public Library System, and State Librarian by transferring library-related duties from the Board of Education to the Hawaii State Public Library System and State Librarian.

The Hawaii State Public Library System 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 is in accord with the intent and purpose of S.B. No. 1098, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1511 Consumer Protection & Commerce/Judiciary on S.B. No. 114

The purpose of this measure is to:

- (1) Require, after January 1, 2016, licensed dentists to complete at least three hours of ethics training annually as part of their continuing education; and
- (2) Enable the Board of Dental Examiners to suspend or revoke a dentist's license or fine a dentist for conduct or practice contrary to recognized standards of ethics of dentistry, as adopted by the American Dental Association or Hawaii Dental Association.

The Department of Commerce and Consumer Affairs and Hawaii Dental Association testified in support of this measure. The Board of Dental Examiners testified in support of the intent of this 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. 114, S.D. 1, and recommend that it pass Third Reading.

Signed by all members of the Committee except Representative Belatti.

SCRep. 1512 Judiciary on S.B. No. 283

The purpose of this measure is to clarify the qualification and term limit requirements for the Board of Directors of the Hawaii Tourism Authority. Specifically, this measure:

- (1) Amends the subject-matter knowledge and experience qualifications for at least six members of the Board to include knowledge, experience, and expertise in the area of accommodations;
- (2) Deletes the requirement of subject-matter knowledge in the areas of visitor industry management, marketing, and promotion;
- (3) Provides for coordination between the Governor and the Senate President or Speaker of the House of Representatives, as appropriate, to ensure that appointments to fill vacancies are made in accordance with required subject-matter knowledge and experience qualifications; and
- (4) Makes various nonsubstantive housekeeping amendments.

The Hawaii Tourism Authority supported this measure.

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

Signed by all members of the Committee except Representative Lee.

SCRep. 1513 Judiciary on S.B. No. 729

The purpose of this measure is to clarify the role of advanced practice registered nurses regarding emergency hospital admission and involuntary hospitalization by authorizing advanced practice registered nurses to:

- (1) Perform an emergency examination on a patient;
- (2) Direct a patient to be hospitalized on an emergency basis or cause the patient to be transferred to another psychiatric facility for emergency hospitalization;
- (3) Certify the signs and symptoms of a patient for a petition for commitment to a psychiatric facility; and
- (4) Testify in a commitment hearing as a qualified person who has personally examined the subject of a petition for involuntary hospitalization.

The Queen's Health Systems and the Board of Nursing supported this measure.

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. 729 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Nakashima.

SCRep. 1514 Judiciary on S.B. No. 1141

The purpose of this measure is to clarify the Department of Transportation's authority to manage the Kawaihapai Airfield, formerly known as Dillingham Airfield, and apply administrative rules to airports or navigation facilities, such as Kawaihapai Airfield, that are owned by the United States.

The Department of Transportation supported this measure.

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. 1141, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lee.

SCRep. 1515 Finance on S.B. No. 841

The purpose of this measure is to improve the delivery of school health services by tasking the Department of Education and Department of Health with jointly convening an interagency working group to create a comprehensive school health program.

The University of Hawaii at Mānoa School of Nursing, Hawaii Primary Care Association, Community Children's Council of Hawaii, and Hawaii Public Health Institute provided testimony in support of this measure. The Department of Education and Department of Health 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. 841, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1516 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 1183

The purpose of this measure is to raise awareness of the *ōpe'ape'a*, otherwise known as the Hawaiian hoary bat, as an endangered species and uniquely Hawaiian land mammal by establishing and designating the *ōpe'ape'a* as the official land mammal of the State.

The Office of Hawaiian Affairs and Department of Land and Natural Resources supported this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1183, 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 Brower, Cachola, Kawakami, Ohno, Woodson and Ward.

SCRep. 1517 Finance on S.B. No. 1134

The purpose of this measure is to conform the state estate and generation-skipping transfer tax law to the Internal Revenue Code as it was amended on December 31, 2014, and to make technical, nonsubstantive amendments.

The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1134 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1518 Finance on S.B. No. 1212

The purpose of this measure is to repeal obsolete provisions in the general excise tax and public service company tax laws.

The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1212, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 1519 Finance on S.B. No. 104

The purpose of this measure is to require the Department of Budget and Finance to work with a state department selected by the Director of Finance on a pilot project to develop efficiency measures for possible inclusion in various documents that are required to be prepared under the Executive Budget Act.

The Department of Budget and Finance submitted comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2030, 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. 104, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 104, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1520 Finance on S.B. No. 105

The purpose of this measure is to require information on the estimated future debt service for a proposed capital improvement project to be included in the budget documents submitted to the Legislature.

The Department of Budget and Finance provided comments on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, 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. 105, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 105, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1521 Finance on S.B. No. 159

The purpose of this measure is to repeal the following non-general funds and accounts:

- (1) The Captain Cook Memorial Fund;
- (2) The Statewide Geospatial Information and Data Integration Special Fund;
- (3) The Food Distribution Program Revolving Fund;
- (4) The Career and Technical Training Projects Revolving Fund;
- (5) The University of Hawaii Alumni Special Fund;
- (6) The Animal Research Farm, Waialeale, Oahu Special Fund;
- (7) The Public Health Nursing Services Special Fund;
- (8) The Blind Shop Revolving and Handicraft Fund;
- (9) The Donations for Voter Registration Drive Trust Account;
- (10) The Fee Simple Residential Revolving Fund;
- (11) The Hawaii FYI-ICSD Trust Account administratively established in 1996;
- (12) The Parking Control Revolving Fund Escrow Account;
- (13) The Returned ACH Tax Refunds Trust Account administratively established in 2004;
- (14) The HDOA Biocontrol Foreign Exploration Special Fund created in 2010;
- (15) The Hawaii EUTF Self-Directed Investments Trust Account created in 2007; and
- (16) An account controlled by the State Commission on Fatherhood.

The Department of Accounting and General Services; Department of Taxation; Department of Business, Economic Development and Tourism; Office of the Auditor; Department of Budget and Finance; and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by deleting language repealing the:

- (1) Statewide Geospatial Information and Data Integration Special Fund;
- (2) Career and Technical Training Projects Revolving Fund for the University of Hawaii at Hilo;
- (3) University of Hawaii Alumni Special Fund;
- (4) Animal Research Farm, Waialeale, Oahu Special Fund; and
- (5) Fee Simple Residential Revolving Fund.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 159, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 159, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 1522 Finance on S.B. No. 253

The purpose of this measure is to require the Director of Finance to submit to the Legislature a state debt management policy prior to the 2016 Regular Session and a debt affordability study prior to every Regular Session in an odd-numbered year thereafter.

Two concerned individuals provided testimony in support of this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2030, to allow for 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. 253, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 253, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1523 Finance on S.B. No. 254

The purpose of this measure is to require the Director of Finance to include the estimated operational costs of proposed capital improvement projects, and deferred maintenance costs for state-owned buildings, facilities, and other improvements within each annual budget submitted to the Legislature.

A concerned individual submitted testimony in support of this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to facilitate 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. 254, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 254, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1524 Finance on S.B. No. 1092

The purpose of this measure is to repeal the Pineapple Workers and Retirees Housing Assistance Fund and Transportation Use Special Fund in accordance with the Office of the Auditor's recommendations in Auditor's Report Nos. 14-05 and 14-13.

The Office of the Auditor testified in support of this measure. The Department of Business, Economic Development and Tourism; Department of Budget and Finance; Department of Transportation; and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by adding the contents of House Bill No. 173 H.D. 1 and House Bill No. 79 H.D. 1, which were previously heard by Your Committee on February 18, 2015, into the contents of this measure. Specifically, in line with the Office of the Auditor's recommendations in Reports No. 14-05 and 14-13, this measure:

- (1) Repeals or abolishes the:
 - (A) Public Facility Revenue Bond Special Fund;
 - (B) Capital Formation Revolving Fund;
 - (C) Statewide Geospatial Information and Data Integration Special Fund;
 - (D) Fee Simple Residential Revolving Fund;
 - (E) Amtrak Trust Account;
 - (F) Hurricane Iniki Insurance Proceeds Special Fund; and
 - (G) Deposits-plans and Specifications Trust Account; and
- (2) Reclassifies the:
 - (A) Tourism Emergency Trust Fund as a special fund;
 - (B) Housing Project Bond Special Fund – Multi Family as a revolving fund;
 - (C) Housing Loan Program Revenue Bond Fund, also known as the Single Family Mortgage Purchase Revenue Bond Fund, as a revolving fund;
 - (D) Rental Housing Trust Fund as a revolving fund; and

(E) Housing Loan Program Revenue Bond Special Fund – Rental Housing System as a revolving fund.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1092, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1092, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 1525 Finance on S.B. No. 1133

The purpose of this measure is to update references in section 235-2.4, Hawaii Revised Statutes, relating to the operation of certain Internal Revenue Code provisions adopted into state income tax law, to conform more closely with the Internal Revenue Code of 1986, as amended as of December 31, 2014.

The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by clarifying the adopted state income tax treatment of Internal Revenue Code section 529A Qualified ABLE programs, with respect to the treatment of additional tax for distributions not used for disability expenses.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1133, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1133, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1526 Finance on S.B. No. 1136

The purpose of this measure is to update references to the Internal Revenue Code in section 235-55.91(e), Hawaii Revised Statutes, relating to tax credits for the employment of vocational rehabilitation referrals.

The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by clarifying the circumstances under which the credit would be claimable in regards to a vocational rehabilitation referral who is a dependent, to more accurately reflect current law.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1136, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1136, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1527 Finance on S.B. No. 1312

The purpose of this measure is to deposit general revenues into the Emergency and Budget Reserve Fund pursuant to Article VII, section 6, of the Hawaii State Constitution, which requires the Legislature to provide a tax refund or tax credit to state taxpayers or make a deposit into one or more funds, under certain economic conditions.

The Department of Budget and Finance provided comments on this measure.

Your Committee has amended this measure by appropriating general fund revenues to the Other Post-Employment Benefits Trust Fund for prefunding of health and other benefits plan costs for retirees and their beneficiaries.

Technical, nonsubstantive amendments were also made 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. 1312, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1312, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1528 Finance on S.B. No. 92

The purpose of this measure is to amend and update the law regarding the publication of reports by the Department of Taxation (Department) by:

- (1) Requiring that the Department report on general excise tax exemptions;
- (2) Specifying that the Department report on the Hawaii income patterns of businesses, rather than corporations, proprietorships, and partnerships; and
- (3) Repealing an obsolete reporting requirement.

The Department of Taxation and Tax Foundation of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the reports regarding Hawaii income patterns for businesses and for general excise tax exemptions be submitted to the Legislature no later than twenty days prior to the convening of the 2017 Regular Session and each session thereafter;
- (2) Requiring the Department to report on the status of the implementation of its tax system modernization project prior to December 31, 2015; and
- (3) Changing its effective date to July 1, 2030, 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. 92, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 92, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1529 Finance on S.B. No. 544

The purpose of this measure as received by your Committee, is to provide funding for natural resource management by appropriating moneys for projects relating to watershed management plans; fire, natural disaster, and emergency response equipment; and forest and outdoor recreation improvements.

For the purposes of a public hearing on this bill, your Committee circulated S.B. No. 544, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The purpose of the Proposed Draft is to rejuvenate areas that have become dilapidated, obsolete, or deteriorated in the Kanoelehua Industrial Area (Area) on the island of Hawaii by:

- (1) Establishing a four-year Kanoelehua Redevelopment Pilot Project to enable the Department of Land and Natural Resources to:
 - (A) Define policies for the management of public lands in the Area;
 - (B) Establish a plan for the designated redevelopment district in the Area, including district-wide improvements; and
 - (C) Implement asset and property management concepts to optimize income;
- (2) Requiring the Board of Land and Natural Resources Chairperson to establish a planning committee for the Area to prepare a redevelopment plan for the designated redevelopment district;
- (3) Requiring reports to the Legislature from:
 - (A) The Department of Land and Natural Resources on the progress and final findings of the pilot project; and
 - (B) The Legislative Reference Bureau on their findings based upon a review of commercial leases and the Legislative Reference Bureau's recommended changes to state leasing law; and
- (4) Appropriating funds.

The Land Use Research Foundation of Hawaii, Hawaii Green Growth, Kanoelehua Industrial Area Association, and an individual provided testimony in support of this measure. The Department of Land and Natural Resources provided testimony in opposition. The Legislative Reference Bureau provided comments.

Your Committee considered the merits of both S.B. No. 544, S.D. 1, as received by your Committee, and the Proposed Draft and upon careful consideration, adopted the Proposed Draft. Your Committee further amended the Proposed Draft by:

- (1) Clarifying that the scope of the Kanoelehua Redevelopment Pilot Project is limited only to public lands in the Kanoelehua industrial area and adjacent public lands in South Hilo;
- (2) Changing the effective date to July 1, 2030, 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. 544, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 544, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1530 Finance on S.B. No. 555

The purpose of this measure is to relieve the tax burden on low-income individuals and families by amending the Refundable Food/Excise Tax Credit. Specifically, this measure removes the residency requirement and amends the credit per exemption amounts.

The Hawaii State Commission on the Status of Women, Office of Hawaiian Affairs, Democratic Party of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, ILWU Local 142, Americans for Democratic Action, Partners in Care, League of Women Voters of Hawaii, Hawaii Catholic Conference, Community Alliance on Prisons, IMUAlliance, Honolulu Council of MoveOn.org, The CHOW Project, American Association of University Women Windward Branch, and three individuals provided testimony in support of this measure. An individual provided testimony in opposition. The Department of Taxation, and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by blanking out the dollar amounts of the credit per exemption and restoring the original statutory language in regards to the residency requirement.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 555, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 555, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1531 Finance on S.B. No. 676

The purpose of this measure is to amend the capital infrastructure income tax credit by, among other things:

- (1) Requiring a qualified infrastructure tenant to expend at least \$40,000,000 to be eligible for the tax credit;
- (2) Authorizing the carryover of credits in excess of the maximum to subsequent taxable years;
- (3) Specifying that the claimed tax credit amounts shall be recaptured if a qualified infrastructure tenant fails to relocate under certain circumstances; and
- (4) Requiring taxpayers claiming the tax credit to submit information to the Legislature.

For the purposes of a public hearing on this bill, your Committee circulated a proposed draft of S.B. No. 676, S.D. 2, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The Proposed Draft, among other things:

- (1) Includes expenditures for structures, machinery, equipment, or capital assets made in connection with a tenant's move to a new location within Honolulu Harbor in claimable capital expenditure costs and excludes any amounts received in any form from the State;
- (2) Inserts an unspecified amount for the maximum claimable amount of tax credits per qualified infrastructure tenant; and
- (3) Removes the requirement that a qualified infrastructure tenant expend at least \$40,000,000 to be eligible for the credit.

Robert's Hawaii, Inc.; Pacific Marine; Pacific Shipyards International; HSI Mechanical, Inc.; Navatek, Ltd.; and numerous individuals testified in support of this measure. The Department of Taxation; Department of Transportation; Tax Foundation of Hawaii; and Chamber of Commerce Hawaii provided comments.

Your Committee, upon careful consideration of the merits of both S.B. No. 676 S.D. 2, as received by your Committee, and the Proposed Draft, has adopted the Proposed Draft and further amended it by:

- (1) Amending the definition of "qualified infrastructure tenant" for purposes of eligibility to claim the credit to include special purpose entities formed for the purpose of raising investor capital;
- (2) Further clarifying that no tax credit shall be generated after December 31, 2019, notwithstanding the carryover of previously-generated credits; 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. 676, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 676, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1532 Finance on S.B. No. 1297

The purpose of this measure is to place ceilings on the total amounts of cigarette tax and tobacco tax revenues that are currently deposited in the Hawaii Cancer Research Special Fund, Trauma System Special Fund, Community Health Centers Special Fund, and Emergency Medical Services Special Fund, beginning July 1, 2015.

For the purposes of a public hearing on this bill, your Committee circulated a Proposed Draft of S.B. No. 1297, S.D. 1, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The Proposed Draft:

- (1) Specifies that as of July 1, 2015, all cigarette tax and tobacco tax revenues distributed to various special funds pursuant to section 245-15, Hawaii Revised Statutes, shall be general fund realizations; and
- (2) Appropriates general funds to various state programs in accordance with existing distributions of cigarette tax and tobacco tax revenues.

Hawaii Health Systems Corporation, The Queen's Health Systems, Injury Prevention Advisory Committee, Healthcare Association of Hawaii, and many individuals testified in opposition to this measure. The Department of Budget and Finance, Department of Health, University of Hawaii, Tax Foundation of Hawaii, Hawaii Pacific Health, and Hawaii Primary Care Association provided comments.

Your Committee, upon careful consideration of the merits of both S.B. No. 1297, S.D. 1, as received by your Committee, and the Proposed Draft, has adopted the Proposed Draft and further amended it by:

- (1) Retaining the current, existing distribution of cigarette tax and tobacco tax revenues to the Cancer Research Special Fund and deleting the related general fund appropriations for Hawaii Cancer Research Center debt service and operating costs;
- (2) Increasing the appropriation amounts for emergency medical services and injury prevention system (HTH 730) and family health services (HTH 560); 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. 1297, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1297, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1533 Finance on S.B. No. 101

The purpose of this measure is to correct technical errors in Act 122, Session Laws of Hawaii 2014, known as the Supplemental Appropriations Act of 2014.

For the purposes of a public hearing on this bill, your Committee circulated a proposed S.B. No. 101, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The Proposed Draft, among other things:

- (1) Amends the allocation amounts from the Hawaii Tobacco Settlement Special Fund by:
 - (A) Removing the requirement that the first \$350,000 of tobacco settlement moneys received by the State in each fiscal year be deposited in the state treasury to the credit of the tobacco enforcement special fund;
 - (B) Removing the 25 percent allocation to the Department of Health for further distribution to the Children's Health Insurance Program (CHIP) and Health Promotion and Disease Prevention Programs; and
 - (C) Providing that any remaining amounts, instead of 25.5 percent, be deposited to the credit of the state general fund; and
- (2) Makes the following appropriations:
 - (A) \$4,716,750 for each year of fiscal biennium 2015-2017 for health care payments for operating expenses of CHIP; and
 - (B) \$6,363,263 for fiscal year 2015-2016 and \$6,446,158 for fiscal year 2016-2017 for chronic disease prevention and health promotion for tobacco prevention and cessation operating expenses.

The Hawaii Early Intervention Coordinating Council and a concerned individual provided testimony in support of this measure. Parents and Children Together and a few individuals opposed this measure. The Department of the Attorney General, Department of Health, University of Hawaii, University of Hawaii-Hawaii Family Support Institute, The Queen's Health Systems, Hawaii Pacific Health, Catholic Charities Hawaii, Child & Family Service, American Heart Association, PHOCUSED, YWCA of Hawaii Island, Keiki O Ka 'Aīna, American Lung Association, Coalition for a Tobacco Free Hawaii, Maui Family Support Services, Inc., and two individuals provided comments on this measure.

Upon careful consideration of the merits of both S.B. No. 101 S.D. 1, as received by your Committee, and the Proposed Draft, your Committee has amended this measure to adopt the Proposed Draft with the following additional amendments:

- (1) Reinstating the requirement that the first \$350,000 of tobacco settlement moneys received by the State in each fiscal year be deposited to the credit of the tobacco enforcement special fund;
- (2) Amending the allocation of tobacco settlement moneys to the Hawaii Tobacco Settlement Special Fund as follows:
 - (A) 12.5 percent to the Hawaii Tobacco Prevention and Control Trust Fund; and
 - (B) 26 percent to the University Revenue-Undertakings Fund;
- (3) Clarifying that the appropriation for chronic disease prevention and health promotion is for tobacco prevention, nutrition, physical activity, and chronic disease related programs;
- (4) Appropriating \$3,000,000 for each year of fiscal biennium 2015-2017 for the Hawaii Home Visiting Network program, which will be matched with \$9,000,000 in federal funds; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 101, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 101, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1534 Finance on S.B. No. 250

The purpose of this measure is to clarify how federal funds received by the State are to be expended. Specifically, this measure:

- (1) Expressly states that the disbursement of federal-aid moneys, except as provided for by the federal government, is subject to legislative appropriation or other law authorizing expenditure;
- (2) Amends the definition of "federal funds" in the Executive Budget Act to include financial aid reasonably anticipated to be received from the federal government;
- (3) Authorizes the expenditure of unanticipated federal money to be expended when and in the manner authorized by proviso in the Budget or Supplemental Budget Act; and
- (4) Specifies that the intent of this measure shall apply to the Judiciary by operation of section 601-2, Hawaii Revised Statutes.

The Department of Health opposed this measure. The Department of Budget and Finance and the University of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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. 250, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 250, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1535 Finance on S.B. No. 1299

The purpose of this measure, as received by your Committee, is to promote budgetary planning and transparency by amending the disposition of conveyance tax revenues as follows:

- (1) 10 percent or \$7,600,000, whichever is less, to the Land Conservation Fund;
- (2) 50 percent or \$38,000,000, whichever is less, to the Rental Housing Trust Fund; and
- (3) 25 percent or \$19,000,000, whichever is less, to the Natural Area Reserve Fund.

For the purposes of a public hearing on this bill, your Committee circulated a proposed S.B. No. 1299, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The Proposed Draft:

- (1) Further amends the disposition of conveyance tax revenues by:
 - (A) Allocating 10 percent or \$6,800,000, whichever is less, to the Land Conservation Fund; and
 - (B) Repealing the allocation to the Natural Area Reserve Fund; and
- (2) Makes the following appropriations to programs that were formerly supported by the conveyance tax:
 - (A) \$7,556,128 for each year of fiscal biennium 2015-2017 for natural area partnership and forest stewardship programs, projects undertaken in accordance with watershed management plans, and the Youth Conservation Corps;
 - (B) \$2,100,000 for each year of fiscal biennium 2015-2017 for natural area partnership and forest stewardship programs;
 - (C) \$60,000 for each year of fiscal biennium 2015-2017 for a Hawaii Humpback Whale National Marine Sanctuary co-manager;
 - (D) \$187,000 for each year of fiscal biennium 2015-2017 for the operating expenses of the Hawaiian Islands Humpback Whale National Marine Sanctuary and Papahānaumokuākea Marine National Monument;
 - (E) \$1,500,000 for each year of fiscal biennium 2015-2017 for fire, natural disaster, and emergency response equipment;
 - (F) \$250,000 for each year of fiscal biennium 2015-2017 for the operations of the Kure Atoll Field Station;
 - (G) \$1,000,000 for each year of fiscal biennium 2015-2017 for other current expenses, equipment, and motor vehicles for conservation and resource enforcement;
 - (H) \$1,161,864 for fiscal year 2015-2016 and \$915,624 for fiscal year 2016-2017 for personal services, other current expenses, equipment, and motor vehicles for community fisheries enforcement units;
 - (I) \$5,000,000 for each year of fiscal biennium 2015-2017 for invasive species programs statewide;
 - (J) \$159,280 for fiscal year 2015-2016 and \$146,730 for fiscal year 2016-2017 for two archaeologists III, one burial specialist, and equipment for historic preservation;
 - (K) \$850,000 for fiscal year 2015-2016 for the digitization of all historic preservation records and the installation of a new integrated information system;

- (L) \$1,500,000 for each year of fiscal biennium 2015-2017 for the Kahoolawe Island Reserve Commission; and
- (M) \$101,715 for each year of fiscal biennium 2015-2017 for administrative operating expenses under LNR906.

The Kahoolawe Island Reserve Commission and numerous individuals supported this measure. The Hawaii Housing Finance and Development Corporation; The Nature Conservancy; Kauai Watershed Alliance; Oahu Island Parks Conservancy; Coastal Planners, LLC; Sierra Club; and many individuals opposed this measure. The Department of Land and Natural Resources, Tax Foundation of Hawaii, PHOCUSED, Hawaii Association of REALTORS, Partners in Care, Catholic Charities Hawaii, Conservation Council for Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Audubon Society, Dole Food Co. Hawaii, Big Island Invasive Species Committee, Haleakala Ranch, Ben Dyre Family Limited Partnership, Coordinating Group on Alien Pest Species, Kauai Invasive Species Committee, Hawaii Forest Industry Association, and numerous individuals commented on this measure.

Upon careful consideration of the merits of both S.B. No. 1299, as received by your Committee, and the Proposed Draft, your Committee has adopted the Proposed Draft and further amended the Proposed Draft by:

- (1) Clarifying that the correct reference to natural area reserves and watershed management for invasive species programs statewide should be LNR402, rather than LNR 407;
- (2) Changing its effective date to July 1, 2030; 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. 1299, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1299, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1536 Consumer Protection & Commerce on S.B. No. 743

The purpose of this measure is to identify an individual who is responsible for the management and supervision of the activity desk by:

- (1) Requiring that each activity desk designate a principal who shall have direct management and supervision of the activity desk; and
- (2) Requiring the activity desk to disclose the name and contact information of the activity desk principal to a client trust account beneficiary upon request.

The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and the Activity Desks Program of the Department of Commerce and Consumer Affairs testified in support of this measure with amendments.

Your Committee has amended this measure by specifying that it shall take effect on July 1, 2015; provided that for current registrants registered with the Department of Commerce and Consumer Affairs (Department) prior to July 1, 2015, the required disclosure of an activity desk principal to the Department shall commence with the registration renewal required for registrations that expire on December 31, 2017.

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. 743, 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. 743, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Belatti and Har.

SCRep. 1537 Consumer Protection & Commerce/Judiciary on S.B. No. 1115

The purpose of this measure is to clarify the scope of the Disability and Communication Access Board's review of public construction projects for accessibility purposes. This measure clarifies that the Board shall review public accommodations and commercial facilities on public lands as well as projects intended for transfer to the State or a county.

The Disability and Communication Access Board testified in support of this measure.

Your Committees have amended this measure by clarifying that the public buildings, facilities, and sites subject to review include buildings, facilities, sites, and the infrastructure thereof that are constructed on lands that will be transferred to the State or county upon completion of construction.

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. 1115, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1115, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Belatti.

SCRep. 1538 Judiciary on S.B. No. 14

The purpose of this measure is to amend the Residential Landlord-Tenant Code to authorize the use of security deposits to:

- (1) Replace keys, including key fobs, parking cards, garage door openers, and mail box keys; and

- (2) Pay for utility service provided by the landlord under the rental agreement but not included in the rent.

The Office of Consumer Protection of the Department of Commerce and Consumer Affairs and the Hawaii Association of REALTORS supported this measure.

Your Committee has amended this measure by changing the effective date to November 1, 2015.

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. 14, 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. 14, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Lee.

SCRep. 1539 Judiciary on S.B. No. 273

The purpose of this measure is to:

- (1) Permit the examiner of drivers to accept a sworn statement from a member of a victim services organization, an attorney, a member of the clergy, correctional institution staff, or a treating medical or other health professional as documentary evidence of a homeless person's address; and
- (2) Establish a working group to conduct research and develop a plan to enable individuals in the State, who are unable to produce proper identification, to obtain identification certification.

The Hawaii Youth Services Network and many concerned individuals testified in support of this measure. Hawaiian Hope, Inc., IMUAlliance, The Pacific Alliance to Stop Slavery, PHOCUSED, and many concerned individuals testified in support and recommended amendments. The Department of Transportation supported the intent of this measure. The City and County of Honolulu Department of Customer Services supported the intent of this measure and provided comments. One concerned individual testified in opposition.

Your Committee has amended this measure to:

- (1) Require the examiner of drivers to accept the documentation specified in this measure as evidence of the person's address;
- (2) Specify that the homeless verification letters provided by homeless service providers shall be accepted as documentary evidence of the person's address;
- (3) Require the Director of Transportation to adopt rules that require the examiner of drivers to waive all fees for the issuance of an identification card for qualified homeless individuals;
- (4) Clarify the purpose of the working group is to develop a plan to enable individuals to obtain the documentary evidence that is necessary to obtain a state civil identification card;
- (5) Increase the size of working group to include representation from the counties' Examiner of Drivers and the homeless service providers operating in each county;
- (6) Delete the exemption from compliance with Chapter 84, Hawaii Revised Statutes, for working group members; and
- (7) Make this measure take effect upon its approval.

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. 273, 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. 273, S.D. 2, H.D. 2.

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

SCRep. 1540 Finance on S.B. No. 1060

The purpose of this measure is to assist the livestock industry by establishing a low interest Biosecurity Loan program within the Department of Agriculture (Department) for construction, improvements, equipment, and other costs related to a biosecurity project. This measure also updates the eligibility of the loan classes for loans that the Department insures, guarantees, or participates in, and direct loans from the Department.

The Department of Agriculture, Hawaii Farm Bureau, and Land Use Research Foundation of Hawaii supported this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to promote 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. 1060, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1060, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1541 Finance on S.B. No. 887

The purpose of this measure is to increase economic development in Hawaii by improving Hawaii's high speed broadband infrastructure. Specifically, this measure:

- (1) Amends the definition of "industrial park" under chapter 206M, Hawaii Revised Statutes, relating to the High Technology Development Corporation (HTDC), to include broadband cable landing and connectivity infrastructure facility development, thus allowing HTDC to develop such facilities;
- (2) Requires the Board of Directors of HTDC to establish advisory subcommittees when developing an industrial park with a broadband cable landing and connectivity infrastructure facility; and
- (3) Requires the Board of Directors of HTDC to submit a report to the Legislature and the Governor before the convening of the Regular Session of 2016 on the formation of the advisory subcommittees and their plans to develop industrial parks in conjunction with broadband cable landing and connectivity infrastructure facilities.

The High Technology Development Corporation, Pacific-Asia Institute for Resilience and Sustainability, Chamber of Commerce Hawaii, and Enterprise Honolulu Oahu Economic Development Board supported 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. 887, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1542 Finance on S.B. No. 1001

The purpose of this measure is to establish a temporary nonrefundable income tax credit for taxpayers who incur certain equipment and training expenses in the manufacture of products in Hawaii that shall be applicable to taxable years beginning after December 31, 2015, and be repealed on January 1, 2023.

The High Technology Development Corporation; The Chamber of Commerce Hawaii; Hawaii Food Industry Association; Meadow Gold Dairies; KYD, Inc.; and Island Plastic Bags, Inc. supported this measure. The Department of Taxation and Tax Foundation of Hawaii commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1001, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1543 Finance on S.B. No. 1066

The purpose of this measure is to update the Uniform Interstate Family Support Act originally adopted in 1997.

More specifically, this measure:

- (1) Adopts amendments to the Uniform Interstate Family Support Act proposed in 2001 by its authors, the Uniform Law Commission, that refined jurisdictional rules, clarified how a controlling order is determined and reconciled when multiple state orders are issued, distinguished court jurisdiction for support enforcement and for child custody purposes, provided guidance to state support enforcement agencies, covered foreign country support orders, and made technical amendments;
- (2) Updates the Uniform Interstate Family Support Act to reflect requirements of the Hague Convention of the International Recovery of Child Support and Other Forms of Family Maintenance to which the United States became a signatory in 2007; and
- (3) Provides procedures for registration, recognition, enforcement, and modifications of support orders from countries that are parties to the Hague Convention.

The Department of the Attorney General, Commission to Promote Uniform Legislation, and an individual 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 is in accord with the intent and purpose of S.B. No. 1066, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1544 Finance on S.B. No. 143

The purpose of this measure is to propose an amendment to Article I, Section 13, of the Constitution of the State of Hawaii to increase the threshold value in controversy requirement for jury trials in civil cases at common law from \$5,000 to \$10,000.

A concerned individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 143, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 1545 Finance on S.B. No. 144

The purpose of this measure is to increase the threshold value in controversy requirement for jury trials in civil cases at common law from \$5,000 to \$10,000.

A concerned individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 144, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 1546 Finance on S.B. No. 440

The purpose of this measure is to comply with the Uniform Military and Overseas Voters Act regarding the timely transmission of ballots by amending the timing for vacancy elections associated with the office of U.S. senator.

Specifically, this measure ensures that the candidate filing deadline for a vacancy in the office of U.S. senator is the same as regularly scheduled offices by making the deadline for filling the vacancy the 21st, and not the 60th, day prior to the date specified in section 12-6, Hawaii Revised Statutes, for the close of filing nomination papers for regularly scheduled elections.

The Office of Elections supported 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. 440, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1547 Finance on S.B. No. 504

The purpose of this measure is to address the issues surrounding historic residences by requiring the State Historic Preservation Division of the Department of Land and Natural Resources to conduct a survey on properties eligible for listing on the Hawaii Register of Historic Places and submit a report to the Legislature.

The Historic Hawaii Foundation supported this measure. The Department of Land and Natural Resources; Chamber of Commerce Hawaii; Land Use Research Foundation of Hawaii; and the Society for Hawaiian Archaeology commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 504, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1548 Finance on S.B. No. 1124

The purpose of this measure is to make clarifying amendments affecting use permits for small boat harbors by providing that:

- (1) A person at least 18 years of age need not obtain a marine surveyor's inspection nor provide documentation that the person is the owner of a vessel to be placed on a waitlist for a use permit to moor a vessel in a state small boat harbor; and
- (2) As an alternative to a vessel inspection by a marine surveyor, a vessel inspection may be conducted by an approved vessel inspector employed by the Department of Land and Natural Resources.

The Department of Land and Natural Resources supported 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. 1124, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1549 Finance on S.B. No. 1087

The purpose of this measure is to help reduce the unfunded liabilities of the Employees' Retirement System (ERS) by clarifying the return of accumulated contributions for ERS members and the payment of death benefits for hybrid plan members. Specifically, this measure:

- (1) Allows members who terminate service before age 62 to take a refund at age 62 or delay the mandatory refund for four calendar years after the date of termination, whichever is later, thus providing the member the opportunity to become re-employed and to earn retirement eligibility; and
- (2) Corrects the discrepancy between the vesting requirements for a refund of retirement contributions after termination of service and for vested death benefits for hybrid plan members, who die after terminating service but prior to retirement.

The ERS 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. 1087, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1550 Finance on S.B. No. 1089

The purpose of this measure is to provide the Employees' Retirement System (ERS) with the means to improve and protect its funded status by properly funding membership service credit for contributory and hybrid members. Specifically, this measure:

- (1) Gives members one year after returning from an unpaid leave of absence to make the required retirement contributions in order to obtain service credit for the unpaid leave;
- (2) Requires, rather than allows, members receiving workers' compensation benefits to have contributions deducted from the members' workers' compensation benefits;
- (3) Establishes separate requirements for the acquisition of membership service credit by contributory and hybrid members, depending upon whether deductions commence or a lump sum payment is made after June 30, 2020;
- (4) Establishes one-year deadlines for lump sum payments by contributory and hybrid members for membership service credit; and
- (5) Establishes one-year deadlines for contributory and hybrid members who become members after June 30, 2016, to claim membership service credit for prior service, military service, or other service credit.

The ERS 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. 1089, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1551 Finance on S.B. No. 577

The purpose of this measure is to replenish and establish consistent funding for the Campaign Spending Commission (Commission) by requiring that:

- (1) The fines assessed by the Commission be deposited into the Hawaii Election Campaign Fund (Fund); and
- (2) The Commission's operating expenses be paid from the general fund instead of the Fund.

The Campaign Spending Commission, League of Women Voters of Hawaii, Common Cause Hawaii, Open Law Alliance, and several concerned individuals supported this measure. The Department of Accounting and General Services 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. 577, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1552 Finance on S.B. No. 822

The purpose of this measure is to assist the Department of Education (Department) and the Department's schools in implementing the minimum day and hour requirements for each school year, as established by Act 167, Session Laws of Hawaii 2010. In addition, this measure clarifies:

- (1) The timeline for phasing in a 1,080-hour school year by 2016; and
- (2) The manner in which the hours are calculated.

The Department of Education, Hawaii State Teachers Association, IMUAlliance, Hui for Excellence in Education, and a few concerned individuals provided testimony in support of this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to take effect upon approval; and
- (2) Making technical, nonsubstantive amendments for consistency and clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 822, 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. 822, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1553 Finance on S.B. No. 1117

The purpose of this measure is to ensure that residents of the State and visitors continue to receive quality healthcare by making an emergency appropriation to provide funds for the functions of the Hawaii Health Systems Corporation and its regions.

Hawaii Health Systems Corporation supported this measure. The Hawaii Government Employees Association, AFSCME Local 152 provided comments on this measure.

Your Committee has amended this measure by:

- (1) Making the appropriation in an unspecified amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1117, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1117, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1554 Transportation on S.B. No. 717

The purpose of this measure is to repeal the requirement that gasoline sold in Hawaii for use in motor vehicles contain ten percent ethanol.

Aloha Shell Service, Chevron, and several concerned individuals testified in support of this measure. The Hawaii Crop Improvement Association, DuPont, Growth Energy, Bioenergy Associates LLC, Biotechnology Industry Organization, and POET Biofuel testified in opposition to this measure. The Department of Business, Economic Development, and Tourism (DBEDT) and Grassroot Institute of Hawaii submitted comments.

Since 2006, Hawaii has required that gasoline sold in the State include ten percent ethanol. While the intent of this requirement was to move Hawaii towards using increased amounts of alternative fuels as well as to provide economic benefits to the State through the establishment of ethanol-producing facilities, it appears that Hawaii has yet to experience any economic benefits from the requirement of blending ethanol into Hawaii's gasoline. According to DBEDT, ethanol production has not occurred locally despite the availability of ethanol production tax credits.

Although it has been suggested that importing ethanol to meet Hawaii's ethanol requirement for gasoline creates an economic burden for state residents, and that eliminating Hawaii's ethanol requirement would be beneficial to the State as a whole, questions remain as to what impacts, if any, Hawaii's ethanol requirement has had on the residents of the State. Questions also remain as to what the effects would be if the ethanol requirement were to be repealed. Your Committee finds that a study of the impacts Hawaii's ethanol requirement has had on the State and the effects a repeal of this requirement would have would answer these questions.

Your Committee has amended this measure by deleting its contents and replacing it with provisions that:

- (1) Increase the membership of the Petroleum Advisory Council established within DBEDT to include a member representing the biofuel industry and a member representing the biotechnology industry;
- (2) Require the Petroleum Advisory Council to:
 - (A) Study the impacts Hawaii's ethanol requirement has had on the State, as well as the effects of repealing this requirement; and
 - (B) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2016; and
- (3) Change its effective date to July 1, 2015.

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 is in accord with the intent and purpose of S.B. No. 717, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 717, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1555 Finance on S.B. No. 181

The purpose of this measure is to honor individuals whose high school educations were interrupted as a result of:

- (1) Compulsory induction into active service in the United States Armed Services; or
- (2) Wartime practices, such as internment during World War II,

by delaying until June 30, 2020, the repeal of the Department of Education program that awards high school diplomas to these individuals.

The State Office of Veterans' Services, State Veterans of Foreign Wars, Hawaii State Teachers Association, and an individual supported this measure. The Department of Education commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to June 29, 2030, to facilitate further discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 181, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 181, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1556 Finance on S.B. No. 1177

The purpose of this measure is to address the Auditor's findings contained in Report No. 14-11, "Audit of the Hawai'i State Foundation on Culture and the Arts," by appropriating funds to establish four full-time equivalent positions with the Hawaii State Foundation on Culture and the Arts.

The Hawaii State Foundation on Culture and the Arts, Moanalua Gardens Foundation, Kahilu Theatre Foundation, and two individuals supported this measure. The Department of Budget and Finance testified in opposition to this measure. The Department of Accounting and General Services commented on this measure.

Your Committee has amended this measure by:

- (1) Making the appropriations unspecified amounts; and
- (2) Making a technical, nonsubstantive amendment 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. 1177, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1177, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1557 Judiciary on S.B. No. 736

The purpose of this measure is to ensure timely recoupment and demand for offset of insurance benefits paid out in error by:

- (1) Requiring an insurer, mutual benefit society, dental service corporation, or health maintenance organization to send written notice to a health care provider at least 30 calendar days prior to any effort to recoup or offset a payment or reimbursement for health care provided to an insured; and
- (2) Prohibiting any recoupment or offset demand efforts more than 18 months after an initial claim payment is received, with specific exceptions, including a 72-month time limit for cases involving insurance fraud.

The American Congress of Obstetricians and Gynecologists, Hawaii Medical Association, and Hawaii Psychological Association testified in support of this measure. Hawaii Medical Service Association provided comments.

Your Committee has amended this measure by changing its effective date to take effect upon its approval.

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. 736, 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. 736, S.D. 1, H.D. 2.

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

SCRep. 1558 Finance on S.B. No. 1157

The purpose of this measure is to help preserve Hawaii's dark skies for the benefit of human health, protection of endangered species, reduction of nighttime energy consumption, and improvement of conditions for astronomy by extending on-going efforts towards the reduction of nighttime light pollution. Specifically this measure:

- (1) Extends the existence of the Starlight Advisory Committee to June 30, 2021;
- (2) Corrects references to the Office of Hawaiian Affairs' representative on the Advisory Committee; and
- (3) Requires the Advisory Committee to submit reports of its findings, recommendations, and any proposed legislation to the Legislature prior to the convening of the Regular Sessions of 2017 and 2019.

The Starlight Reserve Committee, Office of Hawaiian Affairs, and a concerned individual supported this measure. The Department of Business, Economic Development and Tourism, Department of Transportation, and Land Use Research Foundation 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 is in accord with the intent and purpose of S.B. No. 1157, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1559 Finance on S.B. No. 1295

The purpose of this measure is to provide enterprise zone incentives for qualified renewable energy technology business activity on real property owned by the Natural Energy Laboratory of Hawaii Authority.

The Natural Energy Laboratory of Hawaii Authority and an individual testified in support of this measure. The Department of Business, Economic Development, and Tourism, Department of Taxation, and Tax Foundation of Hawaii provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1295, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1560 Finance on S.B. No. 559

The purpose of this measure is to promote collaboration between the State and military agencies within the State by establishing the military affairs advisor and assistant military affairs advisor positions within the Department of Defense to report to the Governor.

The Chamber of Commerce Hawaii; Department of Hawaii, Veterans of Foreign Wars of the United States; Outrigger Hotels Hawaii; and an individual supported this measure. The Department of Defense, State Office of Veterans Services; State Adjutant General; and the Hawaii Emergency Management Agency commented on this measure.

Your Committee has amended this measure by placing the military affairs advisor and assistant military affairs advisor positions within the Office of the Governor, instead of the Department of Defense.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 559, 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. 559, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1561 Finance on S.B. No. 912

The purpose of this measure is to address financial challenges in providing quality long-term care to Medicaid recipients by requiring the Department of Human Services to increase a long-term care facility's provider-specific prospective payment rate for such recipients by applying a federally approved inflation factor to the provider's historical costs or basic prospective payment system rates.

The Queen's Health Systems, Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Hale Makua Health Services, Nuuanu Hale Hospital, Liliha Healthcare Center, Wahiawa Nursing and Rehabilitation Center, Island Nursing Home, Avalon Care Center – Honolulu, Aloha Nursing Rehab Centre, One Kalakaua Senior Living, The Harry & Jeanette Weinberg Care Center at Pohai Nani, Hale Nani Rehabilitation & Nursing Center, Garden Isle Rehabilitation & Healthcare Center, and many individuals provided testimony in support of this measure. The Department of Human Services provided testimony 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 is in accord with the intent and purpose of S.B. No. 912, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1562 Finance on S.B. No. 854

The purpose of this measure is to ensure that the pilot program for the lease of public school lands supports public education in Hawaii by:

- (1) Requiring lessees of such lands to benefit public educational purposes when modifying, constructing, and using; and maintaining and operating facilities on, those lands; and
- (2) Authorizing the Department of Education to enter into leaseback agreements that:
 - (A) Lease back all or a portion of improvements constructed; and
 - (B) Allow lease or sublease of the property to a third party; and
- (3) Allows lease back from a third party lessee, with any improvements vesting in the Department of Education after the expiration of the lease back period.

The Department of Education, Hawaii State Teachers Association, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii supported this measure. The Land Use Research Foundation of Hawaii commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 854, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1563 Finance on S.B. No. 374

The purpose of this measure is to expand opportunities for public high school students to earn both high-school and college-level academic credit simultaneously.

More specifically, this measure:

- (1) Renames the Running Start Program as the Dual Credit Program;
- (2) Allows qualified high-school students in the ninth and tenth grades, not just the eleventh and twelfth grades, to participate in the Dual Credit Program;
- (3) Exempts students participating in the Dual Credit Program from paying University of Hawaii tuition and fees;
- (4) Specifies that certain student qualifications deemed appropriate by the Department of Education or University of Hawaii must be uniform across all campuses of the University of Hawaii that offer qualified courses;
- (5) Specifies that University of Hawaii entry-level credit-bearing courses that fulfill an undergraduate or graduate degree course requirement and that are completed successfully also satisfy the Department of Education's graduation requirements; and
- (6) Appropriates funds to the Department of Education and University of Hawaii for staff and other resources to administer the Dual Credit Program.

The University of Hawaii, State Office for Career and Technical Education, Hui for Excellence in Education, Hawaii State Teachers Association, Kamehameha Schools, Hawaii Business Roundtable, and several individuals provided testimony in support of this measure. The Department of Education, Aha Punana Leo, Kanu O Ka Aina Learning Ohana, Na Lei Naauao, and several individuals provided comments.

Your Committee has amended this measure by:

- (1) Blanking out the number of positions for which moneys were appropriated; 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. 374, 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. 374, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1564 Finance on S.B. No. 831

The purpose of this measure is to strengthen the public charter school system in Hawaii by:

- (1) Aligning the requirements for start-up and conversion charter schools by, among other things:
 - (A) Including conversion charter schools within the provisions of section 302D-13, Hawaii Revised Statutes, which relates to the establishment of start-up charter schools; and
 - (B) Repealing section 302D-14, Hawaii Revised Statutes, which contains the existing provisions on the establishment of conversion charter schools;
- (2) With respect to start-up charter schools:
 - (A) Allowing a student who is currently enrolled in a charter school that has been notified of the prospect of revocation or is closing, to receive first priority to enroll at another charter school to which the student applies or to be placed at the top of the waitlist for enrollment; and
 - (B) Allowing the start-up charter school to give an enrollment preference through a weighted lottery to educationally disadvantaged students; and
- (3) Making housekeeping amendments related to public charter schools.

Two concerned individuals opposed this measure. The State Public Charter School Commission and Office of Hawaiian Affairs provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 831, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 831, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1565 Finance on S.B. No. 1345

The purpose of this measure is to:

- (1) Require the Department of Education to develop a transition plan to end the use of multi-track schedules in public schools; and
- (2) Beginning with the 2016-2017 fiscal year, require the Department of Education to give priority to overpopulated schools, including multi-track schools, for annual capital improvement project requests to the Director of Finance.

The Hawaii State Teachers Association and a concerned individual supported this measure. The Department of Education offered comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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. 1345, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1345, H.D. 1.

Signed by all members of the Committee.

SCRep. 1566 Finance on S.B. No. 675

The purpose of this measure is to improve medical coverage for firefighters by providing for comprehensive medical coverage through workers' compensation benefits by establishing a rebuttable presumption that a firefighter who suffers from cancer, a blood-borne infectious disease, or exposure to biomedical substances, contracted the condition in the course of employment.

The Honolulu Fire Department, Hawaii Fire Department of the County of Hawaii, and Hawaii Fire Fighters Association testified in support of this measure. The Department of Human Resources of the City and County of Honolulu and Hawaii Insurers Council testified in opposition to this measure. The Department of the Attorney General, Department of Human Resources Development, Department of Labor and Industrial Relations, and State of Hawaii Organization of Police Officers provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030; 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. 675, 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. 675, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Ward.

SCRep. 1567 Finance on S.B. No. 1122

The purpose of this measure is to keep the minimum guaranteed monthly compensation exemption from minimum wage, overtime, and recordkeeping requirements under the Hawaii Wage and Hour Law consistent with increases to the minimum wage. Specifically, this measure replaces the fixed monetary threshold with a formula based on the monthly minimum wage amount.

The Department of Labor and Industrial Relations supported this measure. The Hawaii Food Industry Association, Kauai Chamber of Commerce, Maui Chamber of Commerce, Chamber of Commerce of Hawaii, Hawaii Lodging & Tourism Association, and Community Associations Institute opposed this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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. 1122, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1122, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 1568 Finance on S.B. No. 158

The purpose of this measure is to require the state six-year program and financial plan and budget documents to include information about pension and other post-employment benefit liabilities.

The Department of Budget and Finance commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 158, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1569 Finance on S.B. No. 1324

The purpose of this measure is to provide statutory authority for the Employees' Retirement System (ERS) to make direct payments of a portion of a member's pension, annuity, or retirement allowance to a non-member former spouse pursuant to an award in a divorce action.

The Hawaii State Commission on the Status of Women and Farrell & Associates testified in support of this measure. The Employees' Retirement System Board of Trustees testified in opposition to this measure. An individual provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1324, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1570 Finance on S.B. No. 1361

The purpose of this measure is to increase transparency in the state budgeting process by:

- (1) Requiring the inclusion of program position ceilings and identification of permanent and temporary positions in the Executive and Judiciary budgets and related documents; and
- (2) Prohibit the expenditure of funds on positions exceeding the applicable ceiling, with certain exceptions.

The Department of Human Resources Development; Department of Business, Economic Development, & Tourism; State Public Charter School Commission; Department of Budget and Finance; Department of Education; and the Judiciary commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1361, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1571 Finance on S.B. No. 519

The purpose of this measure is to:

- (1) Extend for one additional year, the changes adopted by Act 326, Session Laws of Hawaii 2012, which, among other things, established local contact and informational requirements for transient accommodations;
- (2) Clarify the definitions of "local contact" and "transient accommodations";
- (3) Require the Department of Taxation to submit an annual report to the Legislature on the implementation of Act 326, Session Laws of Hawaii 2012;
- (4) Authorize the Department of Taxation to enforce civil penalties for operators and plan managers who fail to display certificates of registration and registration identification numbers as required by section 437D-4, Hawaii Revised Statutes; and
- (5) Authorize the deposit of monetary fines into the Tax Administration Special Fund.

Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Abbey Vacation Rentals; Kona Coast Vacations; West Hawaii Property Services, Inc.; Condominium Rentals Hawaii; Sullivan Properties; Hawaii Association of Vacation Rental Managers; Captain Cook Real Estate; SunQuest Vacations; Hawaiian Dream Properties; Resorticahawaii.com Inc.; and a few individuals supported this measure. Northwest Public Affairs; Big Island Paradise Partnership; Hawaiian Haven, LLC; Timberline Land Co. HI, LLC; Valley Isle Resort Rental Owners Group; Maui Kihei Condo Rentals LLC; South Maui Condos Owner Direct Rental Network; TADA Holdings Ltd.; Bridges to Paradise Rentals Inc.; Maui Island Escape; and numerous individuals opposed this measure. The Department of Taxation; Rentals by Owner Awareness Association; South Kohala Management; Maui Hotel & Lodging Association; Hawaii Lodging & Tourism Association; and numerous individuals commented on this measure.

Your Committee has amended this measure by removing the amendments made to the definition of "local contact" in Act 326, Session Laws of Hawaii 2012. 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. 519, 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. 519, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Ward.

SCRep. 1572 Finance on S.B. No. 1009

The purpose of this measure is to require that hotels notify customers that portorage service charges are being used for other purposes unless they are distributed in full to employees as tip income.

The ILWU Local 142, UNITE Here Local 5, and several individuals supported this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion. 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. 1009, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1009, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 1573 Finance on S.B. No. 868

The purpose of this measure is to clarify regulations regarding dancing in establishments licensed to serve alcohol by authorizing each county Liquor Commission to adopt rules to regulate dancing in licensed premises no later than October 1, 2015.

The Maui Dance Advocates and two concerned individuals supported this measure. The Grassroot Institute of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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. 868, 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. 868, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1574 Finance on S.B. No. 376

The purpose of this measure to improve the health of children and the agricultural economy through the support of school gardens, health and nutrition education, agriculture, and the procurement of locally grown food for school meals and snacks by:

- (1) Establishing a Farm to School Program in the Department of Agriculture; and
- (2) Appropriating funds for a Farm to School Coordinator position to oversee the Farm to School Program.

The University of Hawaii, three Members of the Kauai County Council, Hawaii State Teachers Association, National Farm to School Network, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau Federation, Hawaii Green Growth, Local Food Coalition, Hawaii Farm to School and School Garden Hui, Hawaii Public Health Institute, and many individuals provided testimony in support of this measure. The Department of Agriculture, Office of Hawaiian Affairs, and Hawaii Island School Garden Network submitted comments.

Your Committee has amended this measure by:

- (1) Changing the number of Farm to School Coordinator positions funded by this measure to an unspecified number; 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. 376, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 376, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1575 Finance on S.B. No. 512

The purpose of this measure is to provide Hawaii farmers access to an online interface to develop and obtain conservation plans that are necessary to seek Federal Farm Bill funding and comply with county grading and grubbing ordinances by:

- (1) Establishing the Hawaii One Plan Steering Committee (Steering Committee) to assist in the development and implementation of the Hawaii One Plan, a primary computer-based soil and water conservation plan application system;
- (2) Requiring the Steering Committee to submit reports on the funding status and implementation progress of the Hawaii One Plan to the Legislature prior to the convening of the 2016 and 2017 Regular Sessions; and
- (3) Appropriating funds for the implementation and operation of the Hawaii One Plan.

The Hawaii Cattlemen's Council, Inc.; Waimanalo Agricultural Association; Larry Jefts Farms, LLC; Fantastic Gardens Hawaii, Inc.; Ulupono Initiative; Hawaii Farm Bureau; Hawaii Association of Conservation Districts; Oahu Resource Conservation & Development Council; DuPont Pioneer; Land Use Research Foundation of Hawaii; and numerous individuals testified in support of this measure. The Department of Agriculture, Office of Information Practices, and an individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Inserting an appropriation for \$1 for the implementation and operation of the Hawaii One Plan; 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. 512, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 512, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 1576 Finance on S.B. No. 1059

The purpose of this measure as received by your Committee, is to address the spread of invasive species by:

- (1) Requiring the Department of Agriculture (DOA) and the Hawaii Invasive Species Council (HISC) to undertake specified invasive species management tasks related to agricultural lands, non-agricultural lands, and agricultural and non-agricultural commodities; and
- (2) Requiring the DOA and HISC to each submit annual reports to the Legislature.

For the purposes of a public hearing on this measure, your Committee circulated S.B. No. 1059, S.D. 2, H.D. 2 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. In addition to the purpose of this measure, as received by your Committee, the Proposed Draft requires the DOA, while appropriating funds, to:

- (1) Develop and implement a pilot pesticide treatment coupon project within the Little Fire Ant program;
- (2) Create a map that identifies all little fire ant sites in the County of Hawaii; and
- (3) Submit a report on the pilot pesticide treatment coupon project to the Legislature.

The Hawaii Farm Bureau Federation and Hawaii Floriculture and Nursery Association supported the Proposed Draft. The Department of Land and Natural Resources, Department of Agriculture, Office of Information Practices, Hawaii Invasive Species Council, and the Coordinating Group on Alien Pest Species submitted comments on the Proposed Draft.

Your Committee considered the merits of both S.B. No. 1059, S.D. 2, H.D. 1, as received by your Committee, and the Proposed Draft, and upon careful consideration, adopted the Proposed Draft. Your Committee further amended the Proposed Draft by changing the effective date to July 1, 2030, 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. 1059, 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. 1059, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1577 Finance on S.B. No. 964

The purpose of this measure is to address the needs of Hawaii's kupuna by:

- (1) Appropriating funds for:
 - (A) The Kupuna Care Program;
 - (B) The Aging and Disability Resource Center;
 - (C) An Alzheimer's Disease and Related Dementia Services Coordinator position;
 - (D) Fall prevention and early detection services for the elderly;
 - (E) The Healthy Aging Partnership Program; and
 - (F) An Alzheimer's disease and related dementia public awareness campaign; and
- (2) Specifying that the appointment of an Alzheimer's Disease and Related Dementia Services Coordinator be made no later than July 1, 2017.

The Policy Board for Elder Affairs; ILWU Local 142; Alzheimer's Association, Aloha Chapter; Healthcare Association of Hawaii; Hawaii Primary Care Association; Hawaii Alliance for Retired Americans; The Queen's Health Systems; Lanakila Pacific; Zonta Club of Hilo; Catholic Charities Hawaii; and many individuals provided testimony in support of this measure. The State Council on Developmental Disabilities, Executive Office on Aging, Hawaii Family Caregiver Coalition, and AARP 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 is in accord with the intent and purpose of S.B. No. 964, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1578 Finance on S.B. No. 1221

The purpose of this measure is to help students with diabetes better manage their condition and receive the same access to educational opportunities as other students by requiring the Department of Education to establish procedures for the care of students with diabetes during regular school hours and school-related activities and ensuring that school employees and qualified volunteers are properly trained to provide care to students with diabetes.

The American Diabetes Association - Hawaii, Times Supermarket, Hawaii Chapter of the American Academy of Pediatrics, and many individuals provided testimony in support of this measure. The Department of Education provided testimony in opposition. The Department of Health, Hawaii State Teachers' Association, State Public Charter School Commission, and an individual 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. 1221, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1579 Finance on S.B. No. 778

The purpose of this measure is to further the proper assessment of academic achievement by students in the Ka Papahana Kaiapuni program by requiring the Department of Education to report on the status of the development and administration of Hawaiian-language annual assessments of statewide performance standards that are not mere translations of the English language standards, and to appropriate funds for the development and administration of the assessments.

The Kalihi Palama Hawaiian Civic Club, Kamehameha Schools, King Kamehameha Hawaiian Civic Club, Ewa Puuloa Hawaiian Civic Club, and several concerned individuals supported this measure. The Department of Education, State Public Charter School Commission, Office of Hawaiian Affairs, and Hawaii State Teachers Association 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. 778, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1580 Finance on S.B. No. 786

The purpose of this measure is to provide funding for the Aha Moku Advisory Committee so that it may fulfill its statutory purposes of advising the Board of Land and Natural Resources on land and natural resource management practices based in native Hawaiian resource knowledge, methodology and expertise, and of providing community education and fostering cultural awareness on the benefits of the aha moku system.

The Department of Land and Natural Resources, Association of Hawaiian Civic Clubs, Kalihi Palama Hawaiian Civic Club, and numerous concerned individuals supported this measure. A few concerned individuals opposed this measure. The Aha Moku Advisory Committee and Office of Hawaiian Affairs 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. 786, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1581 Finance on S.B. No. 1180

The purpose of this measure is to ensure that metropolitan planning organizations in Hawaii are in compliance with federal laws by:

- (1) Creating a new chapter to govern metropolitan planning organizations and repealing chapter 279E, Hawaii Revised Statutes, entitled "Metropolitan Planning Organization";
- (2) Requiring metropolitan planning organizations to submit annual reports to the Legislature;
- (3) Appropriating funds from the State Highway Fund into the Metropolitan Planning Organization Revolving Fund; and
- (4) Appropriating funds from the Metropolitan Planning Organization Revolving Fund to be expended by the Department of Transportation for the purposes of this measure.

The Office of Planning, Department of Transportation, Department of Planning and Permitting of the City and County of Honolulu, and the Department of Transportation Services of the City and County of Honolulu supported this measure. The Department of Budget and Finance, Office of Information Practices, OahuMPO, and an individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1180, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1582 Finance on S.B. No. 213

The purpose of this measure is to reduce the cost of imprisonment, reduce litigation for wrongful imprisonment, and ensure a fair and efficient mechanism for recalculating the sentences of inmates whose sentences may have mistakenly been served consecutively, rather than concurrently. Specifically, this measure:

- (1) Applies to inmates with multiple terms of imprisonment imposed prior to the enactment of Act 193, Session Laws of Hawaii 2008, which provided clarification on whether and when multiple terms of imprisonment should run consecutively or concurrently; and
- (2) Requires the Department of Public Safety to provide written notice to the foregoing persons regarding sentence recalculation and the right for court review of the sentence.

The American Civil Liberties Union of Hawaii, Community Alliance on Prisons, Ho‘omana Pono LLC, and a few concerned individuals supported this measure. The Hawaii Innocence Project and a few concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 213, 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. 213, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Ward.

SCRep. 1583 Finance on S.B. No. 230

The purpose of this measure is to clarify that mental health treatment, counseling, therapy, and lost earnings, including paid leave, are expenses that may be ordered as restitution to a crime victim for the psychological and emotional injuries resulting from the defendant's crime. This measure also clarifies that restitution while a defendant is incarcerated should be payable pursuant to section 353-22.6, Hawaii Revised Statutes, which authorizes and sets forth procedures for enforcement of victim restitution orders by the Director of Public Safety.

The 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, and Sex Abuse Treatment Center supported 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. 230, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1584 Finance on S.B. No. 286

The purpose of this measure is to establish within the Department of Accounting and General Services, the Office of the State Inspector General to investigate complaints alleging fraud, waste, abuse, or corruption by a state agency or quasi-public agency, or the officers or employees of a state agency or quasi-public agency.

The Department of Accounting and General Services and the Department of the Attorney General commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 286, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1585 Finance on S.B. No. 364

The purpose of this measure is to:

- (1) Establish a procedure by which an unsuccessful candidate in an election may petition the appropriate elections officer for a recount of ballots of the candidate's unsuccessful election, when the difference in votes between the successful and unsuccessful candidate is less than five hundred votes or one-quarter of one percent of votes cast, whichever is less;
- (2) Add unlawful activity and force majeure, and delete overages or underages, as causes for which a complaint to contest an election shall be limited; and
- (3) Require a complaint for a contest for cause to state why the alleged cause or causes might create a difference in the election success of one or more candidates.

The Department of the Attorney General opposed this measure. The Office of Elections 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. 364, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1586 Finance on S.B. No. 1208

The purpose of this measure is to allow the Board of Trustees of the Employees' Retirement System to hold executive meetings that are closed to the public for certain specified purposes, such as, e.g., discussion, deliberation, and decision making on investments and procurements that consider information already exempt from disclosure under the Uniform Information Practices Act or the Hawaii Public Procurement Code.

The Employees' Retirement System of the State of Hawaii supported this measure. The Office of Information Practices and Grassroot Institute 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 is in accord with the intent and purpose of S.B. No. 1208, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1587 Finance on S.B. No. 140

The purpose of this measure is to require all state and county agencies to exercise reasonable care in the maintenance of agency records that are subject to public disclosure under Hawaii's Uniform Information Practices Act (Modified) by requiring the agencies to:

- (1) Issue instructions and guidelines for the reasonable care of records under the control of the agency; and
- (2) Ensure that all pertinent officers and employees are informed of the requirements.

The measure also creates a rebuttable presumption that the government agency exercised reasonable care in its maintenance of government records if it adheres to a duly adopted records retention and destruction plan.

Aina Haina Community Association supported this measure. The Office of the Corporation Counsel County of Hawaii opposed this measure. The Department of the Attorney General, Department of Accounting and General Services, and Office of Information Practices provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 140, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 140, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1588 Finance on S.B. No. 508

The purpose of this measure is to require noncandidate committees to file an additional preliminary report on October 1 of each general election year.

Common Cause Hawaii and an individual testified in support of this measure. The Campaign Spending Commission commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate 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. 508, 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. 508, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1589 Finance on S.B. No. 1072

The purpose of this measure is to provide an emergency appropriation of \$1,100,000 to the Department of the Attorney General for fiscal year 2014-2015 to retain expert witnesses and expert counsel for major litigation involving the State.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 225 to the Legislature, requested immediate consideration and passage of this measure by the Legislature to retain expert witnesses and expert counsel for major litigation involving the State.

The Department of the Attorney General testified in support of this measure.

Your Committee has amended this measure by making the appropriation an unspecified amount and 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. 1072, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1072, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 1590 Finance on S.B. No. 287

The purpose of this measure is to establish an election by mail program and gradually convert all elections conducted in the State to mail-in elections by:

- (1) Requiring the Office of Elections to implement elections by mail in a county with a population of less than 100,000, beginning with the 2016 primary election; in each county with a population of less than 500,000, beginning with the 2018 primary election; and statewide, beginning in 2020;
- (2) Providing places of deposit for personal delivery of mail-in ballots and voter service centers in each county to remain open on the day of election to receive personal delivery of absentee, permanent absentee, and mail-in ballots, allow voters with special needs to vote, and provide other services; and
- (3) Appropriating funds for the implementation and administration of the election by mail program.

The Office of Hawaiian Affairs; Disability and Communications Access Board; Common Cause Hawaii; and several individuals supported this measure. An individual opposed this measure. The Office of Elections; Office of the County Clerk of the County of Hawaii; Office of the County Clerk of the County of Maui; Office of the County Clerk of the County of Kauai; Office of the City Clerk of the City and County of Honolulu; League of Women Voters of Hawaii; and two individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2030, 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. 287, 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. 287, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1591 Finance on S.B. No. 996

The purpose of this measure is to appropriate \$130,000 to the Hawaii State Ethics Commission to design and develop a system that allows filers to electronically file required statements and reports.

The State Ethics Commission; Common Cause Hawaii; League of Women Voters of Hawaii; Open Law Alliance; and several individuals supported this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2030, 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. 996, 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. 996, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1592 Finance on S.B. No. 100

The purpose of this measure to correct a statement in Part VI of Act 134, Session Laws of Hawaii 2014, to clarify that the purpose of Part VI is to reduce, rather than repeal, the appropriation for a study on joint investment information and service sharing by the Employees' Retirement System and Hawaii Employer-Union Health Benefits Trust Fund.

There was no testimony submitted on behalf 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. 100, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1593 Finance on S.B. No. 1011

The purpose of this measure is to change how disputes between public employers and employee organizations are resolved.

More specifically, this measure:

- (1) Repeals the prohibition on the use of arbitration to resolve disputes relating to the amounts the State and counties contribute to the Hawaii Employer-Union Health Benefits Trust Fund (EUTF);
- (2) Requires the Hawaii Labor Relations Board, upon the failure of disputing parties to timely select a neutral third member for an arbitration panel, to directly furnish a list of arbitrators from which the third member of the panel will be selected;
- (3) Authorizes an arbitration panel to decide on EUTF contributions through binding arbitration; and
- (4) Repeals the prohibition on the right to strike over EUTF contributions.

The Department of Budget and Finance provided testimony in opposition of this measure. The Office of Collective Bargaining; Hawaii State Teachers Association; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO 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. 1011, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1594 Finance on S.B. No. 1095

The purpose of this measure is to define the term "habilitative services," with regard to health insurers and mutual benefit societies. The new term is defined as health care services, including but not limited to physical and occupational therapy, speech-language therapy, speech and swallowing therapy, applied behavior analysis, medical equipment, orthotics, and prosthetics, that help a person keep, learn, or improve skills and functioning for daily living.

The Hawaii Association for Behavior Analysis, Autism Speaks, and several individuals provided testimony in support of this measure. The Hawaii Medical Service Association provided testimony in opposition. The Department of Commerce and Consumer Affairs 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. 1095, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1595 Finance on S.B. No. 791

The purpose of this measure is to require that health insurance policies and contracts issued in this State provide coverage for autism diagnosis and treatment for individuals eighteen years of age and under.

The Center for Autism and Related Disorders; National Association of Social Workers, Hawaii Chapter; Hawaii Association for Behavior Analysis; and a multitude of individuals testified in support of this measure. The American Council of Life Insurers and Hawaii Medical Service Association opposed this measure. The Department of Health, Department of Commerce and Consumer Affairs, State Council on Developmental Disabilities, Easter Seals Hawaii, Hawaii Psychological Association, Special Education Advisory Council, Hawaii Disability Rights Center, Autism Society, Chamber of Commerce of Hawaii, Autism Speaks, Community Children's Councils of Hawaii, and numerous individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Exempting disability insurance policies from coverage for autism spectrum disorders;
- (2) Changing the maximum age of eligibility for the treatment of autism spectrum disorders to an unspecified age; and
- (3) Changing the maximum benefit coverage breakdown to unspecified amounts and age ranges.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 791, 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. 791, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1596 Finance on S.B. No. 521

The purpose of this measure to authorize the issuance of up to \$45,000,000 in special purpose revenue bonds to assist Waimea Nui Community Development Corporation and its not-for-profit affiliates to finance, refinance, and reimburse costs related to the planning, acquisition, and construction of its agriculture, renewable energy, and educational facilities.

Waimea Nui Community Development Corporation and Hawaii Farm Bureau provided testimony in support of this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment 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. 521, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 521, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1597 Finance on S.B. No. 160

The purpose of this measure is to repeal University of Hawaii funds and accounts that no longer serve their intended purpose, and reclassify as revolving funds the special funds that still serve their intended purpose, but function as and meet the criteria for revolving funds. Specifically, this measure:

- (1) Statutorily establishes the University of Hawaii Quasi-endowment Trust Fund;
- (2) Reclassifies the Hawaii Educator Loan Program Special Fund, Community Colleges Special Fund, and Professional Student Exchange Program Special Fund as revolving funds;
- (3) Repeals the Hawaii Medical Education Special Fund; Discoveries and Inventions Special Fund; University of Hawaii Alumni Special Fund; Animal Research Farm, Waialeale, Oahu Special Fund; Career and Technical Training Projects Revolving Fund for the University of Hawaii at Hilo; Senator Hiram L. Fong Scholarship Program Endowment Trust Fund; Senator Oren E. Long Scholarship Program Endowment Trust; and Hawaii Health Corps Revolving Fund;
- (4) Abolishes the Hurricane Iniki Insurance Proceeds Special Fund, Agency Fund Trust Account, and University of Hawaii Okinawa Program Trust Fund; and
- (5) Allows unencumbered balances remaining in the repealed accounts and funds to lapse into the General Fund.

The Office of the Auditor, Department of the Attorney General, University of Hawaii, and Tax Foundation of Hawaii provided comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 160, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1598 Finance on S.B. No. 1146

The purpose of this measure is to extend the authority of the University of Hawaii to maintain a separate accounting and financial management system, while also requiring the University of Hawaii Board of Regents to submit to the Legislature a program performance report for each fiscal quarter that shows a comparison of actual revenues and expenditures versus budgeted revenues and expenditures.

The University of Hawaii 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 is in accord with the intent and purpose of S.B. No. 1146, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1599 Finance on S.B. No. 304

The purpose of this measure is to improve health care services for women in the State by establishing and funding the Hawaii Maternal Mortality Review Panel within the Department of Health to conduct comprehensive, multidisciplinary reviews of maternal deaths in the State to identify factors associated with the deaths and make recommendations for system changes to improve health care services for women in the State.

The Hawaii Medical Association supported this measure. The American Congress of Obstetricians and Gynecologists, Hawaii Section commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 304, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1600 Finance on S.B. No. 1367

The purpose of this measure is to:

- (1) Appropriate funds for Project Kealahou (Program) to ensure that the array of community-based, outpatient services and supports offered by this Program are continued and expanded to meet the needs of at-risk youth, particularly adolescent females, and their families; and
- (2) Require the Department of Health Child and Adolescent Mental Health Division to submit annual reports to the Legislature relating to the Program's outcomes and financial condition.

The Judiciary, Hawaii Youth Services Network, The CHOW Project, Chaminade University of Honolulu, Community Alliance on Prisons, and numerous individuals testified in support of this measure. The Department of Health and the Office of Youth Services 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. 1367, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1601 Finance on S.B. No. 452

The purpose of this measure is to increase transparency in campaign finance by requiring candidate committees to file supplemental campaign spending reports annually on January 31 rather than only after an election year.

The Campaign Spending Commission, League of Women Voters of Hawaii, and Common Cause Hawaii supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2030, 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. 452, 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. 452, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1602 Finance on S.B. No. 654

The purpose of this measure is to increase the effectiveness of campaign contribution disclosures for anonymous calabash-style contributions. Specifically, this measure reduces the aggregate contribution amount that a candidate may receive from ten or more anonymous persons at the same political function from less than \$500 to less than \$100.

The Campaign Spending Commission supported this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, 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. 654, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 654, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1603 Finance on S.B. No. 661

The purpose of this measure is to support the development and operation of an unmanned aerial systems test site in Hawaii. Among other things, this measure:

- (1) Establishes the Hawaii Unmanned Aerial Systems Test Site Advisory Board as a subcommittee of the Hawaii Aerospace Advisory Committee, to oversee the planning and operation of the Hawaii Unmanned Aerial Systems Test Site;
- (2) Establishes the position of the Hawaii Unmanned Aerial Systems Test Site Chief Operating Officer within the Department of Business, Economic Development, and Tourism to, among other things, serve on the Pan-Pacific Unmanned Aerial Systems Test Range Complex Management Team; and
- (3) Appropriates moneys for the purpose of staffing and operating Hawaii's unmanned aerial systems test site activities.

The Department of Transportation, Department of Defense, Hawaii Aerospace Advisory Committee, and an individual provided testimony in support of this measure. The Department of Business, Economic Development & Tourism provided comments.

Your Committee has amended this measure by:

- (1) Deleting its purpose section;

- (2) Inserting an appropriation amount of \$1, 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. 661, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 661, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1604 Finance on S.B. No. 1158

The purpose of this measure is to establish a means by which the Pacific International Space Center for Exploration Systems (PISCES) may receive and expend funds from sources other than the state budget. This measure establishes the PISCES Special Fund, for the operation, maintenance, and management of its projects, facilities, services, and for the design and construction of new facilities.

A Hawaii County Council Member from District 3 and a few concerned individuals supported this measure. The Department of Business, Economic Development and Tourism and the Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Deleting appropriations by the Legislature from the types of funding that may be deposited into the Special Fund; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1158, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1158, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 1605 Finance on S.B. No. 1228

The purpose of this measure is to:

- (1) Establish a process for special innovative procurement for public-private partnerships in the State;
- (2) Appropriate funds for a temporary position to assist the Procurement Policy Board; and
- (3) Appropriate funds for the Hawaii Health Systems Corporation to procure services to develop a master plan for the Samuel Mahelona Memorial Hospital and the Kauai Veterans Memorial Hospital.

The State Procurement Office, Kauai Regional Board of the Hawaii Health Systems Corporation, Hawaii Farm to School and School Garden Hui, Local Food Coalition, and Ulupono Initiative supported this measure. The League of Women Voters of Hawaii and General Contractors Association of Hawaii opposed this measure. The Department of Agriculture; Department of Accounting and General Services; American Council of Engineering Companies of Hawaii; and Hawaii Building and Construction Trades Council, AFL-CIO commented on this measure.

Your Committee has amended this measure by:

- (1) Removing professional services from the special innovative procurement process;
- (2) Changing the appropriations for the master plan and the temporary position within the Department of Accounting and General Services to unspecified amounts; 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. 1228, 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. 1228, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Ward.

SCRep. 1606 Finance on S.B. No. 1211

The purpose of this measure is to increase the ability of the State to respond to a major disaster by increasing the Major Disaster Fund expenditure ceilings. Specifically, this measure:

- (1) Increases to \$10,000,000 the respective expenditure ceilings for immediate relief of a single emergency or disaster and for obtaining matching federal disaster relief funds; and
- (2) Requires the Director of the Hawaii Emergency Management Agency to submit a report to the Legislature within one month of any allotment or expenditure of Major Disaster Fund moneys.

No testimony was received on this measure.

Your Committee has amended this measure by:

- (1) Changing the expenditure ceilings to an unspecified amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1211, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1211, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1607 Finance on S.B. No. 118

The purpose of this measure is to:

- (1) Require, and appropriate funds for, the Department of Business, Economic Development, and Tourism (Department) to study the impact of real estate investment trusts; and
- (2) Require a real estate investment trust to make an affirmative election to be taxed as a real estate investment trust and provide certain data as may be required by the Department for any report mandated by the Legislature.

The Land Use Research Foundation of Hawaii, ILWU Local 142, and the Hawaii State Teachers Association supported this measure. General Growth Properties, Inc.; National Association of Real Estate Investment Trusts; CNL Lifestyle Properties, Inc.; and The MacNaughton Group opposed this measure. The Department of Business, Economic Development, and Tourism; Department of Taxation; Tax Foundation of Hawaii; and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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. 118, 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. 118, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1608 Finance on S.B. No. 1096

The purpose of this measure is to ensure that electric utilities serving as a billing and collection agent in a purely "pass-through" capacity for any on-bill financing or repayment program are exempt from various state or county taxes and state laws regulating financial institutions, escrow depositories, and collection agencies.

The Department of Business, Economic Development and Tourism, Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, and Hawaii Solar Energy Association supported this measure. The Department of Taxation, Public Utilities Commission, and Tax Foundation 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 is in accord with the intent and purpose of S.B. No. 1096, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1609 Finance on S.B. No. 1050

The purpose of this measure is to establish the community-based renewable energy program by:

- (1) Requiring electric utilities to file a proposed community-based renewable energy tariff with the Public Utilities Commission (Commission) by October 1, 2015;
- (2) Requiring the Commission to establish a community-based renewable energy tariff;
- (3) Defining the types of projects that qualify as a community-based renewable energy project; and
- (4) Defining "community-based renewable energy tariff".

The Hawaii Green Growth; Ulupono Initiative; 350Hawaii; and numerous individuals supported this measure. The Public Utilities Commission; Department of Business, Economic Development, and Tourism; Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Office of Hawaiian Affairs; Hawaiian Electric Company; Maui Electric Company; Hawaii Electric Light Company; Clean Energy Collective; Hawaii Renewable Energy Alliance; Kauai Island Utility Cooperative; Hawaii Solar Energy Association; and Blue Planet Foundation commented on this measure.

Your Committee has amended this measure by:

- (1) Specifying that this measure applies to a community-based renewable energy tariff or tariffs;
- (2) Clarifying that the owner or operator of the eligible community-based renewable energy project or projects must comply with all applicable statutes, rules, tariffs, and regulations governing the ownership and interconnection of the project or projects;
- (3) Clarifying that the types of projects that qualify as an eligible community-based renewable energy project are projects that generate or produce renewable energy as defined in section 269-91, Hawaii Revised Statutes;
- (4) Changing the effective date to July 1, 2030, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1050, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1050, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1610 Finance on S.B. No. 1260

The purpose of this measure is to promote glass recycling in the State by mandating that the Department of Health adopt and implement the recommendations made by the Office of the Auditor in its December 2014 Report No. 14-17 regarding local alternatives to shipping non-deposit glass out of the State. Specifically, this measure requires the Department of Health to, among other things:

- (1) Consider and perform a cost-benefit analysis on combining the glass container processing streams for the advance disposal fee under chapter 342G, part VII, Hawaii Revised Statutes, and the deposit beverage container fee under chapter 342G, part VIII, Hawaii Revised Statutes;
- (2) Update its glass recycling policies, particularly to address obstacles to local down-cycling of advance deposit fee glass;
- (3) Increase the recovery rate for advance disposal fee glass containers to 75 percent; and
- (4) Submit a report to the Legislature prior to the 2016 Regular Session.

The Office of the Auditor supported this measure. The Department of Health opposed this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1260, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1260, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1611 Judiciary on S.B. No. 826

The purpose of this measure is to enhance the effectiveness and efficiency of self-governance of condominium associations by amending chapter 514B, Hawaii Revised Statutes, to:

- (1) Require that association annual meetings be held at a location convenient and readily accessible to a majority of condominium unit owners;
- (2) Allow for up to two subsequent, duly noticed, reconvened annual meetings within ninety days of the initial meeting if there is no quorum present at the initial annual meeting and establish a reduced quorum requirement if quorum is not met at the third meeting in the series;
- (3) Limit association business at an annual meeting conducted with a reduced quorum to the adoption of a tax resolution and the election of members to positions on the board of directors that have expired or are expiring;
- (4) Authorize the board of a condominium association to terminate a managing agent's contract upon a majority vote of the association of unit owners;
- (5) Require a condominium association with fifty or more units to prepare its budget on an accrual basis in accordance with generally accepted accounting principles; and
- (6) Require the use of standardized forms prescribed or approved by the Real Estate Commission for a condominium unit owner's request for records from an association.

The American Resort Development Association, Community Associations Legislative Action Committee Hawaii, and several concerned individuals supported this measure. The Hawaii Council of Associations of Apartment Owners supported the intent of this measure. Three concerned

individuals opposed this measure. The Department of Commerce and Consumer Affairs, Hawaii Real Estate Commission, Associa Hawaii, and two concerned individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Requiring the use of forms prescribed or approved by the Real Estate Commission for both requests for records by unit owners and responses from associations;
- (2) Clarifying that a reduced quorum may be applied at a third annual meeting only if quorum is not achieved at that meeting;
- (3) Clarifying that the termination of a managing agent's contract shall occur within one hundred twenty days after the majority of the unit owners of an association vote to terminate the contract;
- (4) Requiring accrual budgeting and accounting for an association of apartment owners with one hundred or more units;
- (5) Changing the effective date to March 15, 2038, to promote further discussion; and
- (6) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 826, 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. 826, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Lee.

SCRep. 1612 Judiciary on S.B. No. 756

The purpose of this measure is to establish a mortgage originator license exemption for a seller of real property in certain seller-financed transactions. Specifically, this measure exempts a seller that provides three or fewer mortgage loans per year, establishes limits on allowable interest rates, and requires disclosure of basic loan terms.

The Hawaii Association of Realtors testified in support of this measure. The Division of Financial Institutions provided comments.

Your Committee has amended this measure to:

- (1) Provide the buyer-mortgagor of a seller-mortgagee financed property with similar disclosure and protection rights that apply to mortgage transactions that are handled by attorneys, licensed mortgage loan originators, or real estate brokers;
- (2) Specify eligibility criteria for a seller-mortgagee to qualify for the exemption;
- (3) Specify interest rate and repayment schedule limitations for a seller-financed mortgage loan;
- (4) Specify the minimum information that the disclosure to the borrower must contain;
- (5) Require recordation of seller-financed mortgages;
- (6) Require the use of judicial or non-judicial foreclosure proceedings in the event of a default;
- (7) Authorize the Director of Commerce and Consumer Affairs to enforce the requirements for this exemption; and
- (8) Change the effective date to March 15, 2038.

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. 756, 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. 756, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Lee.

SCRep. 1613 Finance on S.B. No. 64

The purpose of this measure is to appropriate monies to the Department of Human Services for the Preschool Open Doors Program to fund three positions, contract services for the continued implementation of the Program, and for subsidies for the Program.

The Early Learning Advisory Board, Maui County Early Childhood Resource Center, Waianae Coast Early Childhood Services, The Chamber of Commerce of Hawaii, Child & Family Service, Family Programs Hawaii, Hawaii Association for Infant Mental Health, Aha Punana Leo, Seagull Schools, Childcare Business Coalition, KCAA Preschools of Hawaii, Good Beginnings Alliance, Faith Action for Community Equity (FACE), Hui for Excellence in Education, Waikiki Community Center, PHOCUSED, Parents And Children Together, Hawaii Early Intervention Coordinating Council, and two individuals provided testimony in support of this measure. The Department of Human Services provided comments.

Your Committee has amended this measure by changing the appropriation amounts to \$1 to encourage further discussion and 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. 64, S.D. 3, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 64, S.D. 3, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 1614 Consumer Protection & Commerce on S.B. No. 1316

The purpose of this measure is to encourage the use of electric vehicles in Hawaii by requiring the board of directors of a cooperative housing corporation, planned community association, association of apartment owners, or condominium association, upon receipt of a request for the installation of an electric vehicle charging system, to make a decision to approve, or approve with restrictions, the request within sixty days.

To ensure comprehensive and accurate cost and impact of installation, the request must be accompanied by supporting documentation on the current transformer load capacity and a current energy audit.

Ulupono Initiative, Blue Planet Foundation, and EV Structure testified in support of this measure. The Community Associations Legislative Action Committee and an individual testified in opposition to this measure. The Department of Business, Economic Development & Tourism provided comments on this measure.

Your Committee has amended this measure by deleting its contents and inserting language that establishes a working group to examine the issues regarding requests to the board of directors of an association of apartment owners, condominium association, cooperative housing corporation, or planned community association for the installation of electric vehicle charging systems.

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. 1316, 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. 1316, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Creagan, Kawakami and Oshiro.

SCRep. 1615 Consumer Protection & Commerce on S.B. No. 379

The purpose of this measure is to support small businesses engaged in cottage food operations, while ensuring the safety of food products sold by these businesses to the public, by making the Department of Health responsible for regulating cottage food operations, including establishing requirements for cottage food operations, permits, and compilation and posting of a sample list of approved cottage food products.

The Hawaii Farm Bureau, Counter Culture Food + Ferments, Tea Hawaii & Company, Barking Deer Farm, Black Dog Farms Kauai, 'Ai Pohaku, Hawaii Farm Union United, Local Food Coalition, Hawaii Tropical Fruit Growers, Kohala Center, and numerous individuals testified in support of this measure. The Department of Health testified in opposition to this measure. The Department of the Attorney General and an individual provided comments on this measure.

Your Committee notes that the Department of Health is in the process of adopting rules that regulate the permitting process of cottage food operations. Your Committee was informed that the rules regulating the issuance of permits for cottage food operators should be adopted by the end of December 31, 2015. Your Committee notes that this measure is intended to regulate the permitting process of cottage food operations until rules are adopted and will be repealed upon the adoption of rules.

Your Committee further notes that it received testimony that provisions of Chapter 46, Hawaii Revised Statutes (HRS), have unduly caused impediment to the issuance of food establishment permits by the Department of Health.

Accordingly, your Committee has amended this measure by:

- (1) Establishing the requirements of this measure under Chapter 321, Hawaii Revised Statutes (HRS), rather than Chapter 328, HRS;
- (2) Requiring that each cottage food operation shall specify in the permit application the names of each of its cottage food operators and submit proof of a valid food handlers certificate for each cottage food operator;
- (3) Requiring an application fee of \$25 be collected by the Department of Health with each permit application;
- (4) Requiring that cottage food products be labeled with their ingredients in order of predominance and with a notification that the product has not been inspected by the Department of Health;
- (5) Requiring the Department of Health to issue food establishment permits notwithstanding chapter 46, HRS;
- (6) Changing its effective date to July 1, 2012; provided that Part I of this measure shall take effect on July 1, 2015; provided further that part I of this measure shall be repealed upon the adoption of rules by the department of health that regulate the permitting of cottage food operations; and
- (7) 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. 379, 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. 379, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Oshiro.

SCRep. 1616 Consumer Protection & Commerce on S.B. No. 754

The purpose of this measure is to change time sharing requirements in Hawaii to:

- (1) Provide cancellation rights to persons who contract to buy a short-term time share product in Hawaii; and
- (2) Allow disbursement of purchasers' funds to a time share developer; provided that the developer first posts a surety bond or letter of credit.

Starwood Vacation Ownership, Wyndham Vacation Ownership, Marriott Vacations Worldwide Corporation, and the American Resort Development Association Hawaii testified in support of this measure. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, and an individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring the short-term product seller to disclose to all short-term product buyers:
 - (A) Whether all or any portion of the amount paid by the short-term product buyer for a short-term product will be applied to or credited against the price of a time share interest; and
 - (B) Whether the cost of a time share interest will be fixed or locked in at a specified price;
- (2) Requiring short-term products to be sold by a person licensed as a real estate broker or real estate salesperson pursuant to chapter 467, Hawaii Revised Statutes;
- (3) Specifying that a surety bond filed by the developer with the Director of Commerce and Consumer Affairs (Director) must be:
 - (A) Issued by a bonding company that has a financial rating acceptable to the Director; and
 - (B) In a form prescribed by the Director;
- (4) Amending the disclosure required if an escrow agreement permits the release of a purchaser's funds pursuant to a surety bond or letter of credit to state that the purchaser's deposit may be disbursed before completion of construction;
- (6) Amending the definition of "short-term product" to mean a one-time allotment of use nights or points used for accommodations, and offered for the purpose of soliciting a time share sale; and
- (7) 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. 754, 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. 754, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Oshiro.

SCRep. 1617 Finance on S.B. No. 423

The purpose of this measure is to appropriate funds for grants-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the 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, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the County of Maui, and the Office of the Prosecuting Attorney of the County of Kauai provided testimony in support of this measure.

Your Committee has amended this measure by:

- (1) Appropriating \$1 each for the Career Criminal Prosecution Unit and the Victim Witness Assistance Program to facilitate 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. 423, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 423, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1618 Finance on S.B. No. 475

The purpose of this measure is to update and enhance the State's public meeting law to include the use of technology by, among other things:

- (1) Adding emergency meetings to the public meeting notice requirements and requiring that emergency agendas and filings be electronically posted;
- (2) Requiring boards to post a notice of meeting on the electronic calendar on the State's internet website or the appropriate county's internet website no less than six calendar days in advance of the meeting, in addition to filing the notice with the Office of the Lieutenant Governor or the appropriate County Clerk's office;

- (3) Establishing time-stamped agenda procedures for determining whether a notice was timely posted for public meeting purposes;
- (4) Specifying that persons requesting notification of a meeting shall be able to receive the notification by the means of their choosing;
- (5) Establishing procedures allowing for public access to "board packet" materials disseminated to the board at a noticed meeting;
- (6) Requiring that meeting minutes be made available on the appropriate board or governmental website; and
- (7) Specifying that members of the public may record a public meeting via any means of audio or visual recordation.

The League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, and a concerned individual supported this measure. The Department of Land and Natural Resources and the Natural Energy Laboratory of Hawaii Authority opposed this measure. The Office of Information Practices and the Land Use Commission provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 475, 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. 475, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1619 Finance on S.B. No. 524

The purpose of this measure is to appropriate funds as a grant-in-aid to the Office of the Prosecuting Attorney of the County of Hawaii for the Career Criminal Prosecution Unit and the Victim Witness Assistance Program.

The Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the City and County of Honolulu, County of Kauai Office of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, and Crime Victim Compensation Commission testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts for the Career Criminal Prosecution Unit and the Victim Witness Assistance Program to \$1; 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. 524, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 524, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1620 Finance on S.B. No. 652

The purpose of this measure is to promote transparency by requiring a public board to report to the public any discussion or final action taken during an executive meeting, provided that such disclosure is not inconsistent with the purpose of convening the executive meeting and confidentiality may be maintained.

The Office of Information Practices, Civil Beat Law Center, and an individual offered comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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.

652, 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. 652, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1621 Finance on S.B. No. 1305

The purpose of this measure is to maximize the effectiveness of the prosecution of career criminals and the provision of direct support services to victims and witnesses of crimes committed in Hawaii by appropriating funds as a grant-in-aid to the County of Kauai Office of the Prosecuting Attorney for the Career Criminal Prosecution Unit and Victim Witness Assistance Program.

The Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the City and County of Honolulu, County of Kauai Office of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, and Crime Victim Compensation Commission testified in support of this measure.

Your Committee has amended this measure by:

- (1) Making the appropriations in the amount of \$1 to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1305, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1305, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1622 Judiciary on S.B. No. 17

The purpose of this measure is to clarify that the required disclosure of documents by a seller for residential real property that is subject to restrictions or conditions on use applies to documents relating to restrictions or conditions within a seller's knowledge or control.

The Hawaii Association of REALTORS supported this measure.

Your Committee has amended this measure by:

- (1) Requiring the seller to provide all documentation, including any documents the seller has knowledge about, should have had knowledge about, is under the seller's control, or should have been under the seller's control;
- (2) Specifying that any document the seller has the right to demand under section 514B-154.5, Hawaii Revised Statutes, shall be considered to be under the seller's control;
- (3) Amending the purpose section to better reflect the purpose of this measure and clarify the intent of Act 186, Session Laws of Hawaii 2013; 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. 17, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 17, H.D. 2.

Signed by all members of the Committee except Representative Lee.

SCRep. 1623 Judiciary on S.B. No. 464

The purpose of this measure is to increase the protection of consumers who purchase products or services through automatic renewal and continuous service agreements by requiring the seller to:

- (1) Provide the consumer with clear and conspicuous disclosure of the renewal clause or continuous service clause and the method to cancel the agreement;
- (2) Provide an acknowledgement that notifies the consumer of the terms of the automatic renewal offer prior to charging the consumer's credit card, debit card, or account with a third party;
- (3) Provide the consumer with a cost-effective, timely, and easy-to-use mechanism for cancellation; and
- (4) Notify the consumer of material changes and the method by which the consumer may cancel the agreement.

Oceanic Time Warner Cable testified in support of this measure. The Office of Consumer Protection testified in support and recommended amendments. The Consumer Data Industry Association provided comments and recommended amendments. TechNet testified in opposition.

Your Committee has amended this measure to:

- (1) Clarify that existing and amended requirements for automatic renewal clauses apply equally to continuous service clauses;
- (2) Remove cross-references to section 481-9.5 (a) and (b) which are solely related to automatic renewal clauses. The omission of the cross-references clarifies that this measure applies to automatic renewal clauses and continuous service agreements;
- (3) Define the term "automatic renewal" and clarify the meaning of "continuous service";
- (4) Clarifies that the requirement for clear and conspicuous notice to the consumer of a material change in terms and the opportunity to cancel the agreement prior to the implementation of the material change applies to continuous service agreements;
- (5) Change its effective date to March 15, 2038; and
- (6) Make technical, nonsubstantive amendments for the purposes of 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. 464, 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. 464, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Belatti and Lee.

SCRep. 1624 Judiciary on S.B. No. 871

The purpose of this measure is to facilitate the operation of motor vehicles in Hawaii by persons from other countries by providing reciprocal licensing privileges.

Specifically, the measure:

- (1) Allows a nonresident who holds a current and valid driver's license and permit in another country to operate passenger cars or trucks in Hawaii without being required to obtain a Hawaii driver's license, under certain conditions;
- (2) Authorizes the Examiner of Drivers to waive the actual demonstration of ability to operate a motor vehicle for any person to whom the Director of Transportation has granted reciprocal licensing privileges; and
- (3) Repeals the Driver's License Reciprocity Committee.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee has amended this measure by:

- (1) Clarifying that the measure authorizes the Director of Transportation to establish reciprocal licensing privileges for any person eighteen years of age or older who holds a license from another jurisdiction, under certain conditions, thereby allowing the Examiner of Drivers to waive the actual demonstration of ability to operate a motor vehicle;
- (2) Removing references to international driver's licenses and nonresidents;
- (3) Removing language relating to the Director of Transportation entering into written agreements with foreign countries;
- (4) Limiting the waiver of the actual demonstration of ability to operate a motor vehicle to persons eighteen years of age or older and to the operation of vehicles in category 3 under section 286-102, Hawaii Revised Statutes;
- (5) Authorizing the Director of Transportation to require an applicant for reciprocal licensing privileges to provide translation of the license and documents from the other jurisdiction if the license and documents are in languages other than Hawaiian or English;
- (6) Clarifying that the Examiner of Drivers' record check includes a check of the applicant's driving record as maintained by the applicant's jurisdiction of licensure;
- (7) Amending the purpose section of the measure to reflect the changes made to its substantive provisions;
- (8) Changing the effective date to March 15, 2038, to facilitate further discussion on the measure; and
- (9) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 871, 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. 871, S.D. 1, H.D. 3.

Signed by all members of the Committee except Representatives Brower, Kawakami, Lee, Nakashima and McDermott.

SCRep. 1625 Finance on S.B. No. 382

The purpose of this measure as received by your Committee is to:

- (1) Establish and fund a grant program within the Department of Agriculture for qualified livestock feed developers, including eligibility criteria and documentation requirements;
- (2) Appropriate funds to reimburse qualified livestock producers for the cost of feed and qualified feed developers for the costs of developing feed for sale to qualified producers; and
- (3) Appropriate funds to the Department of Agriculture to identify, assess, and validate locally sourced feed ingredients available to qualified feed developers.

For the purposes of a public hearing on this bill, your Committee circulated a proposed draft of S.B. No. 382, S.D. 2, H.D. 2 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The Proposed Draft contains the content of S.B. No. 382, S.D. 2, H.D. 1, and also appropriates funds to the Department of Education for the Future Farmers America program to educate and support youth in agricultural careers.

The Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, Hawaii Pacific University, Hawaii Crop Improvement Association, and one concerned individual provided testimony in support of the Proposed Draft. The League of Women Voters of Hawaii opposed the Proposed Draft. The Department of Agriculture and Ulupono Initiative provided comments on the Proposed Draft.

Your Committee considered the merits of both S.B. No. 382, S.D. 2, H.D. 1, as received by your Committee, and the Proposed Draft and upon careful consideration, adopted the Proposed Draft. Your Committee further amended the Proposed Draft by:

- (1) Changing its effective date to July 1, 2030, 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. 382, 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. 382, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1626 Finance on S.B. No. 113

The purpose of this measure is to address the shortage of health professionals in certain areas of the State by appropriating funds to the Hawaii State Loan Repayment Program to provide loan repayment assistance for physicians, physician assistants, nurse practitioners, psychologists, counselors, and social workers who agree to work in a federally designated health professional shortage area or an area in Hawaii found to be underserved.

The Queen's Health Systems, Lanai Community Health Center, Hawaii Academy of Family Physicians, Hawaii Medical Association, and numerous individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the loan repayment assistance be for physicians, physician assistants, nurse practitioners, psychologists, counselors, and social workers who agree to work in a federally designated health professional shortage area or an area in Hawaii found to be underserved;
- (2) Requiring that the loan repayment assistance be for persons who enter into an employment contract with the Hawaii Health Systems Corporation that includes the following terms:
 - (A) Employment at the Hawaii Health Systems Corporation for a minimum of five years;
 - (B) A payment schedule for the disbursement of the loan payment assistance; and
 - (C) A penalty for the failure to maintain employment at the Hawaii Health Systems Corporation for a minimum of five years; 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. 113, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 113, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1627 Finance on S.B. No. 325

The purpose of this measure is to:

- (1) Provide funds for the University of Hawaii to pay student employee salaries at new or expanded work sites on each campus;
- (2) Require the University of Hawaii to develop and implement the Graduation Pathway System on all campuses of the University of Hawaii system no later than the fall semester of 2016 and appropriate funds, including for new staff positions, for this purpose;
- (3) Appropriate funds to the University of Hawaii Center on Aging for the purpose of funding staff positions;
- (4) Direct each campus of the University of Hawaii, in estimating its quarterly budget requirements, to prepare an operations plan for the fiscal year for each of the programs that it is responsible for administering;
- (5) Require funds in the University of Hawaii Tuition and Fees Special Fund for each campus to be lapsed to the credit of Program Identification Number UH900 (University of Hawaii, system wide support) at the end of each fiscal year;
- (6) Require the President and Vice President for Budget and Finance and Chief Financial Officer of the University of Hawaii to review the operations plans for each campus to:
 - (A) Determine if the operations plan meets certain criteria; and
 - (B) Approve the operations plan, or modify or withhold the planned expenditures, depending on whether the criteria are met;
- (7) Establish the Office of the Ombuds, to be attached administratively to the University of Hawaii system office and appropriate funds for this purpose;
- (8) Appropriate funds for staff and materials for the University of Hawaii to comply with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013 at each of the University of Hawaii system campuses;

- (9) Transfer the Office of Gender Equity from the University of Hawaii at Manoa to the University of Hawaii system office;
- (10) Transfer various existing positions to the Office of Gender Equity at the University of Hawaii system office;
- (11) Convert various existing positions to Title IX Coordinator positions at the University of Hawaii at Manoa, University of Hawaii at Hilo, and University of Hawaii community colleges;
- (12) Direct the Auditor to conduct audits of the University of Hawaii's management of faculty workload;
- (13) Appropriate funds to establish two graduate assistant positions at the Hawaii Educational Policy Center at the University of Hawaii; and
- (14) Require the University of Hawaii to provide nonsupervisory employees in blue-collar positions and similarly situated officers and employees who are excluded from collective bargaining with the same educational benefits provided to faculty of the University of Hawaii and community college system.

One concerned individual provided testimony in support of this measure. The Hawaii Educational Policy Center submitted comments.

Your Committee has amended this measure by:

- (1) Deleting the appropriation to the University of Hawaii to fund students employed at new or expanded worksites at each University of Hawaii campus;
- (2) Changing the number of positions funded by this measure to unspecified numbers; 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. 325, 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. 325, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1628 Finance on S.B. No. 387

The purpose of this measure is to establish an affirmative consent task force to review and make recommendations on the University of Hawaii's executive policy concerning domestic violence, dating violence, sexual assault, and stalking, and require the task force to submit a report of its findings to the Legislature prior to the Regular Sessions of 2016 and 2017.

The University of Hawaii, University of Hawaii Commission on the Status of Women, Hawaii State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, Hawaii Youth Services Network, Planned Parenthood of Hawaii, National Association of Social Workers, Hawaii Chapter, YWCA of Oahu, Healthy Mothers Healthy Babies, The Sex Abuse Treatment Center, and Hawaii State Coalition Against Domestic Violence provided testimony in support of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2030, to encourage further discussion, and 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. 387, 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. 387, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1629 Finance on S.B. No. 1047

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Pelatron Q, LLC, with the development of waste-to-energy power plants in Hawaii.

Pelatron Q, LLC; Pacific Resource Partnership; Hawaii Construction Alliance; and many concerned individuals supported this measure. One concerned individual opposed 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. 1047, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1630 Finance on S.B. No. 40

The purpose of this measure is to establish licensing requirements and a regulatory oversight system for the practice of applied behavior analysis by establishing and providing funds for a behavior analyst program within the Department of Commerce and Consumer Affairs. This measure exempts the licensing and regulatory program from generally-applicable requirements for a sunrise analysis by the Auditor because of imminent mandates for insurance coverage of applied behavioral analysis as a treatment for autism spectrum disorders.

The Special Education Advisory Council, Autism Speaks, Autism Behavior Consulting Group Inc., Community Children's Council of Hawaii, Center for Autism and Related Disorders, and a large number of concerned individuals supported this measure. The Department of Commerce and Consumer Affairs, Department of Human Services, State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawaii Medical Service Association, and Easter Seals 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 is in accord with the intent and purpose of S.B. No. 40, S.D. 3, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1631 Finance on S.B. No. 1036

The purpose of this measure is to:

- (1) Establish a working group within the Department of Health to address publicly-funded coverage of substance abuse treatment services; and
- (2) Appropriate funds to the Department of Health to convene the working group.

The Department of Health and the Hawaii Substance Abuse Coalition commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1036, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1632 Finance on S.B. No. 768

The purpose of this measure is to:

- (1) Eliminate discrimination based on marital status in insurance coverage for in vitro fertilization;
- (2) Decrease the amount of time a patient must be shown to be infertile before in vitro fertilization benefits are provided; and
- (3) Provide clarity by defining "infertility".

The Hawaii State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, and several individuals testified in support of this measure. The Department of Human Services, Hawaii Medical Service Association, Kaiser Permanente Hawaii, and an individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 768, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1633 Finance on S.B. No. 961

The purpose of this measure is to amend petition and hearing procedures for assisted community treatment.

Specifically, this measure, among other things:

- (1) Establishes that a psychiatric examination for the initiation of proceedings for assisted community treatment shall be valid so long as the examiner is able to receive enough information from the subject of the petition to reach a diagnosis of the mental illness of the subject of the petition, and to express a professional opinion concerning the same, even if the subject of the petition is not fully cooperative;
- (2) Removes the 10-day limit for setting a hearing date after the filing of a petition for assisted community treatment;
- (3) Amends petition and hearing notice requirements;
- (4) Specifies hearing circumstances under which a guardian ad litem, public defender, or other court-appointed counsel may be appointed to assist a subject of a petition, while clarifying that the subject of the petition is not required to accept legal representation by the public defender or other court-appointed counsel;
- (5) Establishes a "within a reasonable time" requirement for psychiatric assessments used in a hearing to commit a subject of a petition to receive assisted community treatment;
- (6) Removes provisions allowing the court to order a subject to be examined by a licensed psychiatrist; and
- (7) Requires treating providers to provide information to the Department of Health for reporting purposes.

The Department of Health and Waipahu Aloha Clubhouse Advisory Board provided testimony in support of this measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by adopting the amendments proposed by the Department of the Attorney General relating to the appointment of counsel and 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. 961, 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. 961, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Ward.

SCRep. 1634 Finance on S.B. No. 703

The purpose of this measure as received by your Committee, is to increase the solid waste management surcharge and clarify that the surcharge applies to solid waste disposed of within the State except for ash from waste-to-energy facilities and waste disposed of at waste-to-energy facilities that accept less than 150,000 tons of waste annually.

For the purposes of a public hearing on this measure, your Committee circulated S.B. No. 703, S.D. 1, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The purpose of the Proposed Draft is to exempt from the Hawaii Public Procurement Code contracts for the extraction and capture of methane generated from municipal waste for the purpose of conversion into natural gas.

Hawaii Gas commented on the Proposed Draft. The League of Women Voters of Hawaii and General Contractors Association of Hawaii opposed the Proposed Draft.

Your Committee considered the merits of both S.B. No. 703 S.D.1, as received by your Committee, and the Proposed Draft, and upon careful consideration, adopted the Proposed Draft. Your Committee further amended the Proposed Draft by:

- (1) Amending the preamble to more accurately describe the purpose of this measure; and
- (2) Changing the effective date to July 1, 2030, 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. 703, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 703, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1635 Finance on S.B. No. 878

The purpose of this measure is to address the sewage needs in areas of the State that are not suitable for flush and septic systems by authorizing the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems.

The Office of Hawaiian Affairs and Land Use Research Foundation of Hawaii supported this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, 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. 878, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 878, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1636 Finance on S.B. No. 1049

The purpose of this measure is to promote electronic waste recycling by:

- (1) Prohibiting the approval of an electronic device manufacturer's recycling plan that exclusively provides only a mail-back option to return a covered electronic device to the manufacturer for recycling; and
- (2) Authorizing the approval of the recycling plan of an electronic device manufacturer of exclusively mobile covered electronic devices whose products are voluntarily accepted at no charge by at least fifty retail locations in the State if the recycling plan documents these retail locations.

The Department of Health, Ulupono Initiative, Hawaii Green Growth, and Consumer Electronics Association supported this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2030, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment 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. 1049, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1049, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1637 Finance on S.B. No. 349

The purpose of this measure is to promote greater energy security by:

- (1) Establishing a refundable renewable fuels production tax credit; and
- (2) Repealing the ethanol facility tax credit.

The Office of Economic Development of the County of Kauai; Hawaii Energy Policy Forum; Renewable Energy Action Coalition of Hawaii; Ulupono Initiative; Anaergia Services, LLC; Hawaii Biofuels Foundation; Pacific Biodiesel Technologies; Hawaii Renewable Energy Alliance; BioEnergy Hawaii, LLC; and an individual supported this measure. The Department of Business, Economic Development, and Tourism; Department of Taxation; and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the amount of the renewable fuels production tax credit and maximum tax credit amount that can be claimed to unspecified amounts;
- (2) Changing the aggregate credit cap to an unspecified amount;
- (3) Making the tax credit non-refundable;
- (4) Changing the effective date to July 1, 2030, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 349, 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. 349, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1638 Finance on S.B. No. 359

The purpose of this measure is to amend the Environmental Response, Energy, and Food Security Tax, by:

- (1) Adjusting the allocation amounts of tax revenues to be deposited into the Environmental Response Revolving Fund, Energy Security Special Fund, and Agricultural Development and Food Security Special Fund;
- (2) Making permanent the Agricultural Development and Food Security Special Fund; and
- (3) Making permanent the amendments made to the Environmental Response Revolving Fund, Energy Security Special Fund, and the Environmental Response, Energy, and Food Security Tax by Act 73, Session Laws of Hawaii 2010.

For the purposes of a public hearing on this bill, your Committee circulated a proposed S.B. No. 359, S.D.1, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The Proposed Draft, among other things:

- (1) Specifies that allocations of Environmental Response, Energy, and Food Security Tax revenues to the Environmental Response Revolving Fund shall cease on July 1, 2015;
- (2) Reverts the allocation amounts of Environmental Response, Energy, and Food Security Tax revenues to the Energy Security Special Fund and Agricultural Development and Food Security Special Fund to each fund's respective current level; and
- (3) Appropriates \$3,129,125 for fiscal year 2015-2016 and \$3,327,972 for fiscal year 2016-2017 for environmental programs and natural resource programs formerly supported by the allocation of Environmental Response, Energy, and Food Security Tax revenues to the Environmental Response Revolving Fund.

The Hawaii Energy Policy Forum, Board of Water Supply of the City and County of Honolulu, Hawaii Green Growth, and Hawaii Farm Bureau testified in support of this measure. The Department of Health, Department of Agriculture, and Tax Foundation of Hawaii provided comments.

Upon careful consideration of the merits of both S.B. No. 359 S.D. 1, as received by your Committee, and the Proposed Draft, your Committee has amended this measure by adopting the Proposed Draft with the following additional amendments:

- (1) Clarifying that the appropriation of funds for the fiscal biennium 2015-2017 for environmental programs and natural resource programs can be broken down as follows:
 - (A) \$1,315,108 for fiscal year 2015-2016 and \$1,361,143 for fiscal year 2016-2017 for environmental management (HTH840) for environmental programs and natural resource protection programs; and

- (B) \$1,924,044 for fiscal year 2015-2016 and \$1,966,829 for fiscal year 2016-2017 for environmental health administration (HTH849) for the administration of environmental programs and natural resource protection programs; 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. 359, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 359, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1639 Finance on S.B. No. 1150

The purpose of this measure is to help reduce dependency on imported fossil fuels and maintain the viability of naphtha as fuel for power generating facilities to produce electricity by extending the sunset provision on the per-gallon tax on naphtha sold for use in a power-generating facility for an additional three years.

The Kauai Island Utility Cooperative supported this measure. The Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Leaving unspecified, the sunset date of the per-gallon tax on naphtha for purposes of facilitating further discussion;
- (2) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1150, 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. 1150, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1640 Finance on S.B. No. 1262

The purpose of this measure is to provide that when the Mortgage Loan Recovery Fund reaches its target balance of \$750,000, the Commissioner of Financial Institutions may make a finding to adjust mortgage loan recovery fees rather than being required to adjust the fees by administrative rule.

The Department of Commerce and Consumer Affairs and Hawaii Association of Mortgage Brokers supported 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. 1262, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1641 Finance on S.B. No. 1032

The purpose of this measure is to:

- (1) Expand the definition of "tobacco products" to include products that contain nicotine and are intended for human consumption, but do not contain tobacco;
- (2) Increase, by an unspecified amount, the license fee for cigarette and tobacco product wholesalers and dealers; and
- (3) Increase, by an unspecified amount, the retail tobacco permit fees for retailers.

The University of Hawaii Cancer Center and American Cancer Society Cancer Action Network testified in support of this measure. The Hawaii Food Industry Association, Hawaii Cigar Association, Kauai Cigar Company, and numerous individuals opposed this measure. The Department of Health, Department of Taxation, Tax Foundation of Hawaii, and Coalition for a Tobacco-Free Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 1032, 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. 1032, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1642 Finance on S.B. No. 1093

The purpose of this measure is to amend the mortgage servicers law to enhance consumer protections by establishing or strengthening regulatory requirements to, among other things:

- (1) Require mortgage servicers to pursue loss mitigation options, including loan modifications, to avoid consumer foreclosure;
- (2) Prohibit the transfer or assignment of licenses;
- (3) Make mortgage servicers responsible for accurate and timely reporting of license information and actions that may affect eligibility for licensure;
- (4) Establish requirements for surety bonds;
- (5) Establish a duty of good faith and fair dealing in communications, transactions, and dealings with borrowers;
- (6) Clarify that regulatory requirements apply universally to all mortgage servicer licensees; and
- (7) Specify prohibited activities.

The Department of Commerce and Consumer Affairs supported this measure. Hawaii Bankers Association submitted comments.

Your Committee has 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. 1093, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1093, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 1643 Finance on S.B. No. 1094

The purpose of this measure is to amend Hawaii's Insurance Code to streamline operations, improve administrative efficiency, and reduce confusion and inefficiency in implementing Hawaii's insurance laws.

Among other things, this measure:

- (1) Makes fees consistent for applications and services provided by the Insurance Division of the Department of Commerce and Consumer Affairs to purchasing groups, foreign risk retention groups, and all classes of insurers, including fraternal benefit societies, mutual benefit societies, health maintenance organizations, and dental insurers;
- (2) Enables the Insurance Division to recover certain administrative costs;
- (3) Prohibits the rerating of rates approved by the Insurance Commissioner;
- (4) Permits the suspension, revocation, or denial of mutual benefit society's certificate of authority, or imposition of a fine, under certain conditions and establishes requirements for mutual benefit societies that are financially insufficient; and
- (5) Makes other housekeeping and conforming amendments.

The Department of Commerce and Consumer Affairs supported 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. 1094, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1644 Finance on S.B. No. 737

The purpose of this measure is to amend State laws regarding check cashing businesses by, among other things:

- (1) Limiting the total amount of fees that can be charged for the deferred deposit of a personal check on an annual percentage rate basis;
- (2) Requiring licensed businesses to notify the Department of Commerce and Consumer Affairs ("Department") at the end of each fiscal year if they conducted any deferred deposit transactions;
- (3) Prohibiting a check casher from entering into an agreement for deferred deposit with a customer within five days immediately following the end of the customer's earlier agreement for a deferred deposit; and
- (4) Increasing the fine for a wilful violation of Hawaii's laws relating to cashing checks for a fee to a maximum of \$5,000.

The Office of Hawaiian Affairs, UNITE HERE Local 5, Aloha United Way, Progressive Democrats of Hawaii, Americans for Democratic Action, PHOCUSED, and many individuals testified in support of this measure. Money Service Centers of Hawaii, Inc.; Money Mart; Dollar Financial Group, Inc.; Community Financial Services Association of America; Hawaii Check Cashing; and several testifiers opposed this measure. The Department of Commerce and Consumer Affairs, Office of Consumer Protection; Hawaiian Community Assets; Hawaii Alliance for Community-Based Economic

Development; ILWU Local 142; Protecting Hawaii's Ohana, Children, Under Served, Elderly and Disabled; Hawaii Appleseed Center for Law and Economic Justice; Catholic Charities Hawaii; Community Alliance on Prisons; Faith Action for Community Equity Hawaii; Community Health Outreach Work Project; Maui Loan LLC; Cash in Advance, Inc.; AARP Hawaii; and many individuals commented on this measure.

Your Committee has amended this measure by removing the annual percentage rate cap for the deferred deposit of a personal check. To create greater enforcement and oversight over the business practices of check cashers, this measure has been further amended by establishing registration, surety, recordkeeping, business examination, and confidentiality standards for check cashing businesses. More specifically, among other things, this measure now:

- (1) Requires check cashing businesses to register with the Department of Commerce and Consumer Affairs, including the payment of registration fees; the requirement of a surety bond, irrevocable letter of credit, or other similar security device acceptable by the Department; and standards for the suspension or revocation of a registration;
- (2) Extends the recordkeeping requirement of all licensed businesses that conduct deferred deposit transactions, to also include a report to the Department on the operations of the check casher's business;
- (3) Authorizes the Department to conduct an annual on-site examination of a registered check casher, including the use of third party investigators, the setting of fees for the examination, and the confidentiality of information gathered pursuant to an examination; and
- (4) Authorizes the Director of Commerce and Consumer Affairs to adopt rules to implement the new standards.

Your Committee has also amended this measure by:

- (1) Changing its effective date to July 1, 2030, 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. 737, 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. 737, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1645 Finance on S.B. No. 1042

The purpose of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist SunStrong LLC, a renewable energy developer, in serving the general public by providing renewable electric energy and installing renewable energy projects in Hawaii.

The Department of Budget and Finance, SunStrong LLC, and an individual commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1042, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1646 Finance on S.B. No. 1214

The purpose of this measure is to:

- (1) Authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist Hawaiian Electric Company, Inc.; Maui Electric Company, Limited; and Hawaii Electric Light Company, Inc., to continue multi-project capital improvement programs; and
- (2) Require electric utilities to unbundle customer rates and charges in a manner approved by the Public Utilities Commission (PUC), including filing an application with the PUC by July 1, 2016, to be eligible to receive financing assistance through special purpose revenue bonds.

An individual testified in support of this measure. The Department of the Attorney General; Department of Budget and Finance; Hawaiian Electric Company, Inc.; Maui Electric Company, Limited; Hawaii Electric Light Company, Inc.; and Land Use Research Foundation of Hawaii commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1214, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1647 Finance on S.B. No. 979

The purpose of this measure is to provide a safe environment for Hawaii's youth that ensures their safety and health by, among other things:

- (1) Requiring the Office of Youth Services to implement a five-year Safe Places for Youth Pilot Program (Pilot Program);
- (2) Establishing a coordinator position for the Pilot Program and specifying the Coordinator's duties and responsibilities;

- (3) Establishing a framework that allows youth under the age of 18 to consent to accept services from a service provider of the Pilot Program;
- (4) Requiring the Office of Youth Services to submit annual reports to the Legislature on the Pilot Program; and
- (5) Appropriating funds for the Pilot Program Coordinator position and temporary housing opportunities for youth in crisis who participate in the Pilot Program.

Planned Parenthood of Hawaii, Family Programs Hawaii, PHOCUSED, Coalition for a Drug-Free Hawaii, and two individuals provided testimony in support of this measure. Hawaii Family Advocates and some individuals provided testimony in opposition. Community Alliance on Prisons provided comments.

Your Committee has amended this measure by changing the appropriation amount to \$1 and 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. 979, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 979, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Ward.
(Representative Pouha voted no.)

SCRep. 1648 Finance on S.B. No. 892

The purpose of this measure is to promote the State's resilience and sustainability strategy by appropriating funds for broadband, joint emergency management, energy efficiency and grid operations, and water and sewer infrastructure.

The Hawaii State Fire Council; High Technology Development Corporation; Honolulu Fire Department; Maui Fire Department; Hawaii Fire Department; Kauai Fire Department; Pacific-Asia Institute for Resilience and Sustainability; Enterprise Honolulu; and the Oahu Economic Development Board supported this measure. The Department of Business, Economic Development and Tourism; Department of Health; Hawaii Emergency Management Agency; Hawaii Farm Bureau Federation; and the Land Use Research Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the reference to "offshore high technology park" to "pacific hub technology park";
- (2) Authorizing the Director of Finance to issue reimbursable general obligation bonds for the Hawaii resiliency and sustainability strategy; 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. 892, 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. 892, S.D. 2, H.D. 3.

Signed by all members of the Committee except Representative Ward.

SCRep. 1649 Finance on S.B. No. 1155

The purpose of this measure is to more efficiently allocate the resources that support Hawaii's creative media industry. Specifically, this measure, among other things:

- (1) Assigns to the Hawaii Tourism Authority the responsibilities for film development and marketing;
- (2) Transfers the Film Industry Branch of the Creative Industries Division of the Department of Business, Economic Development, and Tourism to the Hawaii Tourism Authority; and
- (3) Establishes and appropriates general funds to the Film Development and Marketing Special Fund for implementation of film development and marketing activities by the Hawaii Tourism Authority.

The Hawaii Tourism Authority supported this measure. SAG-AFTRA Hawaii Local, I.A.T.S.E. Local 665, and the American Federation of Musicians' Local 677 opposed this measure. The Department of Business, Economic Development, and Tourism; Department of Budget and Finance; and Department of Taxation commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1155, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1650 Finance on S.B. No. 1101

The purpose of this measure is to extend the sunset date of the state civil service exemption for persons hired or contracted by the Hawaii Public Housing Authority to perform repair, maintenance, or capital improvement project work on vacant state housing units from June 30, 2015, to June 30, 2017.

The Hawaii Public Housing Authority supported this measure. The United Public Workers, AFSCME, Local 646, AFL-CIO; International Union of Painters and Allied Trades, District Council 50; Hawaii Building and Construction Trades Council, AFL-CIO; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers; Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; and the Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund opposed this measure.

Your Committee has amended this measure by changing the sunset date of the state civil service exemption to an unspecified date.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1101, 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. 1101, S.D. 1, H.D. 3.

Signed by all members of the Committee.

SCRep. 1651 Finance on S.B. No. 1280

The purpose of this measure is to preserve alternative forms of transportation services available to consumers while affording consumers the protection of law by regulating transportation network companies. Among other things, this measure:

- (1) Requires the Public Utilities Commission (PUC) to regulate transportation network companies and transportation network company drivers;
- (2) Establishes motor vehicle insurance requirements for the transportation network company industry;
- (3) Establishes minimum qualifications for transportation network company drivers; and
- (4) Appropriates funds for the PUC to carry out the regulation of transportation network companies and their drivers.

The Hawaii Tourism Authority; Hawaii Transportation Association; Hawaii Insurers Council; Property Casualty Insurers Association of America; National Association of Mutual Insurance Companies; State Farm Mutual Automobile Insurance Company; United Services Automobile Association; Roberts Hawaii, Inc.; GEICO; Charley's Taxi; and TheCab supported this measure. EcoCab; Uber Technologies; and numerous individuals opposed this measure. The Public Utilities Commission; Department of the Attorney General; Business Registration Division of the Department of Commerce and Consumer Affairs; and several individuals commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1280, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1652 Judiciary on S.B. No. 1030

The purpose of this measure is to prohibit:

- (1) The possession or consumption of tobacco products, including electronic smoking devices, in a public place by persons under 18 years of age, subject to enforcement through citation issued by the Department of Health or law enforcement officer; and
- (2) The sale or furnishing of tobacco products, including electronic smoking devices, to a person under 21 years of age, subject to enforcement through fines and possible community service.

The Honolulu Police Department, University of Hawaii Student Health Advisory Council, Hawaii Medical Service Association, American Cancer Society Cancer Action Network, and several individuals testified in support of this measure. The Coalition for a Tobacco-Free Hawai'i and numerous individuals testified in support of this measure with comments. Hawaii Smokers Alliance and numerous individuals opposed this measure. The Department of Health, Chamber of Commerce of Hawaii, and American Heart Association commented on this measure.

Your Committee has amended this measure by:

- (1) Making the prohibition of possessing or consuming tobacco products applicable to persons under 21 years of age, rather than to persons under 18 years of age;
- (2) Deleting provisions that required the Department of Health or law enforcement officers to issue citations for unlawful possession or consumption and that authorized the Department of Health to adopt rules establishing fines, community service requirements, and health education requirements;
- (3) Specifying fines and community service requirements for persons who violate prohibitions on possession and consumption;
- (4) Changing the effective date to January 1, 2016; 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. 1030, 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. 1030, S.D. 1, H.D. 2.

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

SCRep. 1653 Finance on S.B. No. 284

The purpose of this measure is to protect and preserve important natural resources in the State by:

- (1) Assisting in the acquisition of a conservation easement in Turtle Bay, Oahu; provided that there is a contract to acquire the Turtle Bay conservation easement by December 31, 2015. Among other things, this measure:
 - (A) Allocates transient accommodations tax (TAT) revenues to the Turtle Bay conservation easement special fund;
 - (B) Authorizes the Department of Budget and Finance to issue reimbursable general obligation bonds, the proceeds of which will be used to acquire the conservation easement;
 - (C) Requires the Department of Budget and Finance to transfer the conservation easement to the Department of Land and Natural Resources; and
 - (D) Annually allocates TAT revenues to the Department of Budget and Finance to reimburse the general fund regarding the reimbursable general obligation bonds; and
- (2) Requiring the Office of Planning to investigate the possible acquisition or exchange of lands owned by Dole Food Company, Inc. for agricultural production.

The Agribusiness Development Corporation; The Trust for Public Land; Land Use Research Foundation of Hawaii; Pacific Resource Partnership; Hawaii Farm Bureau; Defend Oahu Coalition; Hawaii Construction Alliance; CountyTalkStory.com; North Shore Community Land Trust; Free Access Coalition; Hawaii Agricultural Research Center; Turtle Bay Resort, LLC; Koolaupoko Hawaiian Civic Club; Koolau Foundation; Y. Hata & Company, Ltd.; Windward Ahupuaa Alliance; Surfrider Foundation; and many individuals provided testimony in support of this measure. The Department of Land and Natural Resources, Department of Budget and Finance, Department of Agriculture, State-County Functions Working Group, Tax Foundation of Hawaii, and a concerned individual provided comments.

Your Committee has amended this measure by changing the references to the transient accommodations tax revenues to an unspecified funding source.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 284, 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. 284, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1654 Finance on S.B. No. 1028

The purpose of this measure is to ensure that the group health plans offered through the Hawaii Health Connector (Connector) are in compliance with federal network adequacy requirements and to assist in the Connector's ability to achieve financial self-sustainability by:

- (1) Requiring all group health issuers to offer to contract with any federally-qualified health centers in the relevant service area to provide all covered ambulatory services offered by the federally-qualified health centers in accordance with network adequacy standards of the Connector;
- (2) Authorizing the Connector to generate revenue through the provision of benefit administration services for employer-based health plans not offered through the Connector or other ancillary products and services; and
- (3) Requiring that the network adequacy standards of the Connector adhere to the requirements for contracts with federally-qualified health centers in conformance with the requirements of federal implementing regulations.

The Hawaii Primary Care Association supported this measure. The Chamber of Commerce of Hawaii and Kaiser Permanente opposed this measure. The Department of Commerce and Consumer Affairs, Department of the Attorney General, and Hawaii Medical Service Association commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1028, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.
(Representative Ward voted no.)

SCRep. 1655 Finance on S.B. No. 1338

The purpose of this measure is to:

- (1) Authorize the Hawaii Health Connector to offer large group coverage to insurers;
- (2) End the authorization to issue or renew transitional renewal policies after October 1, 2016; and
- (3) Require health insurers to provide notice to group health plans that offer continuation coverage about options to secure affordable coverage under the Hawaii Health Connector, in addition to the requirements under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

The Chamber of Commerce of Hawaii and a concerned individual opposed this measure. The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association commented on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1338, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.
(Representative Ward voted no.)

SCRep. 1656 Finance on S.B. No. 1174

The purpose of this measure is to amend the medical examination requirements for workers' compensation claims by:

- (1) Requiring that a qualified physician selected by mutual agreement of the parties shall perform an independent medical examination and permanent impairment rating examination; and
- (2) Establishing a procedure for appointing a qualified physician in the event the parties cannot agree upon a selection.

The Hawaii State AFL-CIO; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Medical Association; Hawaii Rehabilitation Counseling Association; Hawaii Injured Workers' Association; International Association of Rehab Professionals; Work Star Injury Center; and many concerned individuals supported this measure. The City and County of Honolulu; General Contractors Association of Hawaii; Building Industry Association of Hawaii; Chamber of Commerce of Hawaii; Hawaii Insurers Council; Hawaii Independent Insurance Agents Association; Rons Construction Corporation; LYZ, Inc.; Hawaiian Crane and Rigging, Ltd.; Hensel Phelps Construction Company; Dorvin D. Leis Co., Inc.; North Shore Chamber of Commerce; Specialty Surfacing Co. HI, Inc.; PVT Land Company; Nordic PCL Construction, Inc.; Performance Systems Inc.; Heartwood Pacific, LLC; City Mill Company, Ltd.; Ralph S. Inouye Co., Ltd.; Society for Human Resource Management, Hawaii Chapter; Hawai'i Lodging and Tourism Association; Healy Tibbitts Builders, Inc.; and many concerned individuals opposed this measure. The Department of Labor and Industrial Relations; Department of Human Resources Development; Department of Commerce and Consumer Affairs; ILWU Local 142; and several concerned individuals 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. 1174, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1657 Judiciary on S.B. No. 1291

The purpose of this measure is to protect medical marijuana patients and caregivers from discrimination by schools, landlords, the courts, and others with regard to medical care and parental rights. Specifically, this measure:

- (1) Prohibits discrimination by schools and landlords against qualifying patients who use marijuana and their primary caregivers who are in strict compliance with the State's medical marijuana laws, unless such prohibition would cause the school or landlord to lose a monetary or licensing-related benefit under federal law;
- (2) Protects registered qualifying medical marijuana patients from discrimination related to receiving medical care; and
- (3) Protects a qualifying medical marijuana patient or primary caregiver who is a parent from denial of custody, visitation, or parenting time with a minor, as long as the conduct of the qualifying patient or caregiver does not create a danger to the safety of the minor.

The Community Alliance on Prisons, American Civil Liberties Union of Hawaii, Norml Hawaii Chapter, Drug Policy Forum of Hawaii, Americans for Safe Access Big Island Chapter, Green Futures, Drug Policy Action Group, and several concerned individuals supported this measure. One concerned individual opposed this measure. The Hawaii Civil Rights Commission provided comments.

Your Committee has amended this measure by:

- (1) Removing school and landlord access to the medical marijuana registry, and instead allowing the qualifying patient or primary caregiver to provide a medical marijuana registry card or certificate plus photo identification as proof that the person is validly registered with the Department of Health;
- (2) Prohibiting an employer from taking disciplinary measures or discriminating against an employee solely on the basis of a positive test for marijuana, as long as the employee strictly complied with the requirements for the medical use of marijuana and the marijuana was not used in the workplace;
- (3) Allowing qualified medical marijuana patients with disabilities to request reasonable accommodation in employment if the person tests positive for marijuana use, except that reasonable accommodation does not include intoxication or marijuana use at work;
- (4) Prohibiting discrimination by planned community associations, condominium property regimes, and condominiums against persons who have a valid certificate for the medical use of marijuana; and
- (5) Making technical, nonsubstantive amendments for the purposes of 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. 1291, 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. 1291, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Creagan and Lee.
(Representatives Kawakami and McDermott voted no.)

SCRep. 1658 Finance on S.B. No. 682

The purpose of this measure is to establish a regulated statewide dispensary system for medical marijuana to ensure safe and legal access to medical marijuana for qualifying patients.

More specifically, this measure:

- (1) Establishes a regulated system of medical marijuana dispensaries and production centers and a Medical Marijuana Advisory Commission;
- (2) Prohibits counties from enacting zoning ordinances or rules that prohibit the use of land for licensed dispensaries and production centers;
- (3) Establishes a Medical Marijuana Registry Program Sub-account and Medical Marijuana Dispensary Program Sub-account within the renamed Medical Marijuana Registry and Regulation Special Fund;
- (4) Establishes an affirmative defense for owners or employees of a medical marijuana production center or dispensary subject to criminal charges for the production or distribution of marijuana;
- (5) Requires qualifying patients or primary caregivers who cultivate marijuana plants to either register with the Department of Health or obtain a license, based on the number of plants cultivated;
- (6) Defines the authorized sources of medical marijuana and amends the definition of a permitted adequate supply to account for manufactured marijuana products;
- (7) Clarifies the right of qualifying patients, primary caregivers, and owners or employees of licensed dispensaries and production centers to transport medical marijuana in a public place;
- (8) Permits any physician who has a bona fide physician-patient relationship with a qualifying patient to issue a written certification;
- (9) Appropriates funds into the Medical Marijuana Registry and Regulation Special Fund; and
- (10) Requires the Director of Health and the Legislative Reference Bureau to report to the Legislature on the progress of implementing the dispensary and production center system and any further required legislation.

The Drug Policy Forum of Hawaii; Effective Change, LLC; Green Futures; Americans for Safe Access Big Island Chapter; Community Alliance on Prisons; United Food and Commercial Workers Union; and many individuals provided testimony in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Maui Police Department, Hawaii Police Department, Hawaii Catholic Conference, Alternative Pain Management Puuhona, Coalition for a Drug-Free Hawaii, and several individuals provided testimony in opposition. The Department of the Attorney General, Department of Health, Legislative Reference Bureau, Hawaii Family Advocates, American Civil Liberties Union of Hawaii, Hawaii Family Forum, Hawaii Cannabis Care, Norml Hawaii Chapter, Drug Policy Action Group; and several individuals 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. 682, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.
(Representative Tokioka voted no.)

SCRep. 1659 Tourism on S.C.R. No. 158

The purpose of this measure is to address unauthorized activity on managed and closed areas by commercial tour operators and excursion groups and ensure the safety of touring residents and visitors by requesting the Legislative Reference Bureau to examine and report to the Legislature on whether and how other states regulate tour operators within their jurisdiction.

The Department of Land and Natural Resources supported this measure. The Legislative Reference Bureau offered comments.

As affirmed by the record of votes of the members of your Committee on Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 158 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Tokioka, Matsumoto and Ward.

SCRep. 1660 Veterans, Military, & International Affairs, & Culture and the Arts on S.C.R. No. 165

The purpose of this measure is to honor the legacy and sacrifice of Saint Damien De Veuster by supporting the co-naming of a section of 33rd Street in New York City to Father Damien Way, in proximity to the Bellevue Hospital which continues to treat and serve the needs of those with Hansen's disease, as well as the poor and underserved in New York City.

The Hawaii Catholic Conference supported this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 165, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Tokioka, Matsumoto and Ward.

SCRep. 1661 Veterans, Military, & International Affairs, & Culture and the Arts on S.C.R. No. 167

The purpose of this measure is to establish, within the Department of Accounting and General Services, a task force to plan and coordinate the celebration of the fiftieth anniversary of the Hawaii State Capitol.

The Department of Accounting and General Services, State Foundation on Culture and the Arts, and Center for Hawaiian Sovereignty Studies supported this measure.

Your Committee has amended this measure by:

- (1) Deleting language relating to nonapplicability of public agency meetings and records laws and state employee standards of conduct laws; and
- (2) Making a technical, nonsubstantive amendment for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 167, 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. 167, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Tokioka, Matsumoto and Ward.

SCRep. 1662 Veterans, Military, & International Affairs, & Culture and the Arts on S.C.R. No. 201

The purpose of this measure is to request the Hawaii Sister-State Committee to evaluate and develop recommendations for the initiation of a sister-state relationship with the State of Hawaii and the Prefecture of Hokkaido, Japan.

The Office of the Lieutenant Governor and a concerned individual supported this measure. The Department of Business, Economic Development, and Tourism supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 201, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Tokioka, Matsumoto and Ward.

SCRep. 1663 Agriculture on S.C.R. No. 109

The purpose of this measure is to strengthen and support farm to school initiatives in Hawaii's schools by designating the month of October of each year as "Farm to School Month" in Hawaii.

The Department of Agriculture, University of Hawaii System, Department of Education, Hawaii Farm Bureau Federation, Local Food Coalition, Hawaii Island School Garden Network and FoodCorps Hawaii, Hawaii Public Health Institute, and several concerned individuals supported 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 S.C.R. No. 109, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Choy, Matsumoto and Ward.

SCRep. 1664 Judiciary on S.C.R. No. 128

The purpose of this measure to examine smarter sentencing to improve the quality and reliability of sentencing practices by assembling a working group of stakeholders to report back to the Legislature prior to the convening of the 2016 Regular Legislative Session.

Your committee received testimony in support from the Crime Victim Compensation Fund, Department of Public Safety, County Council of Maui, the Community Alliance on Prisons, Hawaii Substance Abuse Coalition, The Institute for Human Services, The Sex Abuse Treatment Center and concerned members of the community. There was no testimony in opposition. The Judiciary offered comments.

Your Committee has amended this measure by:

- (1) Inserted language on page 2 lines 1-3 to include background information on sentencing done in Hawaii and who contains the legal authority on sentencing guidelines for minimum terms of imprisonment; and
- (2) In page 2 lines 5-8 recommended that the Judiciary is more appropriate in retaining authority on sentencing rather than the Hawaii Paroling Authority; and
- (3) Revised the language on page 2, lines 8-9 to include "such as whether a crime is especially heinous, atrocious or cruel"; and

- (4) Inserted page 3, lines 39-42 to exempt working group members from Chapter 84; and
- (5) Amended title to reflect working group changes; and
- (6) Added Director of Paroling Authority to recipients; and
- (7) 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 S.C.R. No. 128, S.D. 2, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 128, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Belatti and Lee.

SCRep. 1665 Judiciary on S.C.R. No. 150

The purpose of this measure is to help better understand the impact of domestic violence that occurs in Hawaii by asking the Attorney General's Office to report statistics that have been compiled under the Uniform Crime Report and the Summary Reporting System to the Legislature before each Regular Session

The Domestic Violence Action Center, Hawaii State Coalition Against Domestic Violence, and three concerned citizens testified in support. The Attorney General testified in opposition

Your Committee has amended this measure by:

- (1) Removed the fourth, fifth, and sixth whereas on page 1 to address the concerns of the Attorney General and remove erroneous language; and
- (2) Inserted page 1, lines 7-9, to add information about the State of Hawaii and its participation in reporting programs; and
- (3) Inserted page 1, lines 21-24 to clarify the statistics the State of Hawaii receives; and
- (4) Changed page 2, lines 25-26 to reflect statistics available pertaining to data collected in relation to offenses related to domestic violence

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 150, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.C.R. No. 150, H.D. 1.

Signed by all members of the Committee except Representatives Belatti and Lee.

SCRep. 1666 Judiciary on S.C.R. No. 88

The purpose of this measure requests the Information Privacy and Security Council to assess procedures for notifying individuals following a breach of personal information.

Your committee did not receive any testimony on this measure

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 88, S.D. 1, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Belatti and Lee.

SCRep. 1667 Public Safety on S.C.R. No. 71

The purpose of this measure is to address the need for alternative travel measures for emergencies in the remote Puna district on the Island of Hawaii by requesting the Hawaii Emergency Management Agency to conduct a study regarding the feasibility and cost of constructing a small, rural landing site or airstrip for use by the National Guard and emergency responders in South Puna and evaluating the possibility of using basalt rebar or lunar basaltic cement in its construction.

The Hawaii County Council Members from Districts 1 and 3, Hawaii Fire Department, and several concerned individuals supported this measure. The Department of Business, Economic Development, and Tourism and a concerned individual offered comments.

As affirmed by the record of votes of the members of your Committee on Public Safety 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 Representatives Aquino, Har, Nakashima and Tupola.

SCRep. 1668 Public Safety on S.C.R. No. 90

The purpose of this measure is to encourage the Department of Public Safety to continue and expand its structured community placement programs to assist in transitioning formerly incarcerated female inmates back into society.

The Department of Public Safety, Office of Hawaiian Affairs, Hawaii State Coalition Against Domestic Violence, Community Alliance on Prisons, and several concerned individuals supported this measure. The League of Women Voters offered comments.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 90 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Har, Nakashima and Tupola.

SCRep. 1669 Energy & Environmental Protection on S.C.R. No. 49

The purpose of this measure is to protect the environment and public health and safety by requesting:

- (1) The Clean Water Branch and Solid and Hazardous Waste Branch of the Department of Health; Honolulu Police Department; and Department of Environmental Services and Department of Planning and Permitting of the City and County of Honolulu to investigate illegal dumping and illegal structures at 1700 Laumaile Street in Kalihi, Oahu, and to coordinate the cleanup; pollution prevention; and enforcement of pollution, anti-dumping, and other applicable laws in that area; and
- (2) The Director of Health, Chief of Police of the Honolulu Police Department, Director of the Department of Environmental Services of the City and County of Honolulu, and Director of the Department of Planning and Permitting of the City and County of Honolulu to jointly report on the measures taken to address illegal dumping and illegal structures at 1700 Laumaile Street and to report their findings and recommendations to the Legislature no later than 20 days prior to the convening of the Regular Session of 2016.

The Department of Health submitted comments.

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. 49, S.D. 1, and recommends that it be referred to the Committee on Judiciary.

Signed by all members of the Committee except Representatives Say, Yamane and Pouha.

SCRep. 1670 Energy & Environmental Protection on S.C.R. No. 57

The purpose of this measure is to protect the environment and public health and safety by:

- (1) Expanding the scope of the task force study on the effects of the January 2014 fuel tank leak at the Red Hill Underground Fuel Storage Facility, established under Senate Concurrent Resolution No. 73, H.D. 1, Regular Session of 2014, to include an additional 26 underground fuel storage tanks located throughout the State and owned by the United States military;
- (2) Requesting the task force to submit another report to the Legislature to encompass the additional 26 tanks no later than 20 days prior to the convening of the Regular Session of 2016; and
- (3) Requesting the task force to continue to monitor the United States Navy's plans for remediation of the Red Hill Underground Fuel Storage Facility fuel tank leaks.

The Department of Health and Honolulu Board of Water Supply supported the measure. The Department of Land and Natural Resources submitted comments.

Your Committee has amended the measure by:

- (1) Adding the members of Hawaii's Congressional delegation, or their representatives, to the membership 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 57, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Veterans, Military, & International Affairs, & Culture and the Arts in the form attached hereto as S.C.R. No. 57, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Say, Yamane and Pouha.

SCRep. 1671 Energy & Environmental Protection on S.C.R. No. 174

The purpose of this measure is to protect public health and safety by:

- (1) Requesting the Department of Health, Environmental Protection Agency, Honolulu Board of Water Supply, and Navy to expeditiously implement the recommendations submitted to the Legislature by the Red Hill Fuel Storage Facility Task Force;
- (2) Urging the Navy to install double-lining at the Red Hill Fuel Storage Facility;
- (3) Urging the Department of Health, Environmental Protection Agency, Honolulu Board of Water Supply, and Navy to install additional groundwater monitoring wells and increase the frequency of all monitoring and sampling activities at the Red Hill Fuel Storage Facility; and
- (4) Urging the Department of Health, Environmental Protection Agency, and Navy to finalize a negotiated agreement for the Red Hill Fuel Storage Facility that protects drinking water resources, appropriately reports the release of petroleum, and minimizes the threat of potential future releases.

The Department of Health and Honolulu Board of Water Supply supported the measure. The Department of Land and Natural Resources submitted comments.

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. 174, S.D. 1, and recommends that it be referred to the Committee on Veterans, Military, & International Affairs, & Culture and the Arts.

Signed by all members of the Committee except Representatives Say, Yamane and Pouha.

SCRep. 1672 Health on S.C.R. No. 114

The purpose of this measure is to encourage all food service facilities in the State that offer a children's menu of meal options, or a meal that is represented as a children's meal, to:

- (1) Serve children's meals with higher nutritional quality and include only bottled water or low-fat milk as the default beverage included in the meal or menu option;
- (2) Offer more fruit and vegetable options and make those options the default side dish with every children's meal; and
- (3) Offer more whole grains as part of children's meals.

The Department of Health, Office of Hawaiian Affairs, Hawaii Public Health Institute, Hawaii Primary Care Association, American Heart Association and an individual testified in support of this measure. The Hawaii Restaurant Association provided comments on 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. 114 and recommends that it be referred to the Committee on Economic Development & Business.

Signed by all members of the Committee except Representatives Jordan and Fukumoto Chang.

SCRep. 1673 Water & Land on S.C.R. No. 44

The purpose of this measure is to facilitate the management of the newly acquired Lipoa Point by requesting the Department of Land and Natural Resources to report to the Legislature on the feasibility of establishing a Lipoa Point Management Council and recommendations for required resources and proposed legislation to protect and preserve Lipoa Point.

The Ahu Moku Advisory Committee submitted testimony in support of this measure. The Department of Land and Natural Resources offered comments.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 44, S.D. 2, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 1674 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 2

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement to Kahaluu Pond, Inc., for the use, repair, and maintenance of the seawall located at Kahaluu, Koolaupoko, Oahu, TMK: (1) 4-7-011: seaward of 0001, for a term of fifty-five years, as approved by the Board of Land and Natural Resources.

The Department of Land and Natural Resources and World of Aloha provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 2 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cullen, Nishimoto and Say.

SCRep. 1675 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 14

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (1) 4-7-011: seaward of 001, Kahaluu, Koolaupoko, Oahu, for the use, maintenance, and repair of the existing seawall constructed thereon.

The Department of Land and Natural Resources provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 14 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cullen and Say.

SCRep. 1676 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 15

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (1) 5-6-003: seaward of 010, Kahuku, Koolauloa, Oahu, for the use, maintenance, and repair of the existing drainage structure constructed thereon.

The Department of Land and Natural Resources provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 15 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cullen and Say.

SCRep. 1677 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 16

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (1) 5-4-010: seaward of 009, Hauula, Koolauloa, Oahu, for the use, maintenance, and repair of a portion of the existing family residence, foundation, and lanai constructed thereon.

The Department of Land and Natural Resources provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 16 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cullen and Say.

SCRep. 1678 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 17

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (1) 4-4-022: seaward of 007, Kaneohe, Koolaupoko, Oahu, for the use, maintenance, and repair of the existing CRM wall, landscaping area, floating dock, and concrete pier purposes constructed thereon.

The Department of Land and Natural Resources provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 17 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cullen and Say.

SCRep. 1679 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 24

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term lease of fifty-five years and non-exclusive easement for approximately 585 square feet, subject to confirmation by the Department of Accounting and General Services, seaward of parcel 002, Pulawai, Lanai, identified by Tax Map Key: (2) 4-9-17 for pier pilings encroachment purposes.

The Department of Land and Natural Resources and Pulama Lanai provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 24, S.D. 1, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cullen and Say.

SCRep. 1680 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 25

The purpose of this measure is to issue a term lease of fifty-five years and non-exclusive easement for approximately twenty-five square feet, subject to confirmation by the Department of Accounting and General Services, seaward of parcel 002, Pulawai, Lanai, identified by Tax Map Key: (2) 4-9-17 for tide pool stairs encroachment purposes.

The Department of Land and Natural Resources and Pulama Lanai provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 25, S.D. 1, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cullen and Say.

SCRep. 1681 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 82

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, nonexclusive easement covering a portion of state submerged lands fronting the property identified as tax map key: (1) 3-6-001:017, Waikiki, Honolulu, Oahu, for the use, maintenance, and repair of the existing pier constructed thereon.

The Department of Land and Natural Resources and an individual provided testimony in support of this measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 82, S.D. 1, and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Cullen and Say.

SCRep. 1682 Judiciary on S.C.R. No. 98

The purpose of this measure is to conduct a study to identify traffic offenses and crimes, petty misdemeanor offenses, and misdemeanor offenses that cause a disproportionate workload for the Judiciary and that may be appropriate for decriminalization as infractions

The Office of the Public Defender testified in support. The Judiciary provided comments.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 98, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Belatti and Lee.

SCRep. 1683 Consumer Protection & Commerce on S.C.R. No. 46

The purpose of this measure is to request the Department of Education and Department of Commerce and Consumer Affairs to convene a working group to evaluate the licensing of private trade, vocational, and technical schools in Hawaii and to submit a report of the working group's findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session 2016.

Your Committee received testimony in support of this measure from the Department of Education and an individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

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. 46, S.D. 2, and recommends its adoption.

Signed by all members of the Committee except Representatives Belatti, Har, Kawakami, Nakashima, Oshiro, Yamane and McDermott.

SCRep. 1684 Veterans, Military, & International Affairs, & Culture and the Arts on S.C.R. No. 57

The purpose of this measure is to protect the environment and public health and safety by:

- (1) Expanding the scope of the task force study on the effects of the January 2014 fuel tank leak at the Red Hill Underground Fuel Storage Facility, established under Senate Concurrent Resolution No. 73, H.D. 1, Regular Session of 2014 (SCR73), to include an additional 26 underground fuel storage tanks located throughout the State and owned by the United States military;
- (2) Adding Hawaii's Congressional delegation or their representatives to the membership of the Task Force established by S.C.R. 73;
- (3) Requesting the task force to submit another report to the Legislature to encompass the additional 26 tanks prior to the convening of the 2016 Regular Session; and
- (4) Requesting the task force to continue to monitor the United States Navy's plans for remediation of the Red Hill Underground Fuel Storage Facility fuel tank leaks.

The Department of Land and Natural Resources, Department of Health, Board of Water Supply of the City and County of Honolulu, and a concerned individual supported this measure.

As affirmed by the record of votes of the members of your Committee on Veterans, Military, & International Affairs, & Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 57, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Ito, Woodson, Matsumoto and Ward.

SCRep. 1685 Health/Human Services on S.C.R. No. 107

The purpose of this measure is to request the convening of a family caregivers working group to examine and assess legislation relating to the role of caregivers of patients discharged from hospitals.

More specifically, this measure requests the working group to address the following issues relating to S.B. No. 296, 2015:

- (1) The role of family caregivers;

- (2) The state of the current practice of designating family caregivers;
- (3) Notification of family caregivers when a hospital discharges a patient or transfers a patient to another licensed facility;
- (4) The involvement of family caregivers in hospital discharge planning and instruction;
- (5) The role of hospitals in the instruction of family caregivers; and
- (6) Legislative and regulatory recommendations on how best to involve family caregivers in the patient-discharge process and prepare family caregivers for post-discharge tasks.

The Department of Health, Policy Advisory Board for Elder Affairs, Maui County Office on Aging, AARP Hawaii, Project Dana, ILWU Local 142, Hawaii Alliance for Retired Americans, and thirteen individuals testified in support of this measure. The Legislative Reference Bureau, Healthcare Association of Hawaii, Hawaii Pacific Health, Hawaii Association of Health Plans, Queen's Health Systems, and one individual provided comments on this measure.

Your Committees find that, due to costs and other factors, family caregivers are increasingly called upon to provide continued care at home for patients who are discharged from the hospital. For example, in 2009, there were an estimated 247,000 family caregivers in Hawaii. Your Committees further find that, currently, the amount of instruction that family caregivers receive from hospitals depends largely on the discharge procedures of the particular hospital treating the patient. Your Committees believe that this variation among hospital practices illustrates a need to provide a minimum and consistent level of instruction for all caregivers statewide.

Your Committees further find that S.B. No. 2264, Senate Draft 2, House Draft 1, 2014, had sought to assist caregivers by:

- (1) Authorizing a hospital patient's designation of a caregiver in the patient's medical record;
- (2) Requiring hospitals to notify the designated caregiver prior to the patient's discharge or transfer from the hospital; and
- (3) Providing for the caregiver's receipt of a hospital discharge plan describing the patient's after-care needs.

When S.B. No. 2264, Senate Draft 2, House Draft 1, 2014, failed to advance, a family caregivers working group was established by House Concurrent Resolution No. 78, House Draft 1, Senate Draft 1, 2014, to bring the various stakeholders together to review the pertinent issues and develop solutions. However, the working group was unable to reach an agreement on key elements that were critical to resolving the various family caregiving issues.

Subsequently, S.B. No. 296, 2015, re-introduced many of the same provisions of S.B. No. 2264, Senate Draft 2, House Draft 1, 2014. The Senate Committee on Health later deferred S.B. No. 296 and, jointly with the Senate Committee on Human Services and Housing, advanced this measure instead, to rebalance the composition of the family caregivers working group and continue efforts to find common ground among the various stakeholders in advance of the Regular Session of 2016.

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

- (1) Replacing the working group with a legislative family caregivers working group consisting only of:
 - (A) The Senate and House subject matter committee chairs for health and for human services; and
 - (B) A Senate and a House member of the Kupuna Caucus, appointed by the Senate President and the Speaker of the House, respectively;
- (2) Requesting that the legislative family caregivers working group:
 - (A) In reviewing the role of hospitals in the instruction of family caregivers, also consider the role of hospital staff;
 - (B) Review the role of insurance plans in paying for the instruction of family caregivers by hospitals and hospital staff;
 - (C) Solicit input and presentations from the stakeholders that previously comprised the membership of the working group under this measure, as received by your Committees;
 - (D) Review approaches that may have been taken by other states; and
 - (E) Submit a report to the Legislature not later than twenty days before the Regular Session of 2016;
- (3) Providing for the termination of the working group after the submission of its report to the Legislature;
- (4) Clarifying that the role of the Legislative Reference Bureau under this measure is to assist the working group in conducting research and drafting a report and any proposed legislation on matters pertinent to the issues considered by the working group; and
- (5) Making technical nonsubstantive amendments for the purposes of 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 S.C.R. No. 107, S.D. 1, as amended herein, and recommend that it be adopted in the form attached hereto as S.C.R. No. 107, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Jordan and Fukumoto Chang.

SCRep. 1686 Finance on S.C.R. No. 165

The purpose of this measure is to support the co-naming of a section of 33rd Street in New York City to Father Damien Way in honor of Saint Damien de Veuster.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 165, S.D. 1, and recommends its adoption.

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

SCRep. 1687 Finance on S.C.R. No. 201

The purpose of this measure is to request the Hawaii Sister-State Committee to evaluate and develop recommendations for the initiation of a sister state relationship between the State of Hawaii and the prefecture of Hokkaido, Japan, and forward its recommendation to the Legislature, pursuant to section 229--3, Hawaii Revised Statutes, for further action.

As affirmed by the record of 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. 201, S.D. 1, and recommends its adoption.

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

SCRep. 1688 Finance on S.C.R. No. 55

The purpose of this measure is to request the Aha Moku Advisory Committee to engage stakeholders in order to develop and adopt rules for its operation and administration.

Your Committee received testimony in support of this measure from the Aha Moku Advisory Committee and the Association of Hawaiian Civic Clubs. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 55, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives DeCoite, Tokioka and Ward.

SCRep. 1689 Finance on S.C.R. No. 62

The purpose of this measure is to request the United States Secretary of Agriculture to increase the federal breakfast, lunch, and afterschool snack reimbursement rates for Hawaii.

Your Committee received written comments in support of this measure from the State Public Charter School Commission, the Hawaii Farm to School and Garden Hui, the Ulupono Initiative, and one individual.

As affirmed by the record of 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. 62 and recommends its adoption.

Signed by all members of the Committee except Representatives DeCoite, Tokioka and Ward.

SCRep. 1690 Finance on S.C.R. No. 97

The purpose of this measure is to request the Department of Education to establish a Hawaii Public Schools Financial Literacy Task Force.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Alliance for Community-Based Economic Development, Hawaii Bankers Association, Hawaii Credit Union League and two individuals. Your Committee received comments on this measure from the Department of Education.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 97, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives DeCoite, Tokioka and Ward.

SCRep. 1691 Finance on S.C.R. No. 162

The purpose of this measure is to request a financial audit of information technology expenditures in the State Executive branch.

As affirmed by the record of 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. 162 and recommends its adoption.

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

SCRep. 1692 Finance on S.C.R. No. 185

The purpose of this measure is to request the Department of Education to organize and coordinate out-of-school programs for kindergarten through twelfth grade and identify funding opportunities for current and future Department of Education out-of-school programs.

Your Committee received testimony in support of this measure from the Department of Education.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 185, S.D. 1, and recommends its adoption.

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

SCRep. 1693 Finance on S.C.R. No. 82

The purpose of this measure is to authorize the issuance of a term, nonexclusive easement covering a portion of state submerged lands fronting the property identified as tax map key: (1) 3-6-001:017, Waikiki, Honolulu, 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 S.C.R. No. 82, S.D. 1, and recommends its adoption.

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

SCRep. 1694 Finance on S.C.R. No. 2

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement to Kahaluu Pond, Inc., for the use, repair, and maintenance of the seawall located at Kahaluu, Koolaupoko, Oahu, TMK: (1) 4-7-011: seaward of 001.

As affirmed by the record of 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. 2 and recommends its adoption.

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

SCRep. 1695 Finance on S.C.R. No. 14

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering portion of state submerged lands at Kahaluu, Koolaupoko, Oahu, for the use, maintenance, and repair of the existing seawall constructed thereon.

As affirmed by the record of 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. 14 and recommends its adoption.

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

SCRep. 1696 Finance on S.C.R. No. 15

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering portion of state submerged lands at Kahuku, Koolauloa, Oahu, for the use, maintenance, and repair of the existing drainage structure constructed thereon.

As affirmed by the record of 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. 15 and recommends its adoption.

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

SCRep. 1697 Finance on S.C.R. No. 16

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering portion of state submerged lands at Hauula, Koolauloa, Oahu, for the use, maintenance, and repair of portion of the existing residence, foundation, and lanai constructed thereon.

As affirmed by the record of 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. 16 and recommends its adoption.

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

SCRep. 1698 Finance on S.C.R. No. 17

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering portion of state submerged lands at Kaneohe, Koolaupoko, Oahu, for the use, maintenance, and repair of the existing CRM wall, landscaping area, floating dock, and concrete pier purposes constructed thereon.

As affirmed by the record of 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. 17 and recommends its adoption.

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

SCRep. 1699 Finance on S.C.R. No. 24

The purpose of this measure is to authorize the issuance of a term lease and non-exclusive easement for pier pilings encroachment purposes at Pulawai, on the island of Lanai.

As affirmed by the record of 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. 24, S.D. 1, and recommends its adoption.

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

SCRep. 1700 Finance on S.C.R. No. 25

The purpose of this measure is to authorize the issuance of a term lease and non-exclusive easement for the tide pool stairs encroachment purposes in the Manele-Hulopoe Marine Life Conservation District on the island of Lanai.

As affirmed by the record of 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. 25, S.D. 1, and recommends its adoption.

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

SCRep. 1701 Finance on S.C.R. No. 88

The purpose of this measure is to request the Information Privacy and Security Council, in cooperation with the State Chief Information Officer Council, to assess existing procedures of notification following the breach of personal information.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 88, S.D. 1, and recommends its adoption.

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

SCRep. 1702 Finance on S.C.R. No. 8

The purpose of this measure is to approve the sale of the leased fee interest in 41-665 Inoaole Street, Waimanalo, Hawaii.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and the Hawaii Housing Finance and Development Corporation. The Office of Hawaiian Affairs submitted written comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 8, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives DeCoite, Tokioka and Ward.
(Representative Jordan voted no.)

SCRep. 1703 Finance on S.C.R. No. 9

The purpose of this measure is to approve the sale of the leased fee interest in 41-575 Inoaole Street, Waimanalo, Hawaii.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and the Hawaii Housing Finance and Development Corporation. The Office of Hawaiian Affairs submitted written comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 9 and recommends its adoption.

Signed by all members of the Committee except Representatives DeCoite, Tokioka and Ward.
(Representative Jordan voted no.)

SCRep. 1704 Finance on S.C.R. No. 10

The purpose of this measure is to approve the sale of the leased fee interest in 41-543 Inoa Street, Waimanalo, Hawaii.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and the Hawaii Housing Finance and Development Corporation. The Office of Hawaiian Affairs submitted written comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 10 and recommends its adoption.

Signed by all members of the Committee except Representatives DeCoite, Tokioka and Ward.
(Representative Jordan voted no.)

SCRep. 1705 Finance on S.C.R. No. 11

The purpose of this measure is to approve the sale of the leased fee interest in 94-944 Meheula Parkway, No. 153, Mililani, Hawaii.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and the Hawaii Housing Finance and Development Corporation. The Office of Hawaiian Affairs submitted written comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 11, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives DeCoite, Tokioka and Ward.

SCRep. 1706 Finance on S.C.R. No. 12

The purpose of this measure is to approve the sale of the leased fee interest in 95-015 Kuahelani Avenue, No. 319, Mililani, Hawaii.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and the Hawaii Housing Finance and Development Corporation. The Office of Hawaiian Affairs submitted written comments on the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12 and recommends its adoption.

Signed by all members of the Committee except Representatives DeCoite, Tokioka and Ward.