

SCRep. 1-16 Judiciary on H.B. No. 1166

The purpose of this measure is to expand the variety of conduct that constitutes abuse of a family or household member to include the impediment of breathing or circulation of blood by the application of pressure to the mouth or nose, in addition to existing standards for the neck or throat.

Your Committee finds that the current class C felony law for impeding the normal breathing or circulation of the blood is limited to incidents where pressure is applied to the throat or neck of a person. This measure adds applying pressure to the mouth or nose to the heightened offense.

As supported by the testimony, there is a need to vigorously prosecute domestic violence in the state and take strong actions to deter future acts of domestic violence. Local law enforcement and prosecutor agencies have handled numerous cases involving strangulation or suffocation where the perpetrator blocked the victim's mouth or nose to prevent breathing, but prosecutors were unable to bring felony charges under the existing statute. Though certain extreme incidents involving suffocation may be subject to prosecution as a more serious offense under a different statute, the extremely narrow language of the existing statute has proven to be a barrier to prosecution in many situations.

The legislature's original intent in enacting heightened penalties for acts of domestic abuse involving strangulation or suffocation was to narrowly apply these penalties to acts that deliberately target critical areas. Your Committee finds that this measure is in accord with that intent and notes that statutory language requiring intentional or knowing conduct is preserved.

The Honolulu Police Department, County of Hawaii Office of the Prosecuting Attorney, County of Kauai Office of the Prosecuting Attorney, and two individuals testified in support of this measure. The Office of the Public Defender testified in opposition to 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. 1166 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 2-16 Judiciary on H.B. No. 237

The purpose of this measure is to amend the requirements for ethics training for state employees and officials by:

- (1) Requiring all persons who are required to file a financial disclosure form, all members of state boards, and all state employees responsible for procurement, contract administration, and regulation or inspection of private organizations to complete ethics training within thirty days of assuming office or employment and every four years thereafter;
- (2) Clarifying the scope of content required and other administrative requirements for ethics training courses; and
- (3) Authorizing online courses for certain state employees.

The League of Women Voters of Hawaii testified in support of this measure. Several individuals opposed this measure. The State Ethics Commission commented on this measure.

Your Committee recognizes that county employees and county board members are trained by their respective counties in the applicable county ethics requirements and should be excluded from state ethics training. Similarly, as candidates for office are subject to the Ethics Code on only a limited basis and are subject to the oversight of other state regulatory agencies, they should therefore be excluded from these ongoing ethics training requirements. Your Committee notes that the State Ethics Commission testified that in-person training is most effective and should be required for the first training session for all persons subject to the requirement.

Your Committee has amended this measure by:

- (1) Specifying that the ethics training requirements do not apply to county employees, county board members, and candidates seeking state or county office;
- (2) Specifying that all covered individuals shall complete the initial course in person at the next available opportunity after election, appointment, or hiring;
- (3) Specifying that a question-and-answer segment is not required to be included in the training courses offered;
- (4) Requiring each state agency and board to identify and notify their own officers and employees of the training requirements;
- (5) Appropriating funds to the State Ethics Commission for in-person and online ethics training and related activities; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 237, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 3-16 Judiciary 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 establishing a "Kiwila Pono" or "Champion of Democracy" designation program for employers to indicate their participation in the program.

The State of Hawaii Office of Elections and an individual provided testimony in support of the measure.

Your Committee chose to exclude public employees from the "Kiwila Pono" program because they already receive a paid day off for Election Day. Following the practice related to jury duty, your Committee has required that any additional earnings from Election Day work be given to the employer. Your Committee also wanted to extend "Kiwila Pono" status to the employees working as Election Day workers.

Accordingly, your Committee has amended this measure by:

- (1) Giving the designation of "Kiwila Pono" to the employees, in addition to employers, who participate in the program as Election Day workers;
- (2) Making the program only applicable to non-public employers;
- (3) Specifying that allowing at least one employee leave with pay to work on Election Day will qualify employers for the designation;
- (4) Requiring that employees give any earnings received from Election Day work back to their employer; 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. 1474, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1474, H.D. 2.

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

SCRep. 4-16 Judiciary on S.B. No. 911

The purpose of this measure, as received by your Committee, is to prohibit the use of latex gloves by personnel in dental health facilities, health care facilities except hospital operating rooms that abide by latex-safe environment protocols, ambulance and emergency medical services, and food establishments.

For purposes of the public hearing, your Committee circulated a proposed draft that deletes the provisions of the measure as it was received by your Committee and inserts new language that:

- (1) Prohibits all personnel in dental health facilities, health care facilities, and emergency services from using latex gloves for patient care when the patient is unable to communicate but permits it if the patient can communicate and affirms that the patient is not allergic to latex; and
- (2) Prohibits all personnel in food service establishments from using latex gloves.

Your Committee finds that latex allergy can cause reactions that range from mild skin irritation to fatal anaphylaxis. It is estimated that 3,000,000 people in the United States are afflicted with this allergy. For many, because there is no cure, the strict avoidance of any exposure to latex is their only relief. This measure protects the affected public by restricting the use of latex gloves by personnel working in dental health and health care settings to circumstances where the patient is able to confirm that the use of latex is safe. This measure also protects workers and the public in food service settings by prohibiting latex gloves altogether.

Your Committee received testimony from numerous concerned individuals in support of the proposed draft. The Hawaii Dental Association testified in opposition. Two concerned individuals provided comments.

Your Committee considered both S.B. No. 911, S.D. 2, H.D.1 as it was received by your Committee and the proposed draft. Upon careful consideration, your Committee voted to accept the proposed draft, with an additional amendment inserting an effective date of February 15, 2013, 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. 911, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 911, S.D. 2, H.D. 2.

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

SCRep. 5-16 Judiciary 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 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 the Department of the Attorney General testified in support of this measure.

Your Committee finds that the Attorney General has the ability to prosecute not only health care providers, but also individual recipients, who commit medical assistance fraud. This measure strengthens the State's ability to seek restitution by extending the statute of limitations to three years after the discovery of the offense, but not more than six years after the commission of the offense.

Your Committee has amended this measure by removing the element of "wilfully" from the offense of medical assistance fraud so that a person commits medical assistance fraud if the person knowingly makes or causes to be made any false statement or misrepresentation of a material fact relative to the medical 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 H.B. No. 900, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 900, H.D. 2.

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

SCRep. 6-16 Judiciary 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 may be made by the Department of Health only pursuant to a court order or the 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 the Attorney General, Department of Health, and Office of Information Practices testified in support of the measure.

Your Committee finds that the Department of Health's authority to amend the identity of parents on a registrant's birth certificate is subject to the requirements for establishing parentage contained in chapter 584, Hawaii Revised Statutes. This type of amendment is not a correction to a personal record under chapter 92F, Hawaii Revised Statutes, because it affects the rights and duties associated with a parental relationship. This measure increases the accuracy of the State's vital records and protects the due process rights of the people affected by an amendment of parentage on a 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. 939 and recommends that it pass Third Reading.

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

SCRep. 7-16 Judiciary 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. Among other things, this measure:

- (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, the Office of Planning, The Nature Conservancy of Hawaii, and an individual testified in support of this measure.

Your Committee finds that establishing the Monument program demonstrates the State's commitment to preserving precious resources within the Monument. Furthermore, the proposed system of permits, fees, and penalties supports the State's ability to perform its responsibilities as co-manager of the Monument.

Your Committee has amended this measure by:

- (1) Placing the Monument program within the Division of Aquatic Resources, Department of Land and Natural Resources; 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. 629, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 629, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Woodson and McDermott.

SCRep. 8-16 Health on H.B. No. 1013

The purpose of this measure is to establish the Right to Try Act, which, among other things:

- (1) Authorizes manufacturers to make investigational drugs, biological products, or devices that have not yet been finally approved by the United States Food and Drug Administration, available to terminally ill patients who have written, informed consent; and
- (2) Exempts from liability and sanctions, the manufacturer of investigational drugs, biological products, or devices as well as persons who are involved in a patient's participation in such experimental treatments for terminal illness.

The Hawaii Association for Justice and Goldwater Institute commented on this measure.

Your Committee respectfully requests the House Committee on Consumer Protection & Commerce, should it consider this measure, to consider whether the definition of "terminal illness" should be further defined, narrowed, or expanded.

Your Committee has amended this measure by:

- (1) Making technical, nonsubstantive amendments for clarity, consistency, and style; 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. 1013, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1013, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 9-16 Judiciary on S.B. No. 1067

The purpose and intent of this measure is to amend Hawaii's charitable solicitation law to:

- (1) Clarify that only charitable organizations that solicit contributions from the public are subject to registration requirements and allow charities that have a group exemption ruling from the Internal Revenue Service to register on behalf of all subordinate organizations;
- (2) Clarify provisions applicable to commercial co-venturers and create penalties for noncompliance;
- (3) Provide for electronic submission of end of solicitation campaign financial reports by registered professional solicitors;
- (4) Impose a late fee for the late submission of annual financial reports by registered professional solicitors identical to the existing late fee in section 467B-6.5(e), Hawaii Revised Statutes (HRS), for the late submission of financial reports by registered charities;
- (5) Repeal the annual fee for charitable organizations that have under \$25,000 in gross revenues and tie the requirement for audited financial statements to "contributions" and not gross revenues; and
- (6) Clarify the registration exemption applicable to accredited educational institutions and facilitate the electronic submission of exemption applications by charitable organizations eligible for a registration exemption.

The Department of the Attorney General, Association of Fundraising Professionals Aloha Chapter, Aloha United Way, and Hawaii Alliance of Nonprofit Organizations testified in support of this measure.

Your Committee has amended this measure by:

- (1) Amending the definitions of "professional fund-raising counsel" or "professional fundraising counsel" and "solicit" and "solicitation" to clarify that persons who merely write applications for grants on behalf of charitable organizations are not subject to this chapter;
- (2) Clarifying that the submission of a grant or subsidy proposal or application to a governmental authority or charitable organization exempt from section 501(c)(3) of the Internal Revenue Code is not considered a solicitation; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee finds that this measure is necessary to clarify that charitable organizations, including most private foundations and endowed charities, that do not solicit contributions are not subject to registration requirements under chapter 467B, HRS.

Current law provides for the electronic registration by charitable organizations that must register with the Attorney General. This measure would also provide for the electronic submission of the financial reports that professional solicitors are required to submit to the Attorney General at the end of a solicitation campaign that the professional solicitor has conducted on behalf of a charity. These electronic submissions are expected to substantially reduce the administrative workload and improve public access to reported information.

In April 2015, the Department of the Attorney General deployed an Internet-based registration and registration renewal system for professional solicitors and professional fundraising counsels. The system processes registrations and renewals and allows registered fundraisers to submit contracts, and also allows registered professional solicitors to submit their end of solicitation campaign financial reports electronically as well. In addition, this system provides for more robust public access to information that is submitted by registered fundraisers that used to be submitted in paper form and then compiled on the Attorney General's website.

The measure changes the audit threshold, which is currently tied to the charitable organization's gross revenues, and shifts it to the value of the contributions that the organization has received in the previous year. This change will spare many registered charities the significant expense of conducting audits based on the fact that under chapter 467B, HRS, the definition of "contribution" does not include amounts received for membership dues, government grants, or grants from other organizations that have been granted tax exempt status under section 501(c)(3) of the Internal Revenue Code.

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. 1067, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1067, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 10-16 Judiciary on H.B. No. 32

The purpose of this measure is to clarify when a pedestrian is considered within the intersection or crosswalk of a roadway for purposes of determining when vehicular traffic must yield to the pedestrian.

The Honolulu Police Department testified in support of this measure. The Department of Transportation submitted comments.

Your Committee places a high priority on pedestrian safety and is concerned that many pedestrians are injured or killed when crossing streets each year. Your Committee finds that clarifying when a driver shall stop and yield to a pedestrian crossing the roadway will make Hawaii's streets safer for everyone.

Your Committee finds that this measure provides necessary clarity to determine when a pedestrian has entered the crosswalk or intersection. This measure does not affect other laws that prohibit the pedestrian from creating a dangerous situation by suddenly entering the roadway into the path of an oncoming vehicle.

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. 32 and recommends that it pass Third Reading.

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

SCRep. 11-16 Judiciary on H.B. No. 901

The purpose of this measure is to assist the Department of the Attorney General and Harbors Division of the Department of Transportation 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 affected agencies; and
- (2) Including official vehicles of the Department of the Attorney General and Harbors Division in the statutory definition of "authorized emergency vehicle."

The Department of the Attorney General, Department of Transportation, and one concerned individual testified in support of the measure.

Under current law, the Attorney General's investigators have all powers and authority of police officers or deputy sheriffs. 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 will explicitly allow the use of emergency response lights on approved enforcement vehicles of both agencies and assist them in enforcing the laws of the State.

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. 901 and recommends that it pass Third Reading.

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

SCRep. 12-16 Housing on H.B. No. 1962

The purpose of this measure is to remove the \$38,000,000 statutory cap on conveyance tax revenues that are allocated to the Rental Housing Revolving Fund to increase funding available to produce affordable rental units.

The Governor's Coordinator on Homelessness, Hawaii Housing Finance and Development Corporation, Hawaii Association of Realtors, Faith Action for Community's Housing Task Force, and a concerned individual supported this measure. The Building Industry Association of Hawaii supported the intent of this measure. The Tax Foundation of Hawaii provided comments.

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. 1962, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1962, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 13-16 Judiciary on H.B. No. 182

The purpose of this measure is to:

- (1) Remove the "wilfulness" requirement from violations relating to a lobbyist's failure to file a statement, or the filing of a false statement with the State Ethics Commission; and
- (2) Subject both violations to a strict liability standard.

The Hawaii State Ethics Commission and Common Cause Hawaii testified in support of this measure. A concerned individual testified in opposition. The League of Women Voters of Hawaii provided comments.

Your Committee finds that strict liability is the appropriate standard for a lobbyist's failure to file a statement or report. However, negligence is an appropriate standard for a lobbyist filing a false or incomplete statement or report.

Your Committee has amended this measure by requiring a negligence standard for the filing of a statement or report that contains false information or a material omission of any fact.

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. 182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 182, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Creagan, Lee, Morikawa, Woodson and McDermott.

SCRep. 14-16 Labor & Public Employment on H.B. No. 129

The purpose of this measure is to authorize the Contractors License Board, for purposes of vocational licensing, to accept reasonably equivalent knowledge, training, or applicant experience in lieu of license specific experience requirements.

The Ironworkers Stabilization Fund testified in support of this measure. The Contractors License Board, International Union of Elevator Constructors, Hawaii Construction Alliance, Building Industry Association of Hawaii, and Pacific Resource Partnership testified in opposition to this measure.

To address concerns raised at the public hearing, your Committee has amended this measure by clarifying that the reasonably equivalent knowledge, training, and applicant experience licensing substitutes that the Contractors License Board may accept under this measure do not apply to elevator mechanics. However, given the licensing scheme for elevator mechanics under chapter 448H, Hawaii Revised Statutes, there remains a question whether this amendment is necessary. Accordingly, should the Committee on Consumer Protection and Commerce choose to deliberate on this measure further, your Committee respectfully requests that it consider whether the amendment should be deleted.

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. 129, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 129, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 15-16 Labor & Public Employment on H.B. No. 1752

The purpose of this measure is to appropriate funds for one full-time equivalent position as grant administrative support personnel in the Office of Community Services for fiscal year 2016-2017.

The Department of Labor and Industrial Relations' Office of Community Services, Chamber of Commerce Hawaii, and two individuals testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2021, to facilitate 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. 1752, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1752, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 16-16 Labor & Public Employment on H.B. No. 953

The purpose of this measure is to increase the amount of guaranteed monthly compensation required to exempt certain salaried workers from the State's Wage and Hour Law.

The Department of Labor and Industrial Relations and an individual testified in support of this measure. Hawaii Food Industry Association and Chamber of Commerce Hawaii testified in opposition. Society for Human Resource Management Hawaii Chapter provided comments.

Your Committee has amended this measure by:

- (1) Replacing the formula used to calculate the minimum exempt salary with a flat rate of \$2,400, which represents a \$400 per month increase over the current statutory minimum; and
- (2) Changing its effective date to January 1, 2021, to facilitate 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. 953, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 953, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 17-16 Labor & Public Employment on H.B. No. 1713

The purpose of this measure is to exempt extracurricular service of employees from the prohibition on receipt of gifts contained in the State Ethics Code if certain conditions are met.

The Hawaii State Teachers Association, IMUAlliance, and several individuals testified in support of this measure. The Hawaii State Ethics Commission testified in opposition.

Your Committee has amended this measure by:

- (1) Adding a section to repeal section 84-1, Hawaii Revised Statutes, relating to the statutory construction of the State Ethics Code; 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. 1713, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1713, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 18-16 Finance on H.B. No. 2720

The purpose of this measure is to appropriate funds for the legislative branch of state government. Among other things, this bill appropriates:

- (1) \$8,878,376 to the Senate;
- (2) \$12,130,374 to the House of Representatives;
- (3) \$2,978,549 to the Office of the Auditor;
- (4) \$2,800,000 for deposit into the Audit Revolving Fund;
- (5) \$6,300,000 from the Audit Revolving Fund to the Office of the Auditor to conduct or complete its audit functions;
- (6) \$3,463,419 to the Legislative Reference Bureau;
- (7) \$1,216,970 to the Office of the Ombudsman; and
- (8) \$1,009,695 to the State Ethics Commission.

The Office of the Auditor, Office of the Ombudsman, Hawaii State Ethics Commission, and League of Women Voters of Hawaii 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. 2720 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. 19-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2046

The purpose of this measure is to;

- (1) Authorize the Adjutant General to have charge of all state property leased to the United States Army; and
- (2) Transfer such lands to the Department of Defense by June 30, 2017.

The Sierra Club of Hawaii opposed this bill. 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 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. 2046 and recommends that it pass Second Reading and be referred to your Committee on Water & Land.

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

SCRep. 20-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2197

The purpose of this measure is to appropriate funds to finance warehouse capital improvements for the Hawaii Army National Guard at the Pohakuloa Training Area on the island of Hawaii.

The Department of Defense and the Chamber of Commerce Hawaii supported 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. 2197 and recommends that it pass Second Reading and be referred to your Committee on Water & Land.

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

SCRep. 21-16 Human Services on H.B. No. 1516

The purpose of this measure is to clarify the Legislature's intent that the Internet Crimes Against Children fee shall be assessed against every defendant who is convicted of a misdemeanor or felony regardless of the nature of the offense by moving the statute that established that fee and its corresponding special fund and administrative requirements from its own statutory chapter to a more appropriate placement within Chapter 706, Hawaii Revised Statutes, which relates to the disposition of convicted defendants.

The Department of the Attorney General and a concerned 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 is in accord with the intent and purpose of H.B. No. 1516 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 22-16 Human Services on H.B. No. 1599

The purpose of this measure is to:

- (1) Require and provide funds to medical assistance programs, including Medicaid and QUEST, to give coverage for chiropractic care for up to 24 visits in a calendar year; and
- (2) Require the Department of Human Services to submit a request to the Centers for Medicare and Medicaid Services to amend the state Medicaid plan to include chiropractic services as a benefit, allowing the State to receive federal reimbursement.

Several concerned individuals supported this measure. The Department of Human Services provided comments.

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. 1599, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1599, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Belatti.

SCRep. 23-16 Human Services on H.B. No. 1772

The purpose of this measure is to appropriate funds to the Department of Human Services to restore basic adult dental benefits to Medicaid and QUEST integration enrollees.

The State Council on Developmental Disabilities, Queen's Health Systems, Hawaii Primary Care Association, Ho'ola Lahui Hawaii, Waikiki Health, Hawaii Dental Association, Hawaii Public Health Association, Kokua Kalihi Valley Comprehensive Family Services, Waimanalo Health Center, Hawaiian Hope, Waianae Coast Comprehensive Health Center, DentaQuest, and many individuals supported this measure. The Department of Health and Department of Human Services provided comments.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated to restore basic adult dental benefits to Medicaid and Hawaii QUEST integration enrollees 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 on Human Services respectfully requests that it consider appropriating \$4,800,000 for the purpose of restoring basic adult dental benefits to Medicaid and Hawaii QUEST integration enrollees.

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. 1772, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1772, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Belatti.

SCRep. 24-16 Human Services on H.B. No. 1693

The purpose of this measure is to amend the household income level and unit availability eligibility requirements for low-income housing and mixed-income rental projects receiving loans and grants from the Rental Housing Revolving Fund.

The Hawaii Appleseed Center for Law & Economic Justice, PHOCUSED, Catholic Charities of Hawaii, Hawaii Children's Action Network, Partners in Care, and several individuals supported this measure. The Building Industry Association of Hawaii and the Chamber of Commerce Hawaii supported the intent of this measure. The Hawaii Housing Finance and Development Corporation opposed 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. 1693, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1693, H.D. 1, and be referred to your Committee on Housing.

Signed by all members of the Committee except Representative Belatti.

SCRep. 25-16 Housing on H.B. No. 2244

The purpose of this measure is to appropriate funds for the following housing programs and services:

- (1) The Rental Housing Revolving Fund to be used for rental housing units;
- (2) The State's Housing First Program to be used for the continued implementation of the Program and expansion of the Program outside Oahu;
- (3) The repair and maintenance of the Hawaii Public Housing Authority's existing public housing stock; and
- (4) A rental assistance program, also known as the shallow subsidy program, within the Department of Human Services to be used for homeless working individuals and their families who are ready to rent permanent housing, with certain eligibility requirements.

The Hawaii Housing Finance and Development Corporation and a concerned individual supported this measure. The Governor's Coordinator on Homelessness, Department of Human Services, Hawaii Public Housing Authority, and Hawaii Association of Realtors supported the intent of this measure. The State Procurement Office provided comments.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated for the continued implementation and expansion of the State's Housing First Program, the repair and maintenance of the Hawaii Public Housing Authority's existing public housing stock, and the shallow subsidy program to unspecified amounts to facilitate further discussion;
- (2) Changing the effective date to July 1, 2050, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate on this measure further, your Committee on Housing respectfully requests that it consider restoring the following appropriations:

- (1) \$3,000,000 for the continued implementation of the State's Housing First Program and expansion of the Program outside of Oahu to assist residents who are chronically homeless;
- (2) \$180,000,000 for the repair and maintenance of the Hawaii Public Housing Authority's existing public housing stock; and
- (3) \$2,000,000 for the shallow subsidy 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. 2244, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2244, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 26-16 Housing on H.B. No. 1575

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate bond funds to the County of Kauai to purchase properties on the east side of the island of Kauai for use as affordable rental housing.

The Chair of the Kauai County Council, two council members of the Kauai County Council, and a concerned individual supported this measure.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated and the sum of general obligation bonds authorized to be issued by the Director of Finance to an unspecified amount;

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

Should your Committee on Finance deliberate this measure further, your Committee on Housing respectfully requests that it consider authorizing \$5,000,000 in general obligation bonds and appropriated funds for the purchase of properties on the east side of the island of Kauai.

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. 1575, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1575, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 27-16 Consumer Protection & Commerce on H.B. No. 726

The purpose of this measure, as received by your Committee, is to:

- (1) Require health insurers with greater than twenty percent share of the State's small group health insurance market to offer gold and silver level qualified health plans as a condition of participation in the individual market of the Hawaii Health Connector; and
- (2) Require the issuer of each qualified plan participating in the Hawaii Health Connector to offer to contract with federally qualified health centers.

For the purposes of a public hearing on this measure, your Committee circulated Proposed H.B. 726, H.D.2, and notified the public that it would be accepting testimony on the proposal, which repeals chapter 435H, Hawaii Revised Statutes, Hawaii Health Insurance Exchange, and makes a conforming amendment elsewhere in the Hawaii Revised Statutes to reflect this repeal.

Your Committee received testimony from the following organizations on the proposed draft:

The Department of Labor and Industrial Relations and Chamber of Commerce Hawaii testified in support of this measure. The Department of Commerce and Consumer Affairs provided comments on this measure.

Your Committee, upon careful consideration, adopted the proposed draft with the following amendments:

- (1) Specifying that the Insurance Commissioner may request that a managed care plan demonstrate the adequacy of its provider network for qualified health plans to be listed with the Affordable Care Act marketplace at the time that it files its health plan benefit document with the Insurance Commissioner;
- (2) Changing its 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 there is a similar measure to this one currently being considered by your Committee on Health and that there is a detailed discussion occurring in that Committee. Therefore, your Committee respectfully requests that your Committee on Finance harmonize the two measures in its consideration of 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. 726, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 726, H.D. 2.

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

SCRep. 28-16 Water & Land on H.B. No. 2048

The purpose of this measure is to resolve ownership issues involving the roads in the Kakaako Community Development District by prohibiting the Hawaii Community Development Authority from approving community development plans or permit applications without first executing a memorandum of understanding between all the involved parties acknowledging the ownership of each public street or highway adjacent to the community development plan or permit. This measure also requires the Authority to accept ownership of public streets and highways in the case of a dispute.

The Hawaii Community Development Authority and the Kakaako Public Infrastructure and Facilities Working Group provided testimony in support of 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 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. 2048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2048, H.D. 1, and be referred to your Committee on Transportation.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 29-16 Water & Land on H.B. No. 2047

The purpose of this measure is to improve the electrical infrastructure at Kalaeloa by requiring the Hawaii Community Development Authority to undertake and complete the Kalaeloa Energy Corridor Project.

The Department of Defense provided testimony in support 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2047, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2047, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 30-16 Water & Land on H.B. No. 2037

The purpose of this measure is to appropriate money to the Department of Land and Natural Resources for hosting the 2016 International Union for Conservation of Nature World Conservation Congress meeting at the Hawaii Convention Center in September 2016.

The Department of Land and Natural Resources, the Trust for Public Land, Conservation Council of Hawaii, Humane Society of the United States-Hawaii, and Kua'aina Ulu 'Auamo 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. 2037 and recommends that it pass Second Reading and be referred to your Committee on Tourism.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 31-16 Water & Land on H.B. No. 2036

The purpose of this measure is to provide an automatic ninety-day extension to the Department of Land and Natural Resources' timeline for approval of land use permits for conservation land to allow for the completion of an environmental impact statement or contested case hearing before the Department's failure to render a decision results in an automatic approval of the application.

The Department of Land and Natural Resources, Chamber of Commerce Hawaii, Kona-Kohala Chamber of Commerce, and several individuals provided testimony in support of this measure. An individual provided comments.

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. 2036, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2036, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 32-16 Water & Land on H.B. No. 2097

The purpose of this measure is to require the Hawaii Public Housing Authority to coordinate planning with the Office of Planning and develop projects with the Hawaii Housing Finance and Development Corporation for any public housing project located on property within one-half mile of a transit station.

The Governor's Coordinator on Homelessness; Office of Planning; and Hawaii Housing Finance and Development Cooperation provided testimony in support of this measure. The Hawaii Public Housing Authority provided comments.

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. 2097, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2097, H.D. 1, and be referred to your Committee on Housing.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 33-16 Health on H.B. No. 1673

The purpose of this measure is to help patients in the State obtain access to critical, life-sustaining medical supplies by establishing the Durable Medical Equipment Supplier License Program to license durable medical equipment suppliers that sell, dispense, deliver, or service durable medical equipment to consumers in the State.

The Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Hawaii COPD Coalition, Hawaii Primary Care Association, and an individual supported this measure. The Department of Health, Board of Pharmacy, and Hawaii Medical Service Association commented on this measure.

Your Committee notes the testimony of the Department of Health that the cost to implement and manage the Durable Medical Equipment Supplier License Program would exceed by twofold the revenue estimated to be collected if licensing fees are established within the maximum fee amount proposed by this measure.

Upon consideration, your Committee has amended this measure by:

- (1) Increasing the license fee assessed on each durable medical equipment supplier from no more than \$150 to no more than \$300;
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1673, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1673, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 34-16 Housing on H.B. No. 2243

The purpose of this measure is to permanently prohibit the counties from requiring the installation or retrofitting of automatic fire sprinklers or automatic fire sprinkler systems in new or existing detached one- or two-family dwelling units in residential structures and non-residential agricultural and aquacultural structures outside an urban area by repealing the sunset date of Act 83, Session Laws of Hawaii 2012.

The Building Industry Association of Hawai'i, Chamber of Commerce Hawai'i, and a concerned individual supported this measure. The State Fire Council, Honolulu Fire Department, Hawaii County Fire Department, and Kauai County Fire Department opposed this measure.

Your Committee has amended this measure by:

- (1) Adding a new section to require contractors to disclose to purchasers, prior to agreeing to the final price for the construction of a new dwelling:
 - (A) Written material approved by the State Fire Council detailing the benefits of an automatic fire sprinkler; and
 - (B) A written estimate detailing the costs associated with the installation and maintenance of an automatic fire sprinkler; and
- (2) 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. 2243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2243, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 35-16 Labor & Public Employment on H.B. No. 1801

The purpose of this measure is to reduce executive and managerial salaries at the University of Hawaii for fiscal year 2016-2017 to the extent necessary to provide \$4,000,000 in the same fiscal year for graduate assistant salaries.

The University of Hawaii at Manoa Graduate Student Organization and four individuals testified in support of this measure. The University of Hawaii testified in opposition.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 1801, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1801, H.D. 1, and be referred to your Committee on Higher Education.

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

SCRep. 36-16 Labor & Public Employment on H.B. No. 1940

The purpose of this measure is to establish a collective bargaining unit for graduate student assistants employed at the University of Hawaii.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, the Hawaii State AFL-CIO, the University of Hawaii Professional Assembly, the University of Hawaii at Manoa Graduate Student Organization, ILWU Local 142 and several individuals testified in support of this measure. The University of Hawaii, the Department of Budget and Finance, and the Office of Collective Bargaining testified in opposition.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 1940, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1940, H.D. 1, and be referred to your Committee on Higher Education.

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

SCRep. 37-16 Labor & Public Employment on H.B. No. 1556

The purpose of this measure is to prohibit the University of Hawaii from adopting or maintaining a policy that precludes a person from working at the University in a non-executive or non-managerial position solely because that person is a legislator or other official elected to a non-statewide public office within the State. This measure does not apply if the duties and schedule related to public office unreasonably conflict with the University position.

The University of Hawaii Professional Assembly testified in support of this measure. The University of Hawaii testified in opposition.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 1556, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1556, H.D. 1, and be referred to your Committee on Higher Education.

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

SCRep. 38-16 Labor & Public Employment on H.B. No. 1530

The purpose of this measure is to require the University of Hawaii at Manoa to provide its nonsupervisory blue collar employees in collective bargaining unit (1) or one of their family members with tuition waivers comparable to the tuition waivers provided to faculty and their family members.

The University of Hawaii testified in opposition. The United Public Workers, AFSCME Local 646, AFL-CIO, and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provided comments.

Your Committee notes that it has concerns about increasing benefits for university employees through legislation and not collective bargaining discussions.

Should the Committee on Higher Education deliberate on this measure further, your Committee on Labor & Public Employment respectfully requests that it look at the possibility of providing free community college classes for nonsupervisory blue collar employees.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 1530, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1530, H.D. 1, and be referred to your Committee on Higher Education.

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

SCRep. 39-16 Labor & Public Employment on H.B. No. 2204

The purpose of this measure is to repeal statutory sections related to annual increment and longevity step salary increases for Department of Education teachers and educational officers that have become obsolete because these increases are determined through collective bargaining.

The Department of Education and the Department of the Attorney General testified in support of this measure. One individual testified in opposition. One individual provided comments.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 2204, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2204, H.D. 1, and be referred to your Committee on Education.

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

SCRep. 40-16 Labor & Public Employment on H.B. No. 2311

The purpose of this measure is to prevent the overpayment of benefits and waste of public funds by extending, for an additional two years, the authority of the Department of Health to disclose personally identifiable information and other confidential data for deceased individuals recorded by the Department of Health to state agencies maintaining official lists of persons and that are prohibited from sharing information from the lists by Federal law.

The Department of Health, Department of Human Services, and Hawaii Employer-Union Health Benefits Trust Fund testified in support of this measure. The Grassroot Institute of Hawaii 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 is in accord with the intent and purpose of H.B. No. 2311 and recommends that it pass Second Reading and be referred to your Committee on Health.

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

SCRep. 41-16 Labor & Public Employment on H.B. No. 1529

The purpose of this measure is to allow graduate student assistants employed by the University of Hawaii to collectively bargain their wages, hours, and other terms of employment.

Specifically, pursuant to this measure:

- (1) Representatives from the University of Hawaii and exclusive representatives of bargaining units for employees at the University of Hawaii will meet to discuss, determine, and agree on the scope of negotiable items;
- (2) These representatives will report to the legislature; and
- (3) The Legislature will consider the report and determine whether the State's collective bargaining laws need to be amended.

The University of Hawaii at Manoa Graduate Student Organization, the Hawaii State AFL-CIO, the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and four individuals testified in support of this measure. The Office of Collective Bargaining, University of Hawaii, and the Department of Budget and Finance testified in opposition.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2091, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1529, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1529, H.D. 1, and be referred to your Committee on Higher Education.

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

SCRep. 42-16 Labor & Public Employment on H.B. No. 1228

The purpose of this measure is to establish a \$2,500 monetary bonus for each teacher that achieves "teacher leader" credentials, as designated by the Hawaii Teacher Standards Board and as added to the teacher's standard or advanced teaching license.

The Department of Education and two individuals testified in support of this measure. The Hawaii State Teachers Association provided comments.

Your Committee notes that the teacher leader incentive may be better addressed as a matter negotiated during collective bargaining discussions between the Hawaii State Teachers Association and the State. Nevertheless, your Committee believes that this measure should move forward as a representation of the Legislature's ongoing commitment to improving conditions for teachers in the State.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2091, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1228, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1228, H.D. 1, and be referred to your Committee on Education.

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

SCRep. 43-16 Economic Development & Business on H.B. No. 2053

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 Department of Agriculture, Building Industry Association of Hawaii, Hawaii Food Policy Council, Ulupono Initiative, Local Food Coalition, Chamber of Commerce of Hawaii, Hawaii Cattlemen's Council, Inc., Hawaii Farm Bureau Federation, and a concerned individual testified in support of this measure. The State Procurement Office and Department of Transportation testified in support of the intent of this bill. The American Council of Engineering Companies provided comments.

Currently, when unique or unusual circumstances arise in the public procurement process, the State lacks the flexibility in the Hawaii Public Procurement Code to respond in an effective, efficient, and timely manner. According to the State Procurement Office, exemptions from the 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 will 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. 2053 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 44-16 Economic Development & Business on H.B. No. 2262

The purpose of this measure is to increase economic development in the State through promotion of manufacturing by appropriating funds for the continuation of the manufacturing grant program in the High Technology Development Corporation.

The High Technology Development Corporation, The Chamber of Commerce of Hawaii, and KYD, Inc. dba K. Yamada Distributors testified in support of this bill.

As one of the most isolated land masses on earth, Hawaii must import approximately 90 percent of all products consumed annually in the State. 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 helped the local economy by exporting nearly \$570 million in manufactured goods in 2012.

Recognizing the potential economic benefits provided by the manufacturing industry, the Legislature appropriated \$2,000,000 in 2015 to establish a manufacturing grant program within the High Technology Development Corporation to assist companies with qualified manufacturing expenses. However, delays in establishing this program have occurred as the due process for the adoption of rules has taken longer than expected. While the High Technology Development Corporation has prepared rules for this program, distribution of grant monies cannot occur until these rules are adopted. As the initial appropriation for this program lapses at the end of the current fiscal year, your Committee finds that the appropriation contained in this measure is necessary to extend the manufacturing grant program.

Your Committee has amended this measure by changing the appropriation from \$1,000,000 to an unspecified amount. Should the Committee on Finance deliberate this measure further, your Committee on Economic Development and Business respectfully requests that it consider appropriating \$2,000,000 for the continuation of the manufacturing grant program in 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. 2262, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2262, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 45-16 Economic Development & Business on H.B. No. 2264

The purpose of this measure is to continue to develop and support the technology industry in Hawaii by appropriating funds to the High Technology Development Corporation for the provision of technology internship grants and the development of programs to further the pipeline of talent in Hawaii for technology fields.

The Chamber of Commerce of Hawaii testified in support of this bill. The High Technology Development Corporation and Hawaii Strategic Development Corporation testified in support of the intent of this measure.

The High Technology Development Corporation is a key agency in developing the technology industry in the State with a goal of creating eighty thousand new technology and innovation jobs earning more than \$80,000 per year by 2030. A key component to achieving this goal is the development of local talent. Internship programs have proven an effective way to introduce talent to careers in the technology industry as well as increase the pool from which the technology sector can obtain qualified individuals for employment. Your Committee finds that the provision of technology internship grants will go a long way in assisting with the development of internship programs, as well as other programs, to increase local talent for employment in the technology industry.

Your Committee has amended this measure by changing:

- (1) The appropriation from \$250,000 to an unspecified amount; and
- (2) Its effective date to July 1, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Economic Development and Business respectfully requests that it consider appropriating \$250,000 for the provision of technology internship grants and the development of programs to further the pipeline of talent in Hawaii for technology fields.

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. 2264, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2264, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 46-16 Economic Development & Business on H.B. No. 1669

The purpose of this measure is to improve the peer review process for public accountancy by:

- (1) Allowing peer reviews to be conducted by individuals licensed to practice public accountancy in any state; and
- (2) Extending the deadline for the filing of peer review compliance reporting forms and the appeal of certain peer review ratings from ten days to thirty calendar days.

The Board of Public Accountancy testified in support of this measure.

According to the Board of Public Accountancy, certified public accountant firms in Hawaii, beginning with the 2017 renewal period, will be required to meet peer review requirements for the renewal of their permit to practice public accountancy in Hawaii. Current law requires that these required peer reviews be conducted by entities holding a permit to practice public accountancy in Hawaii. However, concerns have been raised that there may be insufficient numbers of entities in Hawaii permitted to perform these required peer reviews. Your Committee notes Hawaii public accountancy firms and firms on the mainland currently have long-term working relationships that may lend themselves to greater efficiency in conducting peer reviews. Your Committee finds that allowing peer reviews to be conducted by entities licensed to practice public accountancy in any state will help to alleviate sufficiency concerns, while also preserving established firm-to-firm relationships with mainland accounting firms.

Your Committee also notes that extending the deadline for filing of peer review compliance reporting forms and appealing certain peer review ratings from ten days to thirty calendar days brings the peer review process for public accountancy more in line with the customary and accepted time for official notification and appeal procedures for other professional vocations.

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. 1669 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 47-16 Economic Development & Business on H.B. No. 1670

The purpose of this measure is to assist members of the Public Accountancy Peer Review Oversight Committee by:

- (1) Allowing members of the Committee to be reimbursed for expenses incurred in the performance of their official duties; and
- (2) Protecting members of the Committee from civil liability for actions taken in furtherance of the purpose of the Committee.

The Board of Public Accountancy testified in support of this measure.

The Public Accountancy Peer Review Oversight Committee was established for oversight of third-party entities that meet the standards for administering peer reviews of Hawaii public accountancy firms. The Committee consists of three Hawaii-licensed Certified Public Accountants who perform various duties as part of their official committee duties and incur expenses that are not currently reimbursed. Your Committee finds that official expenses incurred as a result of official duties should be reimbursed.

Concerns have also been raised that the possibility of individual members of the Public Accountancy Peer Review Oversight Committee being subject to civil liability for actions taken in the furtherance of purposes of the Committee may impair the judgment of the individual members or influence the Committee's assessment of a peer review program. Your Committee finds that indemnifying members from this civil liability will address these concerns.

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. 1670 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 48-16 Consumer Protection & Commerce on H.B. No. 33

The purpose of this measure is to allow a landlord, subject to certain conditions, to charge an application screening fee, consisting of the actual costs of screening the applicant, plus an additional administrative fee, when processing an application to rent residential property.

The Office of Hawaiian Affairs, Catholic Charities Hawaii, FACE-Faith Action for Community Equity, and an individual testified in support of this measure. The Department of Commerce and Consumer Affairs testified in opposition to this measure. The Hawaii Association of Realtors provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the application screening fee shall not be greater than the actual cost of using a tenant screening service or a consumer credit reporting service;
- (2) Removing the provision allowing a landlord to collect the additional administrative fee;
- (3) Requiring a landlord, upon request by an applicant, to provide a copy of the receipt for the fee or copy of any report; and
- (4) 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. 33, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 33, H.D. 2.

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

SCRep. 49-16 Tourism on H.B. No. 2259

The purpose of this measure is to ensure the State receives the maximum benefits from its tourism industry by requiring the Department of Business, Economic Development, and Tourism to prepare a report that examines the severity of economic leakage, which is the revenue lost to foreign economies, in the State's tourism industry.

The Hawaii Lodging and Tourism Association and a concerned individual supported this measure. The Department of Business, Economic Development, and Tourism and the University of Hawaii offered comments on the 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. 2259, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2259, H.D. 1, and be referred to your Committee on Economic Development & Business.

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

SCRep. 50-16 Judiciary on H.B. No. 1170

The purpose of this measure is to:

- (1) Create a process for the lease of public lands without public auction for geothermal resources that is consistent with the process applicable to lands with renewable energy resources such as solar, wind, hydropower, and biomass; and
- (2) 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 Land and Natural Resources and Department of Business, Economic Development, and Tourism testified in support of this measure. The Director of the Hawaii Institute of Geophysics and Planetology, University of Hawaii, and one concerned individual provided comments.

Your Committee has amended the definition of "geothermal resources exploration" by retaining the semicolon at the end of paragraph (2) to clarify that the term includes conducting non-invasive geophysical operations and drilling exploration wells that are reasonably required for testing and analysis to provide ground truth or determine the economic viability of geothermal 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. 1170, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1170, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Lee, Morikawa, Woodson and McDermott.

SCRep. 51-16 Consumer Protection & Commerce on H.B. No. 1507

The purpose of this measure is to establish a working group to study methods to reduce the use of all disposable bags.

The Office of Hawaiian Affairs and Times Supermarket testified in support of this measure. The Chamber of Commerce Hawaii and the Hawaii Food Industry Association testified in support of this measure with amendments. The Department of Health testified in opposition to this measure.

Your Committee amended this measure by:

- (1) Adding representatives of the Chamber of Commerce Hawaii and the Hawaii Food Industry Association as members of the working group;
- (2) Changing the effective date to July 1, 2012, 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. 1507, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1507, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Creagan and Lee.
(Representative McDermott voted no.)

SCRep. 52-16 Transportation on H.B. No. 2302

The purpose of this measure is to properly, effectively, and efficiently address the numerous issues facing transit-oriented development statewide through a coordinated, intergovernmental, and interagency approach by establishing the Hawaii Interagency Council for Transit-Oriented Development.

The Department of Business, Economic Development and Tourism, Hawaii Housing Finance and Development Corporation, Office of Planning, Hawaii Public Housing Authority, and Blue Planet Foundation testified in support of this bill. The Chamber of Commerce Hawaii, Hawaii Association of Realtors, RMA Sales, and the Building Industry Association of Hawaii supported the intent of this measure. The Land Use Research Foundation of Hawaii provided comments.

Transit-oriented development can provide significant economic, social, and environmental benefits through the co-location of jobs, workforce housing, and economic opportunities in mixed-use communities at public transportation hubs. However, the development of transit-oriented development plans encompasses a wide spectrum of issues over multiple jurisdictions. Your Committee finds that establishing the Hawaii Interagency Council for Transit-Oriented Development will allow for a more coordinated effort among county, state, and federal governmental agencies, as well as the private and nonprofit sectors, to comprehensively address the issues facing transit-oriented development plans statewide.

Your Committee has amended this measure by:

- (1) Specifying that a designee of a county mayor may serve as the mayor's representative on the Hawaii Interagency Council for Transit-Oriented Development;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2302, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 53-16 Transportation on H.B. No. 2080

The purpose of this measure is to encourage the use of alternative energy vehicles and further the State's clean energy goals by:

- (1) Including fuel cell electric vehicles in the definition of electric vehicles for purposes of parking exemptions, High Occupancy Vehicle (HOV) lane use, registration, and required parking spaces in places of public accommodation; and
- (2) Granting procurement priority for fuel cell electric vehicles purchased by state and county agencies.

The Department of Business, Economic Development, and Tourism, High Technology Development Corporation, Hawaii Energy Policy Forum, Hawaii Automobile Dealers' Association, Servco Pacific Inc., Blue Planet Foundation, and a concerned individual testified in support of this measure. General Motors LLC supported the intent of this bill.

Fuel cell electric vehicles use a fuel cell to convert hydrogen gas and oxygen into electricity that is used to power electric motors that propel the vehicle. Fuel cell electric vehicles can use fuel generated from local clean energy and, unlike fossil fuel vehicles, create no polluting emissions. Your Committee finds that providing incentives to encourage the use of alternative fuel vehicles and prioritizing the procurement of such vehicles by state and county agencies will reduce gasoline consumption and further the State's clean energy goals.

Your Committee notes that, according to General Motors LLC, some fuel cell electric vehicles simply generate electricity for direct use by electric motors to propel a vehicle and do not use batteries to store this electricity. Accordingly, your Committee has amended this measure by removing language relating to the charging of onboard batteries from the definition of "fuel cell electric 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 H.B. No. 2080, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2080, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Signed by all members of the Committee.

SCRep. 54-16 Transportation on H.B. No. 2407

The purpose of this measure is to facilitate the efficient use of public lands under the jurisdiction of the Department of Transportation by allowing the Department to negotiate the disposition of lands under its jurisdiction and control without the approval of the Board of Land and Natural Resources, subject to certain conditions.

The Department of Transportation, Hawaiian Airlines, Airport Concessionaires Committee, Young Brothers, Limited, Airlines Committee of Hawaii, and Pasha Hawaii testified in support of this measure. The Office of Hawaiian Affairs testified in opposition to this bill. The Department of Land and Natural Resources provided comments.

Hawaii is an isolated archipelago that is dependent on its airports and harbors for the movement of goods and people. As a result, Hawaii's airports and harbors play a vital role in supporting and sustaining Hawaii's economy. Numerous parcels of public lands have been set aside specifically for aeronautical and maritime use and placed under the jurisdiction of the Department of Transportation.

However, according to the Department of Transportation, the Department is currently required to obtain approval from the Board of Land and Natural Resources when it seeks to lease facilities located at airports and harbors, thus resulting in unnecessary delays. As the Department of Transportation is directly connected to aeronautical and maritime industries and operations, your Committee finds that the Department of Transportation is best suited to manage lands under its jurisdiction that are used for aeronautical and maritime purposes.

While your Committee understands concerns that public input and comment currently afforded through the Board of Land and Natural Resources' public hearing process would be bypassed if the Department of Transportation negotiates the disposition of public lands under its control without Board approval, your Committee believes that this measure warrants further consideration. Your Committee respectfully requests the Committee on Water & Land to discuss these concerns further as this measure continues through the legislative process.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion;
- (2) Inserting a sunset date of July 1, 2019; 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 H.B. No. 2407, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2407, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 55-16 Transportation on H.B. No. 2408

The purpose of this measure is to facilitate the efficient use of public lands under the jurisdiction of the Department of Transportation by:

- (1) Allowing the Board of Land and Natural Resources to delegate the authority to approve revocable permits for the use of public lands under the jurisdiction of the Department of Transportation to the Director of Transportation; and
- (2) Exempting the revocable permits issued by the Department of Transportation from Board of Land and Natural Resources approval requirements as well as public auction and public advertisement for sealed tender requirements.

The Department of Transportation, Airlines Committee of Hawaii, Young Brothers, Limited, Airport Concessionaires Committee, and Pasha Hawaii testified in support of this measure. The Office of Hawaiian Affairs testified in opposition to this bill. The Department of Land and Natural Resources commented on this measure.

Hawaii is an isolated archipelago that is dependent on its airports and harbors for the movement of goods and people. Hawaii's airports and harbors also play a vital role in supporting and sustaining Hawaii's economy. Due to the importance of Hawaii's airports and harbors, numerous parcels of public lands have been set aside specifically for aeronautical and maritime use and placed under the jurisdiction and control of the Department of Transportation. However, the Department is currently required to obtain approval from the Board of Land and Natural Resources when it seeks to issue revocable permits for facilities at its airports and harbors, resulting in unnecessary delays and loss of rental revenues, particularly when permits are issued for a short term. Your Committee finds that this measure addresses this issue.

However, your Committee understands the concerns raised that public input and comment on the issuance of revocable permits currently afforded through the oversight process of the Board of Land and Natural Resources will be lost. While your Committee finds that this measure warrants further consideration, your Committee respectfully requests the Committee on Water and Land to discuss these concerns further as this measure continues through the legislative process.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion;
- (2) Inserting a sunset date of July 1, 2019; 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 H.B. No. 2408, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2408, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 56-16 Human Services on H.B. No. 1774

The purpose of this measure is to appropriate funds to:

- (1) The Department of Human Services for additional outreach to homeless individuals and families with children; and
- (2) The Office of Youth Services for outreach to unaccompanied homeless youth.

The Department of Human Services, the Hawaii County Council member representing District 8 of Hawaii County, Catholic Charities Hawai'i, Hawaii Youth Services Network, Americans for Democratic Action, LGBT Caucus of the Democratic Party of Hawai'i, CHOW Project, Friends of Youth Outreach Hawaii, Rainbow Family 808, Family Support Services of West Hawaii, Waikiki Health, PHOCUSED, Hawaii Habitat for Humanity Association, Hope Services Hawaii, American Civil Liberties Union of Hawaii, Hawaii Children's Action Network, Partners in Care, and many individuals supported this measure. The Governor's Coordinator on Homelessness supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated for additional outreach to homeless individuals and families with children and outreach to unaccompanied homeless youth to unspecified amounts;
- (2) Changing the 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 this measure further, your Committee on Human Services respectfully requests that it consider appropriating:

- (1) \$1,700,000 for additional outreach to homeless individuals and families with children; and
- (2) \$300,000 for outreach to unaccompanied homeless youth.

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. 1774, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1774, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Belatti.

SCRep. 57-16 Human Services on H.B. No. 1585

The purpose of this measure is to amend the law relating to guardianships of incapacitated adults by prohibiting appointed guardians of a ward from restricting the personal communication rights of the ward, including the right to receive visitors, telephone calls, and personal mail.

The Catherine Falk Organization and a concerned individual supported this measure. The Department of the Attorney General supported the intent of this measure.

Your Committee has amended this measure by allowing the guardian of a ward discretion to restrict the personal communication rights of the ward if the personal communication poses a risk to the safety and well-being of the ward.

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. 1585, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1585, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 58-16 Water & Land on H.B. No. 1754

The purpose of this measure is to establish a Hawaii apprentice hunting license to allow potential hunters who are ten years and older the opportunity, under the supervision of a licensed hunter, to learn whether they want to continue and become licensed to hunt on their own by completing a hunter education course.

The County of Hawaii, County of Hawaii Game Management Advisory Council, Hawaii Hunting Association, The Society for Hawaii Heritage Animals, National Wild Turkey Federation, Babooze Bowstrings, Hunting Farming and Fishing Association, and several individuals provided testimony in support of this measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Limiting the issuance of apprentice hunting licenses to a single licensure year by prohibiting renewal, except for minors who may renew until they reach eighteen;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1754, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1754, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 59-16 Water & Land on H.B. No. 2373

The purpose of this measure is to increase the current rate of the liveaboard fee for state small boat harbors and to clarify that the liveaboard fee may be increased or decreased by rule adopted by the Department of Land and Natural Resources pursuant to chapter 91, Hawaii Revised Statutes.

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

Your Committee has amended this measure by:

- (1) Blanking out the dollar amounts per foot of the vessel used to calculate the liveaboard fee;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2373, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2373, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 60-16 Water & Land on H.B. No. 2374

The purpose of this measure is to allow a holder of a mooring permit within state small boat harbors to transfer the mooring permit to a new vessel owner upon appraisal by a state licensed surveyor and payment of a transfer fee of \$100 per foot of vessel length.

The Department of Land and Natural Resources provided testimony in support of this measure. Fair Wind Cruises and Hawaii Fishing and Boating Association provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Creating a mooring permit task force to examine issues regarding the transfer of state small boat harbor permits;
- (2) Blanking out the dollar amount of the transfer fee; 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. 2374, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2374, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 61-16 Agriculture on H.B. No. 1539

The purpose of this measure is to support the farming and ranching industry in South Kohala on the island of Hawaii by appropriating funds for planning and engineering studies and designs for the construction of:

- (1) Water source development;
- (2) Associated renewable energy sources for agricultural development and delivery; and
- (3) A reservoir to service the agricultural lands surrounding Waimea.

The Department of Hawaiian Home Lands, Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, Hawaii Cattlemen's Council, and Ponoholo Ranch Limited supported this measure. The Department of Agriculture supported the intent of this measure.

Your Committee has amended this measure by:

- (1) Deleting the appropriation for a planning and engineering study for the design and construction of a reservoir to service the agricultural lands surrounding Waimea; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1539, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1539, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 62-16 Labor & Public Employment on H.B. No. 1739

The purpose of this measure is to prohibit employers from requiring, requesting, or coercing employees or potential employees to provide access to their personal social media accounts, except where such information is:

- (1) Publically available;
- (2) Required to comply with other applicable laws; or
- (3) Necessary for investigations of misconduct related to discriminatory employment practices and fair employment requirements.

The High Technology Development Corporation; American Civil Liberties Union of Hawaii; ILWU Local 142; UNITE HERE Local 5; and two individuals testified in support of this measure. The Hawaii Civil Rights Commission; Hawaiian Electric Company, Inc.; State Privacy and Security Coalition, Inc.; and Chamber of Commerce Hawaii provided comments.

Your Committee has incorporated amendments recommended by the State Privacy and Security Coalition, Inc., which is comprised of twenty-five major technology and media companies and six trade associations representing companies in the technology, media, and advertising sectors. Your Committee has also incorporated amendments suggested by the Hawaii Civil Rights Commission aimed at the preservation of statutory protections for employees provided under Chapter 378, Hawaii Revised Statutes.

Your Committee notes that the Hawaiian Electric Company, Inc. requested additional amendments regarding information captured by industry standard cyber-security tools that are utilized to protect the companies' networks from cyber-attack. Specifically, the proposed amendments sought to address the application of this measure in instances where:

- (1) Usernames and passwords may be captured inadvertently in the due course of carrying out the companies' cyber-security plan; and
- (2) Protected information, inadvertently captured, may need to be kept for longer periods of time to prevent the alteration of computer log files needed for cyber-security analysis.

Given the opportunities for abuse on the employee privacy and employer security sides, should the Committee on Judiciary further deliberate this measure, your Committee respectfully requests that the Hawaiian Electric Company, Inc.'s concerns be further examined.

Your Committee has amended this measure by:

- (1) Specifying that employers may require an employee to disclose a username or password for the purpose of accessing an account or service provided by or through the employee's relationship with the employer;
- (2) Authorizing employers to conduct investigations, require employee cooperation, and require sharing of certain information where the employer has specific information about employee misconduct regarding the transfer of privileged or confidential information to the employee's personal account;
- (3) Clarifying that the established privacy protections for personal accounts shall not diminish the authority and obligation of an employer to investigate complaints or violations of employee protections under the State's workplace discrimination laws; 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. 1739, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1739, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 63-16 Economic Development & Business on H.B. No. 2055

The purpose of this measure is to protect public health and safety, particularly with regard to nearshore waters and areas surrounding the Natural Energy Laboratory of Hawaii Authority, by authorizing the issuance of general obligation bonds for the design and construction of a wastewater treatment plant for the Natural Energy Laboratory of Hawaii Authority.

A concerned individual testified in support of this measure. The Natural Energy Laboratory of Hawaii Authority provided comments.

The Natural Energy Laboratory of Hawaii Authority currently has oversight of the Hawaii Ocean Science and Technology Park on the island of Hawaii, which provides an environment for ocean related research, aquaculture, and education. Tenants of the Park currently use high volumes of seawater supplied by the Authority, which produces seawater that must be disposed of. Other wastewater is also produced by tenants and their employees. While the Authority informed your Committee that seawater disposal is currently handled through dispensing of the water in drywells or trenches and that installation of Department of Health permitted septic systems is required by Park lease agreements for the disposal of other types of wastewater, your Committee finds that this matter deserves further consideration.

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. 2055 and recommends that it pass Second Reading and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 64-16 Economic Development & Business on H.B. No. 2290

The purpose of this measure is to more accurately reflect the mission of the High Technology Development Corporation by changing its name to the Hawaii Technology Development Corporation.

The Department of Business, Economic Development, and Tourism and High Technology Development Corporation testified in support of this measure.

Established in 1983, the High Technology Development Corporation facilitates the development and growth of Hawaii's commercial technology industry as this industry is an important driver in the diversification of Hawaii's economy. However, the rapid advancement of the technology and telecommunications industries, as well as the rapid growth and advancement of the internet and automation, has made the concept once thought of as high technology commonplace. What was once thought of as "high technology" is now simply referred to as "technology." In light of this, your Committee finds that changing the name of the High Technology Development Corporation to the Hawaii Technology Development Corporation will more accurately describe its mission.

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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2290, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2290, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 65-16 Health on H.B. No. 1759

The purpose of this measure is to:

- (1) Clarify that payment timeframes and interest penalties pertaining to reimbursement for accident and health or sickness insurance apply to clean claims; and
- (2) Amend the definition of "clean claim" to include Medicaid claims to ensure that health insurers promptly pay claims for services administered to Medicaid enrollees.

The Healthcare Association of Hawaii, The Queen's Health Systems, Hawai'i Pacific Health, and an individual supported this measure. The Department of Human Services (DHS), Department of Commerce and Consumer Affairs, and Hawaii Medical Service Association commented on this measure.

Based on conflicting testimony provided by DHS and the Healthcare Association of Hawaii, your Committee has requested further information from DHS about the extent to which payment of claims are delayed, the causes of delays in timely payments, and the mechanisms and tools the MED-QUEST Division has to hold the managed care health plans accountable for timely payment of claims pursuant to the State's contract with the managed care health plans.

Because the delay of payments can be especially problematic for providers that care for a disproportionate share of Medicaid patients, including hospitals and facilities within the Hawaii Health Systems Corporation, 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. 1759, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1759, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 66-16 Health on H.B. No. 1755

The purpose of this measure is to improve patient access to medical care by clarifying the role of advanced practice registered nurses with regard to their authority to practice within their full scope of practice, including as primary care providers, in the State.

The Department of Health, Board of Nursing, Hawaii Pacific Health, Hawai'i State Center for Nursing, and several individuals testified in support of this measure. The Department of Labor and Industrial Relations, Hawaii Academy of Physician Assistants, Hawaii Association of Professional Nurses, and an individual 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 H.B. No. 1755 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 67-16 Health on H.B. No. 1756

The purpose of this measure is to ensure safe and quality nursing services for patients statewide by:

- (1) Requiring all nurse licensure applicants and nurse license renewal applicants to comply with state and federal criminal history record checks; and
- (2) Authorizing the Board of Nursing to develop and adopt rules to implement the required criminal history record checks.

The Department of Public Safety, University of Hawai'i at Manoa School of Nursing and Dental Hygiene, Hawai'i State Center for Nursing, Hawai'i Pacific Health, Hawaii Association of Professional Nurses, and a few individuals testified in support of this measure. The Board of Nursing and an individual commented on this measure. An individual opposed this measure.

Your Committee respectfully requests the Committee on Consumer Protection & Commerce to consider the concerns raised by the Board of Nursing with respect to the fingerprinting requirements specified in this measure, including the impact of these requirements on the timely processing of nurse license applications and renewals. Your Committee notes that based on the Board of Nursing's testimony, the Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division will need the authority to establish three office assistant positions to timely process criminal background checks for nurses.

Your Committee has amended this measure by:

- (1) Commencing application of criminal history record check requirements with the nursing renewal licensing biennium that commences in 2019, rather than in 2017; and
- (2) Changing its effective date to July 1, 2070, 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. 1756, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1756, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 68-16 Health on H.B. No. 1627

The purpose of this measure is to support the regulation and enforcement of professional licensing requirements and standards in professions and occupations related to medicine and health care by:

- (1) Requiring the Regulated Industries Complaints Office to establish a division that specializes in the investigation of medical cases involving professions and occupations regulated by the Department of Commerce and Consumer Affairs; and
- (2) Appropriating funds for five full-time equivalent field investigators who specialize in medical cases within the Regulated Industries Complaints Office.

The Regulated Industries Complaints Office testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2070, to facilitate further discussion.

Your Committee respectfully requests that the Committee on Consumer Protection and Commerce consider replacing one of the field investigator positions for which funds are appropriated in this measure with a staff attorney position to aid in the prosecution of licensing and other violations related to medical cases.

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. 1627, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1627, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 69-16 Energy & Environmental Protection on H.B. No. 1511

The purpose of this measure in the form in which it was received by your Committee is to prohibit the Employees' Retirement System from investing in fossil fuel companies and to require divestiture of direct holdings in fossil fuel companies.

For purposes of a public hearing, your Committee circulated and published notice of a proposed draft of this measure which deleted all content of the original measure and replaced it with new language requiring the Employees' Retirement System to work in conjunction with a reputable firm of investment consultants with experience managing fossil fuel-free portfolios to produce a report to the Legislature on:

- (1) The impact on the Employees' Retirement System portfolio, including losses and gains realized, of investments in companies in the coal and consumable fuels, integrated oil and gas, and oil and gas exploration and production sectors; and
- (2) An assessment of the future of fossil fuel investments and the potential effects on the Employees' Retirement System of fossil fuel divestment.

Your Committee received the following testimony on the proposed draft of this measure.

The Sierra Club of Hawaii, Sierra Club of Oahu, 350Hawaii.org, and many individuals supported this measure. The Employees' Retirement System, Hawaii Government Employees Association, and one individual opposed this measure. One individual submitted comments.

After deliberation, your Committee has voted to accept the proposed draft of this measure and to amend it further by inserting a new statutory section prohibiting the Employees' Retirement System from investing in any coal company.

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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1511, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee except Representatives Evans, Ing and Lowen.

SCRep. 70-16 Energy & Environmental Protection on H.B. No. 2231

The purpose of this measure is to expand the financing mechanisms available to Hawaii's energy sector by clarifying that special purpose revenue bonds can be used to finance publicly owned energy cooperatives.

The Blue Planet Foundation, Hawaii Solar Energy Foundation, Sierra Club of Oahu, The Alliance for Solar Choice, and two concerned 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 H.B. No. 2231 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 71-16 Energy & Environmental Protection on H.B. No. 1524

The purpose of this measure is to establish an additional form of financing for commercial and residential property owners to implement energy efficiency improvements and install renewable energy systems by:

- (1) Establishing a Property Assessed Clean Energy Program (Program) to provide loans for renewable energy systems and energy efficiency improvements;
- (2) Increasing a property's tax assessment to make loan payments to the Program; and
- (3) Authorizing the issuance of revenue bonds and appropriating bond revenues to finance the Program.

The Blue Planet Foundation, Sierra Club of Hawaii, and an individual supported this measure. The Department of Business, Economic Development, and Tourism, Department of Budget and Finance, Hawaii Green Infrastructure Authority, Tax Foundation of Hawaii, and Hawaii Association of Realtors provided comments.

Your Committee has amended this measure by changing its effective date to January 1, 2075, to encourage 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. 1524, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1524, H.D. 1, and be referred to your Committee on Economic Development & Business.

Signed by all members of the Committee.

SCRep. 72-16 Energy & Environmental Protection on H.B. No. 2523

The purpose of this measure is to establish default rules for condominium, community, and homeowners associations that allow the placement of solar energy devices on single-family residential dwellings and townhouse units by the owners of those dwellings and units, subject to certain conditions.

The Blue Planet Foundation, Hawaii Solar Energy Association, Distributed Energy Resources Council of Hawaii, Hawaii Chapter of the Community Associations Institute, and a concerned individual supported this measure.

Your Committee has amended this measure by clarifying that an association may require a solar energy device to be installed pursuant to an approved utility interconnection agreement.

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. 2523, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2523, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 73-16 Energy & Environmental Protection on H.B. No. 1927

The purpose of this measure is to provide a tax credit for individual and corporate taxpayers that give to schools either solar-powered air conditioning units or solar energy systems specifically designed to provide electricity for air conditioning units.

The Department of Education, Blue Planet Foundation, Hawaii Solar Energy Association, Hi-Power Solar and an individual provided testimony in support of this measure. The Department of Taxation and the Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Blanking out the percentage of actual cost used to calculate the tax credit for providing solar-powered air conditioning units or solar energy systems to schools;
- (2) Specifying that the unit or system provided to the school must have been donated to the Department of Education for free and that the donor cannot also claim a charitable deduction; 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. 1927, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1927, H.D. 1, and be referred to your Committee on Education.

Signed by all members of the Committee.

SCRep. 74-16 Energy & Environmental Protection on H.B. No. 2076

The purpose of this measure is to increase competition within Hawaii's electrical markets, expand customer choice, provide incentives for the production of renewable energy, and diversify Hawaii's energy base by requiring the Public Utilities Commission, by January 1, 2017, to establish policies and rules that implement retail wheeling to enable independent power producers to sell electricity directly to end users.

The Department of Education and Blue Planet Foundation 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 this measure by changing its effective date to January 28, 2017, to facilitate 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. 2076, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2076, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Evans.

SCRep. 75-16 Energy & Environmental Protection on H.B. No. 2136

The purpose of this measure is to support the consideration of public ownership of electric utility companies by:

- (1) Authorizing the counties to operate electric utilities;
- (2) Expressly allowing counties to acquire any property necessary to operate an electric public utility by eminent domain or other lawful means; and
- (3) Excluding electric utilities owned and operated by a county from regulation by the Public Utilities Commission.

The Sierra Club of Oahu, The Alliance for Solar Choice, and three concerned individuals supported this measure. The Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company opposed the measure.

Your Committee has amended this measure by changing its effective date to January 28, 2017, to facilitate 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. 2136, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2136, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee except Representative Evans.

SCRep. 76-16 Energy & Environmental Protection on H.B. No. 2649

The purpose of this measure is to protect ratepayers from potentially unnecessary additional costs by requiring that electric utility rates are considered just and reasonable only if the rates are derived from an earnings impact mechanism developed by the public utilities commission.

The Blue Planet Foundation, Distributed Energy Resources Council of Hawaii, The Alliance for Solar Choice, and several concerned individuals supported this measure. Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company opposed the measure. The Public Utilities Commission submitted comments.

Your Committee has amended this measure by:

- (1) Deleting language that would have amended statutory requirements for ratemaking procedures by requiring derivation of rates from an earnings impact mechanism; and
- (2) Adding a new statutory section requiring the Public Utilities Commission to establish on or before January 1, 2020, performance incentive mechanisms that directly tie electric utility revenues to the utility's achievement on performance metrics.

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. 2649, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2649, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 77-16 Energy & Environmental Protection on H.B. No. 2251

The purpose of this measure is to enhance the State's recycling goals by increasing the glass advance disposal fee.

The Department of Environmental Management of the County of Hawaii and two concerned individuals testified in support of this measure. The Department of Health, Hawaii Liquor Wholesalers Association, Wine Institute, Hawaii Food Industry Association, Bar 35, and an individual testified in opposition to this measure.

Your Committee has amended this measure by deleting its contents and replacing it with language that requires the Department of Health to:

- (1) Assess the viability of the glass advance disposal fee program and report findings and recommendations to the Legislature; and
- (2) Report to the Legislature on the Department's progress in adopting the recommendations contained in Auditor's Report No. 14-17 entitled *A Study to Identify Local Alternatives to Shipping Non-Deposit Glass Out of the State of Hawaii*.

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. 2251, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2251, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 78-16 Energy & Environmental Protection on H.B. No. 2616

The purpose of this measure is to make the benefits of renewable-energy generation more accessible to a greater number of Hawaii residents by establishing a community net energy metering program to be administered by the Public Utilities Commission.

The Blue Planet Foundation and a concerned individual supported this measure. The Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company opposed the measure. 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 is in accord with the intent and purpose of H.B. No. 2616 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 79-16 Energy & Environmental Protection on H.B. No. 2039

The purpose of this measure is to protect the nearshore aquatic resources of Hawaii by, among other things:

- (1) Establishing a Community-based Marine Resources Grant Program;
- (2) Permanently establishing five specific positions within the Department of Land and Natural Resources; and
- (3) Converting 12 temporary positions in the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources to permanent positions.

The Department of Land and Natural Resources, Office of Planning, Aha Moku Advisory Committee, Conservation Council for Hawaii, The Nature Conservancy, Kuaaina Ulu Auamo, and many concerned individuals supported this measure. A concerned individual opposed the measure.

Your Committee has amended this measure by:

- (1) Establishing the Community-based Marine Resources Grant Program in Chapter 187A, Hawaii Revised Statutes, which pertains to aquatic resources, instead of Chapter 171, Hawaii Revised Statutes, which pertains to public lands, because Chapter 187A, Hawaii Revised Statutes, more appropriately addresses the needs of the Community-based Marine Resources Grant Program;
- (2) Providing that individual grant awards under the Community-based Marine Resources Grant Program be managed by the Department of Land and Natural Resources, rather than a qualified non-profit or government fiscal sponsor that charges no more than a 10-percent overhead rate for financial management;

- (3) Clarifying that the new community-based fishing area planner would support all community-based fishing areas -- not just community-based subsistence fishing areas; 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. 2039, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2039, H.D. 1, and be referred to your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land.

Signed by all members of the Committee except Representative Evans.

SCRep. 80-16 Energy & Environmental Protection on H.B. No. 2301

The purpose of this measure is to strengthen the membership of the Hawaii Green Infrastructure Authority by:

- (1) Replacing the energy program administrator of the Department of Business, Economic Development, and Tourism with the Director of Commerce and Consumer Affairs as a member;
- (2) Adding two additional gubernatorially-appointed members to the Hawaii Green Infrastructure Authority and specifying that two of these members must have a demonstrated expertise in public finance or economics and two of these members must have a demonstrated expertise in clean energy.

The Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; and a concerned individual supported this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 28, 2981, 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2301, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2301, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Evans.

SCRep. 81-16 Energy & Environmental Protection on H.B. No. 2038

The purpose of this measure is to support Hawaii in its endeavors to demonstrate world leadership on conservation and to serve as a global model of the sustainable management of natural resources by providing funding to directly implement three of the six goals outlined in the Aloha+ Challenge: natural resource management, clean energy, and green workforce development.

The Department of Land and Natural Resources, the Conservation Council for Hawaii, The Nature Conservancy, the Oahu Invasive Species Committee, the Big Island Invasive Species Committee, the Kauai Watershed Alliance, the West Maui Mountains Watershed Partnership, Kahoma Land Co., and a concerned individual supported this measure. The Department of Transportation supported the intent of the measure.

Your Committee has amended this measure by:

- (1) Deleting all appropriation amounts; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes the following recommended appropriations:

- (1) \$2,500,000 to fund positions and other operating expenditures in the Forest and Outdoor Recreation Program (LNR804) for access, easements, trails, outdoor recreation improvements, environmental education, and other operating expenditures;
- (2) \$4,000,000 to fund other operating expenditures in the Natural Area Reserves and Watershed Management Program (LNR407) for watershed protection;
- (3) \$1,200,000 for the Conservation and Resources Enforcement Program (LNR405) for personal services, other current expenses, equipment, and motor vehicles for the Community Fisheries Enforcement Unit;
- (4) \$5,250,000 for the Native Resources and Fire Protection Program (LNR402) to be expended as directed by the Hawaii Invasive Species Council for invasive species programs statewide;
- (5) \$3,600,000 to fund positions and other operating expenditures in the Native Resources and Fire Protection Program (LNR402) for native species restoration; and
- (6) \$3,500,000 to fund positions and other operating expenditures in the Forestry Resource Management and Development Program (LNR172) for forest reserve system management, including pre-fire suppression of high-fuel areas; private landowner assistance

programs; the establishment of renewable energy projects with forest biomass; and the generation of new forestry revenue streams, such as through the carbon market.

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. 2038, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2038, H.D. 1, and be referred to your Committees on Water & Land and Agriculture.

Signed by all members of the Committee except Representative Evans.

SCRep. 82-16 Energy & Environmental Protection on H.B. No. 2749

The purpose of this measure is to:

- (1) Establish within the Department of Health:
 - (A) A sewage runoff task force to examine the levels of sewage contamination in coastal areas as a result of runoff and methods to reduce sewage contamination; and
 - (B) A sewage infrastructure review task force to examine the sewage infrastructure in each county; and
- (2) Appropriate funds for the sewage runoff task force and sewage infrastructure review task force.

The Sierra Club of Hawaii supported this measure. The Department of Health supported the intent of this measure.

Your Committee has amended this measure by deleting the sections requiring the establishment of a sewage runoff task force and appropriating funds for the sewage runoff task force.

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. 2749, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2749, H.D. 1, and be referred to your Committee on Health.

Signed by all members of the Committee.

SCRep. 83-16 Energy & Environmental Protection on H.B. No. 2543

The purpose of this measure is to enhance access to broadband internet by extending for five years the provisions of Act 151, Session Laws of Hawaii 2011, and Act 264, Session Laws of Hawaii 2013, which expedite the approval process for broadband-related permit applications and exempt the installation, improvement, construction, or development of broadband infrastructure from most county and state permitting and approval requirements.

The Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Hawaiian Telcom; Hawaiian Electric Company; Maui Electric Company; Hawai'i Electric Light Company; and The Chamber of Commerce Hawaii supported 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2543 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 84-16 Energy & Environmental Protection on H.B. No. 2574

The purpose of this measure is to protect the State's environment and residents from the unintended impacts of large-scale pesticide use by:

- (1) Establishing public reporting requirements for large-scale, outdoor commercial agricultural operations across the State;
- (2) Establishing disclosure and public notification requirements for outdoor application of pesticides in various environmentally sensitive areas; and
- (3) Establishing civil fines and a private right of action to enforce reporting, notice, and disclosure requirements.

A Kauai County Council Member; the Hawaii Center for Food Safety; Americans for Democratic Action; Hawaii Indigenous Natural Farmers; Pesticide Action Network North America; Hawaii Island School Garden Network; GMO Free Maui; and numerous concerned individuals supported this measure. The Hawaii Farm Bureau; Hawaii Crop Improvement Association; Kauai Coffee Company, LLC; CropLife America; Western Plant Health Association; Maui County Farm Bureau; MauiGrown Coffee, Inc.; Dow Agroscience; and numerous concerned individuals opposed this measure. The Department of Agriculture and several concerned individuals 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. 2574 and recommends that it pass Second Reading and be referred to your Committee on Agriculture.

Signed by all members of the Committee.

SCRep. 85-16 Energy & Environmental Protection on H.B. No. 2570

The purpose of this measure is to encourage and facilitate the deployment of microgrids in the State by preventing counties from requiring buildings served by a microgrid to connect to another source of power and by excluding certain microgrids from regulation as a public utility.

The Alliance for Solar Choice and a few individuals provided testimony in support of this measure. The Public Utilities Commission provided comments.

Your Committee has amended this measure by clarifying that microgrids under twenty-five kilowatts are excluded from regulation as a public 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. 2570, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2570, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 86-16 Energy & Environmental Protection on H.B. No. 2569

The purpose of this measure is to accelerate the goals of the Department of Education to cool Hawaii's schools, reduce energy costs, meet the State's clean energy goals, and provide all students with better classrooms in which to learn by, among other things:

- (1) Requiring the Department of Education to establish a goal of becoming net-zero with respect to energy use, producing as much renewable energy as it consumes across all public school facilities, by January 1, 2035;
- (2) Requiring the Department of Education to establish a minimum of two microgrid pilot projects at schools that also serve as civil defense shelters;
- (3) Requiring the Department of Education to expedite the cooling of all public school classrooms to a temperature acceptable for student learning, including reporting to the Legislature about the implementation of such measures; and
- (4) Authorizing the Director of Finance to issue general obligation bonds to implement cooling measures in public school classrooms.

The Blue Planet Foundation and numerous concerned individuals supported this measure. The Department of Business, Economic Development, and Tourism and Department of Budget and Finance supported the intent of the measure. The Department of Education and Hawaii State Teachers Association supported the measure with amendments. The State Adjutant General submitted comments.

Your Committee has amended this measure by:

- (1) Making an emergency appropriation of \$100,000,000 out of the Hawaii Green Infrastructure Special Fund to be loaned to the Department of Education and Department of Budget and Finance;
- (2) Making an appropriation of \$7,000,000 for the initial loan repayment for the moneys borrowed from the Green Infrastructure Loan Program;
- (3) Making an emergency appropriation of \$30,000,000 in general obligation bonds for capital improvement program equipment and installation costs for air conditioning, other heat abatement measures, energy-efficient lighting, and other energy-efficiency measures related to heat abatement at public schools;
- (4) Requiring the Department of Education to establish in each county a minimum of one microgrid pilot project at public schools that also serve as emergency shelters;
- (5) Requiring the Department of Education in its report to the Legislature on its implementation of measures to cool public school classrooms, to report on the costs per school rather than the cost per classroom;
- (6) Requiring the Department of Education to work in conjunction with "the administrator or director of the county emergency management agency affected", rather than State Civil Defense, when examining the pilot projects; 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. 2569, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2569, H.D. 1, and be referred to your Committee on Education.

Signed by all members of the Committee.

SCRep. 87-16 Education on H.B. No. 2135

The purpose of this measure is to support the education of home schooled students by allowing them to participate in extracurricular activities offered at the public school that they would otherwise be required to attend.

A concerned individual supported this measure. The Department of Education, Department of Health, and Grassroot Institute of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Providing that home schooled students must meet certain health requirements, prior to their participation in an extracurricular activity;
- (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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2135, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2135, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 88-16 Education on H.B. No. 1712

The purpose of this measure is to protect the privacy of public school students by limiting the ways in which the operator of a website, online service, online application, or mobile application that is designed, marketed, and used for school purposes can use public school students' data.

Microsoft and a concerned individual supported this measure. The Department of Education supported the intent of the measure. The State Public Charter School Commission submitted comments.

Your Committee respectfully requests that your Committee on Judiciary further consider and examine issues of student privacy if that Committee considers 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. 1712 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 89-16 Education on H.B. No. 2454

The purpose of this measure is to improve oversight of private trade, vocational, and technical schools by transferring administration of the licensing and regulation program for these schools from the Department of Education to the Department of Commerce and Consumer Affairs.

The Department of Education and Office of the Auditor supported this measure. The Department of Commerce and Consumer Affairs, Hawaii Technology Institute, Travel Institute of the Pacific, Hawaii Institute of Hair Design, www.WeAreOne.cc, Maui School of Therapeutic Massage, Pacific Center for Awareness and Bodywork, Aisen Shiatsu School, Med-Assist School of Hawaii, and several concerned individuals opposed 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. 2454 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito, Tsuji and Tupola.

SCRep. 90-16 Agriculture on H.B. No. 1982

The purpose of this measure is to assist Big Island Dairy, LLC, by authorizing the issuance of special purpose revenue bonds to finance the cost of operations of its dairy farm in Ookala on the island of Hawaii.

The Department of Agriculture, Hawaii Farm Bureau, Hawaii Foodservice Alliance LLC, Ulupono Initiative, and Big Island Dairy LLC supported this measure. Animal Rights Hawaii and a concerned individual opposed this measure. The Department of Budget and Finance submitted comments on this measure.

Should the Committee on Finance deliberate this measure further, your Committee on Agriculture respectfully requests that it consider authorizing the issuance of special purpose revenue bonds in an amount not to exceed \$10,000,000.

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. 1982 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 91-16 Agriculture on H.B. No. 2582

The purpose of this measure is to assist farmers and ranchers in complying with food safety requirements by:

- (1) Establishing within the Department of Agriculture an Agricultural Food Safety Certification Program that:
 - (A) At a minimum complies with the requirements of the FDA Food Safety Modernization Act;
 - (B) Concurrently satisfies the requirements of the FDA Food Safety Modernization Act and the Department of Agriculture;

- (C) Researches less burdensome alternatives to satisfying food safety requirements;
 - (D) Establishes food safety compliance education programs; and
 - (E) Acts as an information clearinghouse for food safety laws; and
- (2) Appropriating funds for the development and implementation of the Agricultural Food Safety Certification Program and staff positions within the Program.

The Hawaii Farm Bureau and Maui County Farm Bureau supported this measure. The Department of Agriculture supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2582 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 92-16 Agriculture on H.B. No. 2424

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 Hawaii;
- (2) 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;
- (3) 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
- (4) Appropriating funds to enable the Department to fully execute specified projects in its Biosecurity Program relating to replacement of high risk imported crops; quarantine treatment options; identification of new pests and diseases; inspection improvements; and public and agricultural industry education.

The Department of Agriculture, Department of Land and Natural Resources, Hawaii Floriculture and Nursery Association, Maui County Farm Bureau, Hawaii Tropical Flowers and Foliage Association Kauai, Conservation Council for Hawaii, and Hawaii Crop Improvement Association supported this measure. Hawaii Farm Bureau submitted 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. 2424 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 93-16 Agriculture on H.B. No. 2542

The purpose of this measure is to enhance the State's efforts to ensure biosecurity and reduce the introduction of invasive species by requiring the Auditor to conduct a financial and performance audit of the duties and facilities of the Plant Quarantine Branch (Branch) of the Department of Agriculture, including the Branch's Biosecurity Program and related programs, to facilitate:

- (1) The transfer of the Branch to the Department of Transportation; and
- (2) The reestablishment of the Branch as a division within the Department of Transportation to regulate the transportation modes and impose adequate quarantine and biosecurity measures at ports of entry by January 1, 2018.

The Hawaii Floriculture and Nursery Association supported this measure. The Department of Agriculture, Department of Transportation, and Hawaii Cattlemen's Council opposed this measure. The Hawaii Farm Bureau submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting from the scope of the Auditor's audit consideration of the transfer of the Plant Quarantine Branch to, and reestablishment of the Branch as a division of the Department of Transportation; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2542, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2542, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by all members of the Committee.

SCRep. 94-16 Agriculture on H.B. No. 2676

The purpose of this measure is to assist and support persons who want to be farmers to meet the challenges faced by prospective farmers by mandating and funding the Agribusiness Incubator Program of the University of Hawaii College of Tropical Agriculture and Human Resources to establish a five-year Energy Independent Farming Community Pilot Project (Pilot Project) that shall, among other things:

- (1) Be owned and initially financed by the State and managed by a manager appointed by the Dean of the College of Tropical Agriculture and Human Resources;
- (2) Contain land, housing, and shared facilities for agricultural purposes, with lease rents set in an amount designed to finance the costs of the Pilot Project; and
- (3) Be energy and water independent.

The University of Hawaii System, Hawaii Farm Bureau, and several concerned individuals supported this measure. The Department of Agriculture and a concerned individual submitted comments on this measure.

Your Committee has amended this measure by deleting the amounts appropriated for the manager position and for planning the Pilot Project to facilitate further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Agriculture respectfully requests that it consider appropriating \$100,000 for the manager position and \$50,000 for planning the 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. 2676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2676, H.D. 1, and be referred to your Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 95-16 Agriculture on H.B. No. 1996

The purpose of this measure is to establish and fund a two-year Agricultural Theft and Vandalism Pilot Project to focus on investigating and prosecuting agricultural theft and vandalism in the County of Hawaii, including by requiring the Department of Agriculture to partner with Hawaii County to hire an enforcement officer within the County's Office of the Prosecuting Attorney.

The Department of Agriculture; Office of the Prosecuting Attorney of Hawaii County; Department of the Prosecuting Attorney of Maui County; Hawaii Farm Bureau; Hawaii Floriculture and Nursery Association; Land Use Research Foundation of Hawaii; W.H. Shipman Limited; Hawaii Cattlemen's Council, Inc.; PonoHolo Ranch Limited; and a concerned individual supported this measure.

Your Committee notes that H.B. No. 2674 which was considered at the same public hearing as this measure, also provides for a similar approach to addressing agricultural theft and vandalism in Hawaii County. However, at this point in the legislative process, your Committee believes that this measure, as amended by your Committee, is the more suitable vehicle to resolve the problems plaguing these farmers and ranchers.

Your Committee further finds that other law enforcement agencies, such as the Investigations Division of the Office of the Attorney General, may be appropriate partners in this pilot project. Accordingly, your Committee has amended this measure by clarifying that the enforcement officer to be hired for the pilot project may include an enforcement officer from any law enforcement agency, rather than restricting the agency to the Office of the Prosecuting Attorney of Hawaii 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. 1996, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1996, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 96-16 Human Services on H.B. No. 1606

The purpose of this measure is to allow homeless persons to replace their lost, destroyed, stolen, or mutilated identification card without paying a fee, provided that the person can verify their homeless status with certain specified documentation.

The American Civil Liberties Union, Rainbow Family 808, IMUAlliance, and several individuals supported this measure. The Department of Transportation opposed this measure. The Department of Human Services and Governor's Coordinator on Homelessness commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the provisions requiring a homeless person to verify their homeless status in writing by a homeless facility, provider agency, or attorney licensed to practice in Hawaii;
- (2) Requiring a homeless person to verify their status as a homeless person through:
 - (A) A signed 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 from whom the homeless person has sought services; or

- (B) A verification letter from a homeless provider; 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1606, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1606, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 97-16 Human Services on H.B. No. 1780

The purpose of this measure is to:

- (1) Require the Executive Office on Early Learning to establish language development milestones to be used for parents to monitor and track deaf and hearing-impaired children's language acquisition and development;
- (2) Require the Executive Office on Early Learning to select tools or assessments for educators to use for assessing language and literacy development of deaf and hearing-impaired children;
- (3) Require the Superintendent of Education to establish an advisory committee to solicit input from experts on the selection of language developmental milestones; and
- (4) Appropriate funds to the Executive Office on Early Learning Office to establish language developmental milestones and to develop a parent resource and educator tools to monitor and track deaf and hearing-impaired children's language acquisition and development.

The Aloha State Association of the Deaf; School Community Council of the Hawaii School for the Deaf and the Blind; Isle Interpret, LLC; and numerous concerned individuals supported this measure. The Department of Education, Executive Office on Early Learning, Disability and Communication Access Board, and Hawaii Children's Action Network supported the intent of this measure. Several concerned individuals commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 3000, 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. 1780, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1780, H.D. 1, and be referred to your Committee on Education.

Signed by all members of the Committee.

SCRep. 98-16 Human Services on H.B. No. 1782

The purpose of this measure is to educate public school students on sexual abuse prevention through an age appropriate curriculum. Specifically, this measure:

- (1) Establishes guidelines for a sexual abuse prevention instructional program, including guidelines for instruction; and
- (2) Requires all public schools to establish sexual abuse prevention instructional programs for students in grades pre-kindergarten through twelve that are consistent with the guidelines.

The Hawaii State Commission on the Status of Women, Hawaii Youth Services Network, Planned Parenthood Votes Northwest and Hawaii, The Sex Abuse Treatment Center, Hawaii Association for Infant Mental Health, Parents and Children Together, Hawaii Women's Coalition, and several individuals supported this measure. The Department of Education and Executive Office on Early Learning supported the intent of this measure. The State Public Charter School Commission provided comments.

Your Committee has amended this measure by changing its effective date to July 1, 2060, 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. 1782, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1782, H.D. 1, and be referred to your Committee on Education.

Signed by all members of the Committee.

SCRep. 99-16 Human Services on H.B. No. 2358

The purpose of this measure is to amend the definition of "developmental disabilities," in section 333F-1, Hawaii Revised Statutes, to include a child from birth to age nine who has a substantial developmental delay or specific congenital or acquired condition, without meeting three or more criteria described in the current definition, if the child, without service and support, has a high probability of meeting the criteria later in life.

The Department of Health, State Council on Developmental Disabilities, Hawaii Children's Action Network, and a concerned individual supported this measure.

Your Committee has amended this measure by:

- (1) Repositioning the new statutory language of the bill relating to individuals from birth to age nine to clarify that these provisions are not part of paragraph (5) of the definition of "developmental disabilities"; 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. 2358, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2358, H.D. 1, and be referred to your Committee on Education.

Signed by all members of the Committee.

SCRep. 100-16 Human Services on H.B. No. 2348

The purpose of this measure is to:

- (1) Restore the second deputy director position for the Department of Human Services;
- (2) Establish the positions of community/project development director and policy director within the office of the Director of Human Services as permanently exempt positions;
- (3) Convert the division administrator, finance officer, health care services branch administrator, medical director, clinical standards administrator, and research/health analytics manager of the Med-QUEST Division of the Department of Human Services to permanent civil service exempt status; and
- (4) Appropriate funds for the salaries of the second deputy director, private secretary for the second deputy director, community/project development director, and policy director of the Department of Human Services.

The Department of Human Services supported this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposed this measure.

Your Committee has amended this measure by:

- (1) Exempting the division administrator, finance officer, health care services branch administrator, medical director, clinical standards administrator, and research/health analytics manager of the Med-QUEST Division and the community/project development director and policy director of the Department of Human Services from civil service status for three years after the enactment of this measure unless affirmatively extended by an act of the legislature;
- (2) Changing the amounts appropriated for the salaries of the second deputy director, private secretary for the second deputy director, community/project development director, and policy director of the Department of Human Services to unspecified amounts;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) 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:

- (1) \$125,700 for the salary of the additional deputy director of the Department of Human Services;
- (2) \$60,000 for the salary of the private secretary for the additional deputy director of the Department of Human Services;
- (3) \$105,648 for the salary of the community/project development director of the Department of Human Services; and
- (4) \$80,016 for the salary of the policy director of the Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2348, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2348, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee.

SCRep. 101-16 Human Services on H.B. No. 2130

The purpose of this measure is to prioritize informal adjustment over formal action for a child under family court jurisdiction solely as a result of violating the compulsory education law.

The Hawaii Friends of Restorative Justice testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2130 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 102-16 Human Services/Labor & Public Employment on H.B. No. 2641

The purpose of this measure is to require:

- (1) The Department of Human Services to create a domestic violence call sheet that includes a domestic violence legal hotline number, domestic violence shelter hotline number, and other relevant resources for victims of domestic violence;
- (2) The Department of Human Services and Department of Labor and Industrial Relations to make an electronic version of the call sheet available on their websites; and
- (3) All employers to post the call sheet in the workplace.

The Department of Labor and Industrial Relations; American Association of University Women, Hawaii; and an individual supported this measure. The Department of Human Services provided comments.

Your Committees have amended this measure by 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 Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2641, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2641, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Har, Jordan, Oshiro and Tupola.

SCRep. 103-16 Consumer Protection & Commerce on H.B. No. 1096

The purpose of this measure is to authorize mortgage loan originator companies to post, at the company's principal place of business and each branch office, language specifying that members of the public are seen by appointment during posted business hours.

The Hawaii Association of Mortgage Brokers testified in support of this measure. The Department of Commerce and Consumer Affairs provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the language that authorizes mortgage loan originator companies to post, at the company's principal place of business and each branch office, language specifying that members of the public are seen by appointment during posted business hours;
- (2) Specifying that mortgage loan originator companies shall be open for business to the public during posted business hours, which at a minimum shall be offered within regular business hours; 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. 1096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1096, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 104-16 Labor & Public Employment on H.B. No. 2457

The purpose of this measure is to establish an earned credit certificate for public works contractors utilizing employees that meet certain apprenticeship requirements. Among other things, this measure:

- (1) Establishes record-keeping requirements and bid preferences for earned credit certificate holders; and
- (2) Sets sealed bid disclosure requirements for public works contractors that are parties to apprenticeship agreements.

The Department of Budget and Fiscal Services of the City and County of Honolulu and the General Contractors Association of Hawaii testified in opposition to this measure. The Department of Labor and Industrial Relations and Department of Accounting and General Services provided comments.

Your Committee has amended this measure by changing its effective date to July 1, 2091, 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. 2457, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2457, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 105-16 Labor & Public Employment on H.B. No. 2473

The purpose of this measure is to amend the penalty calculations for first and second violations of wage and hour laws applicable to government contractors. Specifically, this measure sets a \$1,000 cap on first offense penalties and a ten per cent of contract value cap on second offense penalties.

The Hawaii Regional Council of Carpenters, Pacific Resource Partnership, and Hawaii Construction Alliance testified in support of this measure. The General Contractors Association of Hawaii testified in opposition to this measure. The Department of Labor and Industrial Relations and Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure by setting the following, to be paid in addition to claims for back wages, as new penalties for violations of wage and hour laws by government contractors:

- (1) \$1,000 for first offenses; and
- (2) \$10,000 for second offenses.

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. 2473, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2473, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 106-16 Labor & Public Employment on H.B. No. 2468

The purpose of this measure is to authorize and require the Employees' Retirement System to make direct payment to a spouse or former spouse of a system member or retiree of all or a portion of the member's or retiree's benefits pursuant to a Hawaii domestic relations order. This measure also appropriates funds to the Employees' Retirement System for fiscal year 2016–2017 for:

- (1) One full-time equivalent (1.00 FTE) claims examiner position; and
- (2) Planning and expenditures necessary for the implementation of this measure.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and two individuals testified in support of this measure. The Employees' Retirement System and one individual provided comments.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 2468, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2468, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 107-16 Labor & Public Employment on H.B. No. 2314

The purpose of this measure is to authorize forfeiture of certain Employees' Retirement System benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony.

The Employees' Retirement System testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 2314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2314, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 108-16 Labor & Public Employment on H.B. No. 1685

The purpose of this measure is to subject all proposed salaries for any University of Hawaii employee that are equal to or greater than twice the governor's salary to legislative disapproval. This measure also requires the University of Hawaii to include information on any employee with a combined salary, allowance, expense reimbursement, bonus, and other earned benefits in excess of the governor's salary in its annual report to the legislature.

Two individuals testified in support of this measure. The University of Hawaii and the University of Hawaii Professional Assembly testified in opposition.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 1685, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1685, H.D. 1, and be referred to your Committee on Higher Education.

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

SCRep. 109-16 Labor & Public Employment on H.B. No. 2309

The purpose of this measure is to:

- (1) Repeal certain restrictions on the Hawaii Employer-Union Health Benefits Trust Fund to invest in certain asset classes, thereby allowing the Fund to invest in asset classes mirroring those of the Employees' Retirement System; and
- (2) Make housekeeping amendments to sections 87A-34 and 87A-36, Hawaii Revised Statutes.

The Hawaii Employer-Union Health Benefits Trust Fund and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2309 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 110-16 Labor & Public Employment on H.B. No. 2313

The purpose of this measure is to preserve the use and control by the Employees' Retirement System of unclaimed member benefits and contributions that would otherwise be paid to the State's Unclaimed Property Program or escheated to other states.

The Employees' Retirement System 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. 2313 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 111-16 Labor & Public Employment on H.B. No. 2016

The purpose of this measure is to require public retiree contributions to the Hawaii Employer-Union Health Benefits Trust Fund to be paid through withholdings of retirement benefit amounts from the Employees' Retirement System.

Three individuals testified in support of this measure. The Hawaii Employer-Union Health Benefits Trust Fund and the Employees' Retirement System provided comments.

Your Committee has amended this measure by:

- (1) Moving the amendments from section 88-6(c), Hawaii Revised Statutes, to a new section in chapter 87A, Hawaii Revised Statutes;
- (2) Changing its effective date to July 1, 2091, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2016, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2016, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 112-16 Labor & Public Employment on H.B. No. 2308

The purpose of this measure is to appropriate or authorize funds for collective bargaining cost items for unit (11) and their excluded counterparts, including salary increases and cost adjustments, for fiscal biennium 2015-2017.

The Department of Budget and Finance and the Hawaii Fire Fighters Association testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 2308, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2308, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 113-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1931

The purpose of this measure is to reduce the blood quantum requirement for certain successors or transferees of lessees of Hawaiian home lands from one quarter to one thirty-second.

Your Committee received testimony in support of this measure from a member of the Kaua'i County Council, Council for Native Hawaiian Advancement, Sovereign Councils of the Hawaiian Homelands Assembly, Keaukaha Community Association, KAFarmers Hui, and several individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. The Department of Hawaiian Home Lands submitted comments.

Your Committee notes the testimony of the Department of Hawaiian Home Lands which discusses an unintended consequence of the current law regarding transfer of leases. Because the current law allows for both the purchase of a lease and multiple lease applications, a qualified applicant of fifty percent blood quantum may be able to receive or purchase one lease, transfer that lease to a relative of at least twenty-five percent blood quantum, and then receive or purchase one or more subsequent leases, which the applicant can also transfer in the same manner. Since there are currently no limits on lease transfers, some beneficiaries have taken advantage of this provision to secure home land leases for multiple relatives who would not otherwise qualify as native Hawaiian applicants of at least fifty percent blood quantum. Your Committee agrees with the Department that no further changes should be made to lease transfer provisions until the Department is able, in consultation with its beneficiary community, to develop a transfer policy that is fair to both the native Hawaiian beneficiaries with wait-listed lease applications and to current lease holders.

Your Committee further notes that many native Hawaiian beneficiaries are never able to secure a home land lease at all because they pass away during the pendency of their lease applications. Your Committee notes that the successors of these beneficiaries may never be able to receive a home lands lease because the successors may not be qualified as native Hawaiian applicants although they would have qualified as successors or transferees. Your Committee respectfully requests that the Department of Hawaiian Home lands consider proposing a solution to this issue, which may include the reconsideration of applicant eligibility criteria, to the Legislature at some time in the future.

Your Committee has amended this measure by:

- (1) Deleting language that would have reduced blood quantum requirements for transferees of lessees;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive 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. 1931, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1931, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 114-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2178

The purpose of this measure is to authorize the Department of Hawaiian Home Lands to employ and retain independent legal counsel.

The Department of Hawaiian Home Lands, a member of the Kauai County Council, Association of Hawaiian Civic Clubs, Keaukaha Community Association; and several individuals testified in support of this measure. The Department of the Attorney General testified in opposition. The Council for Native Hawaiian Advancement and Sovereign Councils of the Hawaiian Homelands Assembly 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 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. 2178, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2178, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 115-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2277

The purpose of this measure is to assist the King Kamehameha Celebration Commission in performing its duties by amending the membership, purpose, and mission of the Commission, amending the appointment process for Commission members, authorizing the appointment of an advisory committee, and restructuring the Commission's staff by authorizing the appointment of an Executive Director and removing the position of Arts Program Specialist.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Aha Moku Advisory Committee, and Royal Order of Kamehameha I. Your Committee received testimony in opposition to this measure from the Kapahulu Music Club. Your Committee received comments on this measure from the King Kamehameha Celebration Commission, Association of Hawaiian Civic Clubs, and an individual.

Your Committee has amended this measure by:

- (1) Restoring the position of Arts Program Specialist to the Commission's authorized staff;
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee notes the testimony of the Kapahulu Music Club and other testifiers and recognizes that the Kapahulu Music Club has made significant contributions to the King Kamehameha Celebration Commission. Your Committee is confident that any currently outstanding issues contained in this measure, including Commission membership, can be resolved through the legislative process.

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. 2277, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2277, H.D. 1, and be referred to your Committee on Veterans, Military, & International Affairs, & Culture and the Arts.

Signed by all members of the Committee.

SCRep. 116-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2145

The purpose of this measure is to specify that naturally occurring sand that is moved from a beach, stream mouth, or channel and used on an adjacent beach for sediment management, erosion management, and beach or dune restoration purposes is not a water pollutant that triggers Department of Health permit and water quality certification requirements.

The Hawaii Shore and Beach Preservation Association submitted testimony in support of this measure. The Department of Health submitted testimony in opposition. The Department of Land and Natural Resources submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that naturally occurring sand exempt from classification as a pollutant may be used on the beach or littoral cell adjoining the location from which it was moved;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on 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. 2145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2145, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Signed by all members of the Committee.

SCRep. 117-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1765

The purpose of this measure is to provide funds to the University of Hawaii to conduct a study and report to the Legislature on how to best mitigate the detrimental effects, if any, of sunscreen on coral reefs.

The Hawaii Institute of Marine Biology of the University of Hawaii and several individuals testified 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 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. 1765, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1765, H.D. 1, and be referred to your Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 118-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2200

The purpose of this measure is to authorize, but not require, the Chairperson of the Board of Land and Natural Resources to transfer funds from the Department of Land and Natural Resources' public land trust accounts to the Kaho'olawe Rehabilitation Trust Fund and to authorize, but not require, the Office of Hawaiian Affairs to expend public land trust proceeds for rehabilitation of the Kaho'olawe Island Reserve.

Your Committee received testimony in support of this measure from the Kaho'olawe Island Reserve Commission, the Chair of the Kaho'olawe Island Reserve Commission, Aha Moku Advisory Committee, and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, and Center for Hawaiian Sovereignty Studies.

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 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. 2200, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2200, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 119-16 Economic Development & Business on H.B. No. 2683

The purpose of this measure is to promote expansion and diversification of Hawaii's economy by supporting the high technology industry. Specifically, this measure works to retain and attract talented individuals to work in Hawaii by appropriating funds to the High Technology Development Corporation to develop a program to attract out-of-state software programmers and other high technology workers to work in Hawaii.

The High Technology Development Corporation and Chamber of Commerce Hawaii testified in support of the intent of this measure. A concerned individual testified in opposition.

The growth, development, and prosperity of the high technology industry in Hawaii helps to drive expansion and diversification of Hawaii's economy. The expansion and proliferation of this sector helps the State adapt to an ever-changing economic and technological landscape and prepare for the future. However, one barrier to growth of the high technology industry in Hawaii is the disconnect between the availability and creation of high wage technology sector jobs and the expansion of the labor force to fill these positions. Your Committee finds that this measure works to address this issue.

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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2683, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2683, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Ito.

SCRep. 120-16 Economic Development & Business on H.B. No. 2263

The purpose of this measure is to make an appropriation for the Department of Business, Economic Development, and Tourism, in conjunction with the Pacific International Space Center for Exploration Systems and Hawaii Island Economic Development Board, Inc., to conduct an economic assessment of the establishment of a small satellite launch and processing facility on the island of Hawaii.

The Pacific International Space Center for Exploration Systems, W.H. Shipman Limited, and a concerned individual testified in support of this measure. The Department of Business, Economic Development and Tourism supported the intent of this measure. A concerned individual testified in opposition to this measure. The Hawaii Space Grant Consortium and Hawaii Space Flight Laboratory provided comments.

Hawaii has long been recognized as an ideal location for the launching of spacecraft due to its geographic location. This is especially true of Hawaii Island, which is unrivaled in the United States for equatorial launches of spacecraft, particularly small satellites, due to its global position. Your Committee finds that locating a small satellite launch and processing facility on Hawaii Island has tremendous economic potential, but an economic assessment study should be conducted beforehand to determine the economic viability of such an endeavor.

Your Committee has amended this measure by changing:

- (1) The appropriation for the economic assessment study to an unspecified amount; and
- (2) Its effective date to July 1, 2050, to facilitate further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Economic Development & Business respectfully requests that it consider appropriating \$100,000 for the economic assessment study.

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. 2263, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2263, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 121-16 Economic Development & Business on H.B. No. 2372

The purpose of this measure is to assist the Department of Land and Natural Resources in its duty to regulate commercial activities on state navigable waters and shoreline areas. Specifically, this measure clarifies the definition of commercial activity to better specify what types of activities may be regulated by the Department.

The Department of Land and Natural Resources, Ocean Tourism Coalition, and Hoomano Pono, LLC, testified in support of this measure.

Hawaii's natural environment and temperate climate provides numerous opportunities for outdoor activities at various locations statewide. Many of these activities take place in the ocean, in the navigable waters of the State, and along Hawaii's coastlines. The Department of Land and Natural Resources is charged with regulatory oversight of commercial activities that occur on the navigable waters and shoreline areas of the State. However, your Committee has been informed by the Department that the current statutory definition of commercial activity is too broad and vague, making it difficult for enforcement officials to properly identify and regulate these commercial activities. This measure addresses this issue.

However, your Committee notes that concerns were raised that, as originally drafted, this measure may be interpreted to be applicable only to activities by for-profit enterprises even though similar types of activities by non-profit enterprises occur in the same areas. Accordingly, your Committee has amended this measure by:

- (1) Further clarifying the definition of commercial activity to remove references to profit;
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion; and

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

Your Committee further notes that the definition of commercial activity in this amended House Draft may be interpreted in such a way that would allow for the Department of Land and Natural Resources to expand the types of activities and revenues upon which the Department may impose commercial activity fees. This measure is a work in progress and needs to be clarified further as it makes its way through the legislative process. It is not the intent of your Committee that this measure be used to expand the revenues upon which the Department may impose fees beyond those revenues generated for a "commercial vessel activity" as specified in Section 200-9 (e), Hawaii Revised Statutes, or to include anything other than the "gross revenues derived from the use of the vessel" as specified in section 200-10(B)(5), Hawaii Revised Statutes.

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. 2372, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2372, H.D. 1, and be referred to your Committee on Ocean, Marine Resources, & Hawaiian Affairs.

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

SCRep. 122-16 Economic Development & Business on H.B. No. 2544

The purpose of this measure is to improve the procurement process for construction projects by subjecting the procurement of construction contracts to federal procurement laws rather than the Hawaii Public Procurement Code.

The Chamber of Commerce of Hawaii testified in support of this measure. The State Procurement Office, Department of Accounting and General Services, Department of Education, Ironworkers Stabilization Fund, and American Council of Engineering Companies of Hawaii testified in opposition to this measure. The Judiciary, Department of Commerce and Consumer Affairs, Office of Administrative Hearings of the Department of Commerce and Consumer Affairs, and Subcontractors Association of Hawaii provided comments.

Hawaii's public procurement code was designed to be applied equally and uniformly, while providing fairness, open competition, a level playing field, and government disclosure and transparency in the procurement of, and contracting for, services. This process is vital to good government. However, some businesses, particularly small businesses have stated that they do not pursue construction work from the State because the current procurement process is cumbersome and often wrought with delays in the selection of, and payment for, goods and services. It has also been estimated that inefficiencies in the current procurement process may account for up to thirty-five percent of a construction project's cost. Additionally, your Committee finds that the lowest priced bidder for a construction project may not always offer the State the best value for the services provided. As such, subjecting the procurement of construction contracts to federal procurement laws rather than the Hawaii Public Procurement Code may help to alleviate these issues.

However, your Committee notes the numerous concerns raised that safeguards currently afforded to the general public and businesses by the Hawaii Public Procurement Code with regard to construction projects may be lost with the use of federal procurement laws. Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and replacing it with language requiring the State Procurement Office, in conjunction with the Department of Accounting and General Services, to conduct a comprehensive review and analysis of the Hawaii Public Procurement Code, and submit a report to the Legislature;
- (2) Appropriating an unspecified amount of funds for conducting the analysis and review;
- (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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2544, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2544, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Ito.

SCRep. 123-16 Economic Development & Business on H.B. No. 2518

The purpose of this measure is to assist businesses and commercial property owners negatively impacted by the construction of Honolulu's rail transit project by establishing a business mitigation relief pilot program to provide financial assistance to impacted businesses meeting certain qualifications.

The Chamber of Commerce Hawaii, Powerhouse Gym Aiea, and a concerned individual testified in support of this bill. The Honolulu Authority for Rapid Transportation testified in support of the intent of this measure. The Department of Business, Economic Development, and Tourism provided comments.

The Honolulu rail transit project represents the largest and most expensive capital project in the history of the City and County of Honolulu. While the project has resulted in increased economic activity for the construction industry, many local businesses along the rail project alignment are currently being negatively impacted by construction activities to the point where the economic viability of certain business establishments is being questioned. Although the Honolulu Authority for Rapid Transportation is providing relocation and advisory assistance to businesses affected by the construction of the rail project, this assistance may not be adequate. Your Committee finds that the establishment of a pilot program to financially assist businesses impacted by construction of the rail transit project makes economic sense.

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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2518, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2518, H.D. 1, and be referred to your Committee on Transportation.

Signed by all members of the Committee except Representative Ito.

SCRep. 124-16 Economic Development & Business on H.B. No. 2727

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, this measure requires a public accommodation that owns, leases, leases to, or operates a motion picture theater in more than two locations in the State to provide open movie captioning and descriptive narration, for movies that are offered with such formats, during at least two showings per week of each motion picture that is offered for viewing.

The State Council on Developmental Disabilities, Disability and Communications Access Board, Aloha State Association for the Deaf, Isle Interpret, LLC, Hawaii Deaf Surfriders Association, Maui Deaf Friends, and numerous concerned individuals testified in support of this measure. The Hawaii Civil Rights Commission testified in support of the intent of this bill. A concerned individual testified in opposition to this measure. Regal Entertainment Group and Consolidated Entertainment, Inc., provided comments.

Individuals who are deaf, hard of hearing, blind, or have poor vision often have difficulty enjoying motion pictures. While movie theaters may make captioning available via the use of various assistive devices, these devices are uncomfortable and often difficult to use. Open captioning, which refers to captioning that is seen on the screen by all viewers, would provide equal access to enjoy movies for all theater patrons.

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. 2727 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Ito.

SCRep. 125-16 Economic Development & Business on H.B. No. 2088

The purpose of this measure is to continue to diversify and strengthen Hawaii's economy through increased growth of the film, digital media, and television industry in Hawaii by extending the motion picture, digital media, and film production tax credit for an additional five years.

NBC Universal Media, LLC, CBS Corporation, and a concerned individual testified in support of this measure. The Department of Business, Economic Development and Tourism and Department of Taxation testified in support of the intent of this measure. The Tax Foundation of Hawaii provided comments.

Hawaii has the status of being a dynamic and stunning film production center. Hawaii is also blessed with a vibrant and growing entertainment economy. The motion picture, television, and digital media industry has had a positive impact on the economy of Hawaii through job creation, increased tax revenues, and providing Hawaii's visitor industry with priceless marketing exposure on a global scale throughout the year. Your Committee finds that extending the motion picture, digital media, and film production tax credit for an additional five years will continue the positive economic impacts already experienced by Hawaii for years to come.

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. 2088 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 126-16 Public Safety on H.B. No. 2001

The purpose of this measure is to establish a temporary commission on criminal justice and sentencing reform to develop a statewide plan of sentencing and corrections policies that would reduce the State's prison population by 25 per cent by year 2025, reduce spending on corrections, and reinvest the savings gained in strategies to increase public safety and reduce recidivism.

Hoomana Pono, LLC; Community Alliance on Prisons; Stolen Stuff Hawaii; and several concerned individuals supported this measure. The City and County of Honolulu Department of the Prosecuting Attorney opposed this measure. The Department of Public Safety and Office of Hawaiian Affairs submitted comments.

Your Committee has amended this measure by:

- (1) Changing the commission's specific targets regarding the reduction of the State's prison population to an unspecified percentage by an unspecified year;
- (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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2001, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2001, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 127-16 Public Safety on H.B. No. 2188

The purpose of this measure is to authorize Hawaii Correctional Industries to sell goods and services to the general public, which will substantially improve its ability to be financially self-supporting and increase work training opportunities for inmates at no additional cost to the State.

The Department of Public Safety; Office of Hawaiian Affairs, Hoomana Pono, LLC; United Public Workers; and two individuals supported this measure.

Your Committee has amended this measure by clarifying that work training programs to increase the employment prospects of inmates after their release shall be offered to appropriately screened inmates in applicable work.

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. 2188, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2188, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 128-16 Public Safety on H.B. No. 1706

The purpose of this measure is to introduce emergency management and resilience training to high school students by establishing within the Department of Education the Youth Civil Defense Corps and requiring the Board of Education to adopt standards and curriculum for student participation.

The Department of Defense, Hawaii Emergency Management Agency, and a concerned individual supported this measure. The Department of Education offered comments.

Should the Committee on Education further deliberate on this measure, your Committee respectfully requests that it consider the possibility of consolidating the federal Community Emergency Response Team (CERT) Program with the Youth Civil Defense Corps. The CERT Program is administered by the counties and features a corps of trained volunteers who activate themselves immediately after a disaster to assist their families, neighbors, and communities until first responders can reach affected areas.

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. 1706 and recommends that it pass Second Reading and be referred to your Committee on Education.

Signed by all members of the Committee.

SCRep. 129-16 Public Safety on H.B. No. 2190

The purpose of this measure is to create:

- (1) The Puuhonua Commission within the Department of Public Safety to provide formerly incarcerated individuals a place to heal or become whole again in a way that benefits society; and
- (2) Puuhonua Commission Advisory Committees in each county of the State to inform the Puuhonua Commission of the needs of formerly incarcerated individuals in each county.

Hawaii Substance Abuse Coalition; Hoomana Pono, LLC; and two concerned individuals supported this measure. The Department of Public Safety, Department of Budget and Finance, and the Office of Hawaiian Affairs offered comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting the proposed Puuhonua Commission Special Fund;
- (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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2190, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2190, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 130-16 Public Safety on H.B. No. 2388

The purpose of this measure is to facilitate in an expeditious and efficient manner the development or expansion of in-state correctional facilities by exempting the State from performing an environmental impact statement or assessment for the purchase or construction of a correctional facility at the Halawa Correctional Facility, appropriating funds for the new correctional facility, and making clarifying amendments to the Governor's authority to contract for correctional facilities.

The Department of Public Safety, Department of Accounting and General Services, Building Industry Association of Hawaii, and Chamber of Commerce Hawaii supported this measure. Hoomana Pono, LLC; Kalihi Palama Hawaiian Civic Club; Community Alliance on Prisons; Life of the Land; The CHOW Project; and two concerned individuals opposed this measure. The Department of the Attorney General and the Office of Hawaiian Affairs offered comments on the measure.

Your Committee has amended this measure by:

- (1) Inserting a purpose section;
- (2) Clarifying that the purchase or construction of a correctional center on an existing parcel of the Halawa Correctional Facility is exempt from an environmental impact statement or assessment;
- (3) Requiring the Governor to conduct a feasibility study on redevelopment of the land that is currently occupied by the Oahu Community Correctional Center if that facility were to be relocated or rebuilt on its current site in a manner that would make portions of that land available for redevelopment;
- (4) Specifying design, programmatic, and financing requirements for a new Oahu Community Correctional Center;
- (5) Amending the bond authorization for the Oahu Community Correctional Center to reflect an unspecified amount for the purpose of purchasing jail facilities for up to 1,250 beds on a turn-key basis, to include jail housing units and support buildings;
- (6) Appropriating an unspecified amount of funds for the plans, design, and construction of the relocated Maui Community Correctional Center; and
- (7) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

Your Committee strongly supports the need for a new Oahu Community Correctional Center and notes the concerns from the Administration, Department of Public Safety, Department of Accounting and General Services and other stakeholders regarding the need to balance efficiency and cost savings with the interests of transparency and of environmental, historical, and cultural stewardship. Should the Joint Committees on Energy & Environmental Protection and Water & Land further deliberate on this measure, your Committee respectfully requests that those Committees consider the environmental assessment or impact statement exemption proposed in this measure. Specifically, your Committee requests consideration of whether the proposed exemption is warranted, concerns raised by the Attorney General regarding constitutional prohibitions on special legislation for lands owned by the State, and the Attorney General's proposed amendment to limit the environmental assessment or impact statement exemption.

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. 2388, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2388, H.D. 1, and be referred to your Committees on Energy & Environmental Protection and Water & Land.

Signed by all members of the Committee.

SCRep. 131-16 Energy & Environmental Protection on H.B. No. 2165

The purpose of this measure is to protect public health by:

- (1) Appropriating funds to the Department of Health (Department) to establish five full-time positions and contract consultants to monitor the Navy and the Defense Logistics Agency's compliance with an Administrative Order on Consent regarding leaks of fuel at the Red Hill Fuel Storage Facility;
- (2) Requiring the Department to seek reimbursement from the Navy and the Defense Logistics Agency for the appropriations; and
- (3) Requiring the Department to submit annual reports to the Legislature on the status of the Navy and the Defense Logistics Agency's compliance with the Administrative Order on Consent.

The Board of Water Supply of the City and County of Honolulu, Conservation Council for Hawaii, Sierra Club of Hawaii, and two individuals supported this measure. The Department of Health provided comments.

Your Committee has amended this measure by:

- (1) Appropriating an unspecified amount for the siting and installation of two monitor wells to test the condition of the groundwater aquifer underneath and surrounding the Red Hill Bulk Fuel Storage Facility;
- (2) Changing the appropriation amounts for the establishment of five full-time positions and contracting of consultants to unspecified amounts; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee on Energy and Environmental Protection respectfully requests that it consider appropriating to the Department of Health:

- (1) \$110,472 to hire two full-time equivalent geologist I employees;
- (2) \$144,864 to hire two full-time equivalent engineer IV employees;
- (3) \$49,056 to hire one full-time equivalent environmental health specialist IV employee;

- (4) \$200,000 to hire consultants to monitor the United States Navy and the Defense Logistics Agency's compliance with the Administrative Order on Consent; and
- (5) \$600,000 for the siting and installation of two monitor wells for the Red Hill Bulk Fuel Storage Facility.

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. 2165, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2165, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 132-16 Health on H.B. No. 2252

The purpose of this measure is to require hospitals to adopt and maintain written discharge policies that include patient designation of a caregiver who may participate in planning for and carrying out after-care following a patient's discharge from a hospital, consistent with recent updates to federal requirements.

The Department of Health, Hawaii Health Systems Corporation, Hawaii Pacific Health, and several individuals testified in support of this measure. The State Council on Developmental Disabilities, Maui County Office on Aging, The Queen's Health Systems, Healthcare Association of Hawaii, Hawaii Government Employees Association, Hawaii Family Caregiver Coalition, Na Hoaloha – Maui Interfaith Volunteer Caregivers, AARP Hawaii, Policy Advisory Board for Office of Elder Affairs, ILWU Local 142, Concerned American Veterans, and numerous individuals commented on this measure. An individual opposed this measure.

Your Committee has amended this measure by:

- (1) Broadening the definition of "patient" to mean any individual admitted to a hospital for inpatient treatment;
- (2) Specifying that hospital discharge policies shall incorporate established guidelines or practices;
- (3) Changing its effective date to July 1, 2070, to facilitate further discussion; and
- (4) Making a technical, nonsubstantive amendment 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. 2252, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2252, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 133-16 Health on H.B. No. 2335

The purpose of this measure is to expedite the disciplinary process when a licensee of the Hawaii Medical Board is disciplined by another state or federal agency, by authorizing the Hawaii Medical Board, upon receipt of evidence of revocation, suspension, or other disciplinary action against a licensee by another state or federal agency, to issue an order imposing the same disciplinary action upon the licensee under certain conditions.

The Department of Commerce and Consumer Affairs and Hawaii Medical Board 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. 2335 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 134-16 Health on H.B. No. 1758

The purpose of this measure is to address the shortage of physicians in the State by appropriating funds for University of Hawaii John A. Burns School of Medicine (JABSOM) medical resident positions in rural Oahu and neighbor island communities and the following associated costs: increases in faculty and infrastructure of JABSOM's Family Medicine Residency Program and development of new accredited family health centers in association with teaching hospitals.

The Queen's Health Systems, Hawaii Primary Care Association, Hawaii Pacific Health, and two individuals testified in support of this measure. JABSOM submitted comments on this measure.

Your Committee notes the appropriation request is for \$2,000,000 for fiscal year 2016-2017 to support medical residency programs to help alleviate the shortage of primary care physicians in rural Oahu and the neighbor island communities.

Your Committee has amended this measure by changing its effective date to July 1, 2070, 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. 1758, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1758, H.D. 1, and be referred to your Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 135-16 Health on H.B. No. 2331

The purpose of this measure is to amend the length of terms of members of the Board of Nursing and the Board of Speech Pathology and Audiology, from three years to four years, thereby providing continuity for effective board members and consistency with the terms of other boards and commissions under the Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division.

The Department of Commerce and Consumer Affairs, Hawaii State Center for Nursing, Hawaii Association of Professional Nurses, Hawaii Pacific Health, and two individuals testified in support of 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2331, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2331, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 136-16 Health on H.B. No. 1686

The purpose of this measure is to facilitate involuntary hospitalizations and other forms of treatment for the protection of mentally ill individuals and the public, by removing the current requirement that the threat of dangerousness be imminent.

The Hawaii Association of Professional Nurses and numerous individuals testified in support of this measure. The Office of the Public Defender testified in opposition to this measure. The Department of Health, Department of the Attorney General, Queen's Health Systems, Hawaii Academy of Physician Assistants, and Hawaii Disability Rights Center provided comments on this measure.

Your Committee has amended this measure by:

- (1) Reverting to the original threshold of "imminently dangerous to self or others" and defining that term to mean that, without intervention, the person will likely remain dangerous to the person's self or others within the next ninety days;
- (2) Changing the effective date to July 1, 2070, 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. 1686, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1686, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 137-16 Health on H.B. No. 1937

The purpose of this measure is to ensure that only qualified persons are allowed to practice in the field of school psychology by establishing a school psychologist licensing program to be administered by the Department of Commerce and Consumer Affairs. Under this program, all persons engaged in the practice of school psychology must be licensed as school psychologists to practice in the public and private sectors of employment.

The Hawaii Association of School Psychologists and several individuals testified in support of this measure. Two individuals opposed this measure. The Department of Commerce and Consumer Affairs and the Department of Education commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2070, 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. 1937, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1937, H.D. 1, and be referred to your Committee on Education.

Signed by all members of the Committee.

SCRep. 138-16 Health on H.B. No. 2357

The purpose of this measure is to reduce barriers for adolescents in accessing mental health care that may otherwise be unobtainable due to family dynamics or other circumstances by permitting minors twelve years of age or older to consent to receive mental health treatment or counseling services provided by a licensed mental health professional.

The Department of Health, The Judiciary, Hawaii Youth Services Network, Waikiki Health, Friends of Youth Outreach, Hawai'i Psychological Association, and two individuals testified in support of this measure. The Department of Education opposed this measure. The Hawaii Medical Service Association and an individual commented on this measure.

Your Committee finds that this measure will help one of the State's most vulnerable populations receive critical health services. To support further deliberation on this measure in the legislative process, your Committee requests the Department of Health to provide information on standard practices regarding minors' access and consent to mental health care in other states. Your Committee also requests the Department of Health and the Department of Education to engage in further discussion on this measure to avoid the unintended consequence of interfering with Individualized Education Programs of children with disabilities.

Your Committee has amended this measure by:

- (1) Changing the age of consent for mental health treatment or counseling services from twelve years of age or older to fourteen years of age or older;
- (2) Changing its effective date to July 1, 2070, to enable 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. 2357, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2357, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 139-16 Higher Education on H.B. No. 1624

The purpose of this measure is to help improve the governance of the University of Hawaii System by requiring the Auditor to:

- (1) Conduct a comprehensive audit of the University of Hawaii System to determine whether the University of Hawaii is efficiently managed; and
- (2) Submit a report of the Auditor'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 2017.

Two concerned individuals supported this measure. The University of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2525, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1624, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1624, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by all members of the Committee except Representative Ing.

SCRep. 140-16 Higher Education on H.B. No. 1612

The purpose of this measure is to provide the Hawaii Community Development Authority with exclusive authority over the development of projects at the site of the University of Hawaii - West Oahu, if the projects are developed for non-educational purposes.

The University of Hawaii opposed this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2525; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1612, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1612, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee except Representative Ing.

SCRep. 141-16 Higher Education on H.B. No. 1824

The purpose of this measure is to appropriate funds to the College of Tropical Agriculture and Human Resources of the University of Hawaii to restore and preserve its collection of historic relief maps of the Hawaiian Islands.

The University of Hawaii, Department of Botany of the University of Hawaii, and many concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated for the restoration and preservation of historic relief maps of the Hawaiian Islands 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 on Higher Education respectfully requests that it consider appropriating \$250,000 for the purposes of restoring and preserving historic relief maps of the Hawaiian Islands.

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. 1824, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1824, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 142-16 Higher Education on H.B. No. 2195

The purpose of this measure is to increase the efficient use of resources at the University of Hawaii by repealing the requirement that the University prepare an annual report regarding the Construction Academy.

The University of Hawaii supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2525, to facilitate 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. 2195, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2195, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 143-16 Judiciary on H.B. No. 2156

The purpose of this measure is to provide for the operating expenses of the Campaign Spending Commission from the general revenues of the State. Presently, the Commission's funding source is the Hawaii Election Campaign Fund.

The Campaign Spending Commission, The League of Women Voters of Hawaii, Common Cause Hawaii, Open Law Alliance, and several concerned individuals testified in support of this measure. One concerned individual provided comments.

Your Committee finds that the Commission plays an important role and needs a consistent, reliable funding source.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for 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. 2156, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2156, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 144-16 Consumer Protection & Commerce on H.B. No. 260

The purpose of this bill is to effectuate its title.

H.B. No. 260 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 is to authorize the Insurance Commissioner to issue a limited license for the solicitation or sale of insurance to a self-storage facility customer for the loss of, or damage to, personal effects or property stored at the self-service storage 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 action to report out H.B. No. 260, as amended herein, and recommends that it be recommitted to your Committee on Consumer Protection & Commerce, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 260, H.D. 1.

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

SCRep. 145-16 Human Services on H.B. No. 2163

The purpose of this measure is to help reduce youth violence and delinquency by appropriating funds to the Department of Human Services to fund operational costs to provide therapeutic prevention and mental health programs including in-school centered group counseling for high risk youth.

The International Brotherhood of Electrical Workers Local Union 1186, Adult Friends for Youth, and numerous concerned individuals supported this measure. The Office of Youth Services and the Department of the Prosecuting Attorney of the City and County of Honolulu supported the intent of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2060, 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. 2163, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2163, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 146-16 Human Services on H.B. No. 1877

The purpose of this measure is to appropriate funds to the Department of Human Services to establish one permanent full-time equivalent program specialist position, within the Adult Protective and Community Services Branch of the Department to oversee the foster grandparent program and senior companion programs in Maui County.

A Maui County Council member and an individual supported this measure. The Department of Human Services provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriation for the establishment of the program specialist position for Maui County to an unspecified amount;
- (2) Changing the effective date to July 1, 2060, 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 appropriating \$45,348 for the purpose of establishing a permanent, full-time program specialist position to oversee Maui County's foster grandparent program and senior companion programs.

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. 1877, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1877, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 147-16 Human Services on H.B. No. 1884

The purpose of this measure is to achieve the goals of the Long-Term Care Ombudsman Program mandated by the United States Administration on Aging through the Older Americans Act by appropriating funds to the Executive Office on Aging to establish and fund three additional long-term care ombudsmen positions, one each for the County of Maui, County of Hawaii, and County of Kauai.

The State Long Term Care Ombudsman, Policy Advisory Board for Elder Affairs, and an individual supported this measure. The Executive Office on Aging and two individuals provided comments.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated to establish three ombudsman specialist positions to an unspecified amount; and
- (2) Changing the effective date to July 1, 2060, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Human Services respectfully requests that it consider appropriating \$300,000 for the purpose of establishing three ombudsman specialist positions.

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. 1884, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1884, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 148-16 Consumer Protection & Commerce on H.B. No. 1578

The purpose of this measure is to prevent the theft of an urn by establishing the offense of theft of an urn as a class C felony.

Two individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Requiring scrap dealers and persons who sell to scrap dealers to follow the same regulations and provide the same receipts, declarations, and verifications for the purchase of an urn that is statutorily required for the purchase of copper or a beer keg; 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. 1578, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1578, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Creagan, Lee and Oshiro.

SCRep. 149-16 Consumer Protection & Commerce on H.B. No. 2115

The purpose of this measure is to modernize fiduciary law for the Internet age by providing authority to plan for the management and disposition of digital assets and to authorize procedures for management and disposition of digital assets in the absence of any specific directive.

The Commission to Promote Uniform Legislation testified in support of this measure.

Your Committee has amended this measure by:

- (1) Specifying throughout the measure the rights and obligations of designated recipients, as well as fiduciaries, including the obligation to follow copyright law; 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. 2115, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2115, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Creagan, Lee, Nakashima, Oshiro and Takayama.

SCRep. 150-16 Judiciary on H.B. No. 2247

The purpose of this measure is to require the State and counties to pay the approved travel costs incurred by their officers and employees for official state or county business, either directly to the vendor or by cash advance to the officer or employee, unless otherwise provided by a collective bargaining agreement.

The Hawaii Government Employees Association testified in support of this measure.

Your Committee is addressing the problem faced by many public employees when they are required to pay for official business out of their own funds and wait to be reimbursed. While waiting to be reimbursed, government employees face financial difficulties.

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. 2247 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 151-16 Judiciary on H.B. No. 1579

The purpose of this measure is to:

- (1) Require the Office of Elections and county offices that administer elections to use the information and services provided by the Electronic Registration Information Center (ERIC) to verify their voter registration rolls; and
- (2) Appropriate \$25,000 for the Office of Elections to join ERIC.

The Office of Elections and Common Cause Hawaii testified in support of this measure. The County Clerk of Kauai and the League of Women Voters of Hawaii provided comments.

Your Committee finds that citizen participation in elections is vital to the American democracy; however, more than 51,000,000 eligible citizens nationwide have not registered to vote. Moreover, one in eight voter registration records contains a serious error, and many voter registration systems remain inefficient and largely based on outdated technology.

Enrollment in ERIC will help Hawaii improve the accuracy of its voter registration rolls by using secure data-matching tools. Currently, it is very difficult to determine if a potential voter has already voted in another state. Hawaii can use ERIC to determine whether a citizen is registered or has voted in another state and, thus, may be ineligible to vote in 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 H.B. No. 1579 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Creagan, Lee, Morikawa, Woodson and McDermott.

SCRep. 152-16 Judiciary on H.B. No. 1580

The purpose of this measure is to appropriate \$400,000 to maintain and expand the United States Department of Justice's Weed and Seed Strategy to prevent, control, and reduce violent crime, drug abuse, and gang activity in targeted neighborhoods by weeding out the criminal element in the community.

The Department of the Attorney General, Principal of Ewa Makai Middle School, Vice Principal of Ilima Intermediate School, School Counselor of Kaimiloa Elementary School, Haseko Development, Inc., Meadow Gold Dairies, McDonald's of Ewa Beach, The Gentry Companies, Meridian Pacific, Ltd., First Hawaiian Bank, Louis Pohl Gallery, Weed and Seed, Parent Community Networking Center, and numerous concerned individuals testified in support of this measure.

Your Committee hopes that the sum appropriated by this measure will be sufficient to maintain the Weed and Seed Strategy in the locations where it is currently operating and that it will be feasible to expand the Weed and Seed Strategy into additional areas.

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. 1580 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Creagan, Lee, Morikawa, Woodson and McDermott.

SCRep. 153-16 Housing on H.B. No. 2771

The purpose of this measure is to require housing project developers who receive tax and other exemptions for a housing development project and fail to complete the project to pay a penalty of no less than the tax exemption amount and comply with any statute, ordinance, charter provision, or rule from which the project would have been exempt under section 201H-38, Hawaii Revised Statutes.

The Department of Taxation and Hawaii Housing Finance and Development Corporation provided comments 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 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. 2771, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2771, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 154-16 Housing on H.B. No. 1640

The purpose of this measure is to:

- (1) Address an underlying cause of homelessness in the State by requiring the Department of Labor and Industrial Relations to establish a stipend program for unemployed persons currently enrolled in job training programs;
- (2) Encourage landlords to rent to Section 8 tenants by requiring the Department of Commerce and Consumer Affairs to establish a program that offers dwelling insurance policies for landlords renting to Section 8 tenants; and
- (3) Encourage owners of real property to sell to first-time homebuyers by establishing a tax credit for sellers who convey an interest in real property to a qualified first-time homebuyer.

Hawaii Youth Services Network and several individuals supported this measure. The Hawaii Public Housing Authority and Hawaii Association of Realtors supported the intent of this measure. The Department of the Attorney General, Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs, Department of Taxation, and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Appropriating an unspecified amount to the Department of Labor and Industrial Relations to:
 - (A) Establish a stipend program for qualified individuals in job training programs; and
 - (B) Establish an unspecified number of positions to administer the program;
- (2) Requiring the Hawaii Public Housing Authority, rather than the Department of Commerce and Consumer Affairs, to establish a program to offer dwelling insurance policies to landlords that rent their property to Section 8 tenants;
- (3) Appropriating an unspecified amount to the Hawaii Public Housing Authority to:
 - (A) Establish the program that offers dwelling insurance policies to landlords renting to Section 8 tenants; and

- (B) Establish an unspecified number of positions to administer the program;
- (4) Removing the part that established a conveyance tax credit for owners of real property selling to first-time home buyers;
- (5) Changing the effective date to July 1, 2050; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate on this measure, your Committee on Housing respectfully requests that it consider examining what amount of funding and positions are needed for:

- (1) The stipend program for qualified individuals enrolled in job training programs; and
- (2) The program offering insurance policies to landlords renting to Section 8 tenants.

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. 1640, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1640, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 155-16 Housing on H.B. No. 2305

The purpose of this measure is to provide assistance to state agencies, counties, and private developers with financing for infrastructure improvements by authorizing the Hawaii Housing Finance and Development Corporation, upon request by a county, to establish and operate regional state infrastructure subaccounts within the Dwelling Unit Revolving Fund, to be used for the benefit of housing and mixed-use transit-oriented development projects within the requesting county.

The Department of Business, Economic Development, and Tourism, Hawaii Housing Finance and Development Corporation, Department of Commerce and Consumer Affairs, Office of Planning, Chamber of Commerce Hawaii, Hawaii Association of Realtors, Building Industry Association of Hawaii and Land Use Research Foundation of Hawaii 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 H.B. No. 2305 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 156-16 Judiciary on H.B. No. 1552

The purpose of this measure is to clarify that increased penalties apply to the failure of a noncandidate committee to timely file a second preliminary general report.

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

Your Committee finds that this measure is intended to make the penalties assessed on noncandidate committees the same as the penalties for similar violations by candidate committees.

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. 1552 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 157-16 Judiciary on H.B. No. 1553

The purpose of this measure is to clarify campaign spending reporting requirements by:

- (1) Clarifying the due dates for delivery of candidates' preliminary, final, and supplemental reports to the Campaign Spending Commission; and
- (2) Requiring all past and current candidates with a registered candidate committee to file supplemental reports on January 31 and July 31 of every year.

Your Committee finds this measure enhances candidates' understanding of campaign spending reporting deadlines because it more clearly states the requirements that are the current practice of the Campaign Spending Commission.

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

Your Committee made a technical, nonsubstantive amendment to 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. 1553, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1553, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Creagan, Lee, Morikawa, Woodson and McDermott.

SCRep. 158-16 Judiciary on H.B. No. 2694

The purpose of this measure is to ensure fair participation of all political parties on the Reapportionment Commission by providing that if there are no members belonging to the minority party or parties in a house of the Legislature, the members belonging to the same minority party or parties in the other house of the Legislature shall nominate persons to serve on the Commission.

The League of Women Voters of Hawaii testified in support of this measure.

Your Committee finds that this measure ensures a bipartisan appointment process for the selection of members of the Reapportionment Commission.

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. 2694 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 159-16 Labor & Public Employment on H.B. No. 2013

The purpose of this measure is to provide funds for collective bargaining cost items for public employees in collective bargaining unit (8) and their excluded counterparts for fiscal biennium 2015-2017.

The University of Hawaii and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Decreasing the general and special fund appropriations for collective bargaining cost items in the agreement negotiated with the exclusive bargaining representative of collective bargaining unit (8) to the following amounts:
 - (A) General funds: \$4,127,248 in fiscal year 2015-2016 and \$13,042,475 in fiscal year 2016-2017; and
 - (B) Special funds: \$350,296 in fiscal year 2015-2016 and \$1,187,196 in fiscal year 2016-2017;
- (2) Decreasing the special fund appropriation amount for salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, in fiscal year 2015-2016 to \$15,476; 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. 2013, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2013, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 160-16 Labor & Public Employment on H.B. No. 2312

The purpose of this measure is to enable the Employees' Retirement System (ERS) to invest funds sooner, thereby increasing the potential for greater investment returns and reducing its unfunded liability, by facilitating advance payment of State and county contributions to the ERS.

While the State and counties are not prohibited from making advance contributions to the ERS, the law still requires monthly payments, even if an employer has paid most of the fiscal year's contributions in advance. This measure confirms that the State and counties may make advance contributions and provides that monthly payments are not required if previous advance payments were sufficient to cover the required contributions for the month.

The ERS and the Department of Budget and Finance 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. 2312 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 161-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2489

The purpose of this measure is to address the special needs of female veterans by appropriating funds for the establishment of one full-time permanent Veterans Services Counselor IV position in the Office of Veterans' Services to address the needs of all veterans, with a focus on female veterans who served on active duty for the full period they were activated.

The Department of Defense, Office of Veterans' Services, The Sex Abuse Treatment Center, Planned Parenthood Votes Northwest and Hawaii, Women Veterans Task Force Committee, and several 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. 2489 and recommends that it pass Second Reading and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee.

SCRep. 162-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 1807

The purpose of this measure is to support reserve and national guard members who are officers or employees of the State or counties by allowing them to include inactive-duty training days in their 15 working days of annual paid military leave.

The Department of Defense and three concerned individuals supported this measure.

Your Committee has amended this measure to apply to members of the national guard or reserve of the armed forces to conform to federal law regarding military leave pay.

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. 1807, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1807, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee.

SCRep. 163-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2490

The purpose of this measure is to recognize the dedication, service, and sacrifice of disabled veterans by exempting them from county vehicle taxes and deleting their exemption from the state annual vehicle registration fee, without regard to whether the disabled veteran is in receipt of military disability retirement pay.

A concerned individual supported this measure. The Office of Veterans' Services supported the intent of this measure. The Tax Foundation of Hawaii submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Reinstating the exemption from the state annual vehicle registration fee; 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 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. 2490, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2490, H.D. 1, and be referred to your Committee on Transportation.

Signed by all members of the Committee.

SCRep. 164-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2492

The purpose of this measure is to support the University of Hawaii at Manoa Department of Theatre and Dance by appropriating specified sums for:

- (1) One full-time tenure track instructor in the Hawaiian Theatre Program;
- (2) Two full-time staff positions, one each for the costume shop and the scene shop;
- (3) Hiring guest artists and instructors;
- (4) The Asian Theatre Program; and
- (5) Production support.

The Halele'a Arts Foundation, University of Hawaii at Manoa Department of Theatre and Dance, Hawaii Pacific University Theatre Program, and numerous concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Deleting all the specified sums in the appropriations for the various purposes; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Veterans, Military, & International Affairs, & Culture and the Arts respectfully requests that it consider the following appropriations for the specified purposes for the University of Hawaii at Manoa Department of Theatre and Dance:

- (1) \$105,000 for one full-time tenure track instructor in the Hawaiian Theatre Program;

- (2) \$126,000 for two full-time staff positions, one to serve in the costume shop and the other, in the scene shop;
- (3) \$140,000 for guest artists and instructors;
- (4) \$130,000 for the Asian Theatre Program; and
- (5) \$135,000 for production support, including basic shop supplies.

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. 2492, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2492, H.D. 1, and be referred to your Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 165-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2618

The purpose of this measure is to:

- (1) Clarify that the requirement that one percent of all capital improvement appropriations for state buildings be transferred to the Works of Art Special Fund (Special Fund) applies only to construction and not renovation appropriations;
- (2) Specify that fifty percent of Special Fund expenditures be used solely to support art facilities, equipment, and supplies in public schools;
- (3) Require the Auditor to audit the Special Fund and the State Foundation on Culture and the Arts on the price and value of acquired art objects and how they are acquired; and
- (4) Appropriate funds for art appraisal services to assist the Auditor in preparing the required audit report.

The Department of Accounting and General Services, State Foundation on Culture and the Arts, and Hawaii Art Alliance submitted 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 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. 2618, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2618, H.D. 1, and be referred to your Committee on Education.

Signed by all members of the Committee.

SCRep. 166-16 Economic Development & Business on H.B. No. 2422

The purpose of this measure is to assist businesses selling or serving liquor by streamlining the liquor license application process for publicly owned companies. Specifically, this measure:

- (1) Clarifies that only a transfer of twenty-five per cent or more of outstanding, voting capital stock would require a corporation to apply for and secure the approval of the liquor commission for a transfer of a liquor license; and
- (2) Requires a publicly-traded company, or an entity that will ultimately be solely owned by a publicly-traded company:
 - (A) Upon the replacement of an officer, to provide the Liquor Commission with officer information, only if the replaced officer is designated as a primary decision maker for the purchase and sale of liquor; and
 - (B) When applying for, renewing, or transferring a liquor license, to provide the Liquor Commission with officer information only for those officers designated as primary decision makers for the purchase or sale of liquor.

The Department of Liquor Control of the County of Kauai, Hawaii Food Industry Association, Times Supermarkets, Aloha Petroleum, Kona Brewing and two concerned individuals testified in support of this measure. The Liquor Commission of the City and County of Honolulu provided comments.

Publicly owned companies, including those involved with the sale and service of liquor, typically have a multitude of officers and directors. Even though only a few of these individuals are involved in the purchase, sale, and service aspect of the liquor licensee's business, under current law, all officers and directors of the company must undergo criminal clearance and personal history checks. These processes can be unduly burdensome for these companies, particularly when only a few employees directly supervise the sale and purchase of liquor. Your Committee finds that streamlining the liquor license application process for these companies by requiring information on only employees directly associated with the sale and purchase of liquor would make the process more efficient for businesses without compromising regulatory oversight.

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. 2422 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 167-16 Economic Development & Business on H.B. No. 2288

The purpose of this measure is to promote and encourage innovation and entrepreneurship in Hawaii by annually depositing \$5,000,000 of Corporation Income Tax collections over a five year period into the Hawaii Strategic Development Corporation Revolving Fund to be used by the Hawaii Strategic Development Corporation for the HI Growth Initiative.

The Department of Business, Economic Development and Tourism; Hawaii Strategic Development Corporation; High Technology Development Corporation; Blue Startups; Chamber of Commerce Hawaii; The Cut Collective; Nobscot Corporation/JamBios, Inc.; Mian Wings, LLC; Mpower Pictures; Grassroots News International; DevLeague; Honua Studios; Ring of Fire Films, Inc.; Kona Snow Productions; GVS Accelerator; GVS Connect; Josh Harmsworth Productions; Startup Capital Ventures; Ten Tomorrow; Jumping Flea Productions; Oceanna LLC; GVS Transmedia Accelerator; Twenty20Sound; mbloom Ventures; Energy Excelsior; Building Industry Association of Hawaii; and numerous concerned individuals testified in support of this measure. One individual provided comments.

Your Committee finds that Hawaii must continue to find ways to diversify its economy to ensure long-term economic viability. To achieve this important goal, investments must be made in business mentoring and development, and resources must be allocated to attract private-public capital to develop new business industries. The HI Growth Initiative, a comprehensive equity investment program, was established for such a purpose and has been designed to support the development of an innovation economy. In addition to encouraging entrepreneurial high growth business development and the creation of high wage jobs for Hawaii's people, the HI Growth Initiative helps to keep Hawaii's established industries competitive and creates new areas of opportunities for entrepreneurs. Providing funding to support the HI Growth Initiative will promote and encourage innovation and entrepreneurial activities that will ultimately benefit the economy of the State.

Your Committee has amended this measure by:

- (1) Changing the amount of Corporation Income Tax collections deposited into the Hawaii Strategic Development Corporation Revolving Fund from \$5,000,000 to an unspecified amount; and
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Economic Development & Business respectfully requests that it consider authorizing the deposit of Corporation Income Tax collections in the amount of \$5,000,000 annually over a five year period into the Hawaii Strategic Development Corporation Revolving 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. 2288, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2288, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 168-16 Economic Development & Business on H.B. No. 1913

The purpose of this measure is to promote entrepreneurship and stimulate Hawaii's economy by establishing a general excise tax exemption for small businesses with an annual gross income of \$50,000 or less.

The Chamber of Commerce Hawaii supported the intent of this measure. The Department of Taxation, Tax Foundation of Hawaii, and Grassroot Institute of Hawaii commented on this measure.

Small businesses are often touted as the backbone of an economy. While small businesses may not generate as much money as large businesses, they are a critical component of, and major contributor to, the strength of local economies. Small businesses present new employment opportunities to people who may not be employable by larger businesses and bring growth and innovation to the community in which the business is established.

Your Committee finds that establishing a small business, particularly in Hawaii, is difficult. One constant often mentioned in surveys regarding business issues in Hawaii is the financial burden the general excise tax places on businesses. Providing small businesses with an annual gross income of \$50,000 or less with a general excise tax exemption will enable these businesses to grow and further stimulate Hawaii's economy.

However, your Committee notes the concerns raised by the Department of Taxation and Tax Foundation of Hawaii regarding the domiciliary requirement contained in this measure, as well as the tax clearance requirement. Accordingly, your Committee has amended this measure by:

- (1) Removing the requirement that a business be domiciled in Hawaii to claim the general excise tax exemption;
- (2) Clarifying that a small business claiming the general excise tax exemption must be issued a certificate of tax clearance from the Department of Taxation during the taxable year for which the exemption is claimed;
- (3) Changing its effective date to July 1, 2050, to promote further discussion;
- (4) Inserting a provision to repeal this Act on January 1, 2019; 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1913, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1913, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 169-16 Energy & Environmental Protection on H.B. No. 2646

The purpose of this measure is to protect public health and the quality of Hawaii's drinking water by establishing a permanent Fuel Tank Advisory Committee.

The Department of Land and Natural Resources, Honolulu Board of Water Supply, Sierra Club of Hawaii, Conservation Council for Hawaii, and several concerned individuals supported this measure. The Department of Health opposed the measure. Navy Region Hawaii at Joint Base Pearl Harbor-Hickam submitted comments.

Your Committee has amended this measure by:

- (1) Deleting provisions making an appropriation to site and install two monitor wells to test the condition of the groundwater aquifer underneath and surrounding the Red Hill Bulk Fuel Storage Facility on Oahu; 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. 2646, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2646, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 170-16 Education on H.B. No. 2337

The purpose of this measure is to provide the Board of Education with greater flexibility to establish the salary of the State Librarian by increasing the salary cap for the State Librarian position from \$120,000 to \$200,000 per year.

No testimony was received for this measure.

Your Committee has amended this measure by:

- (1) Deleting the specific amount of the salary cap 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 H.B. No. 2337, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2337, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 171-16 Education on H.B. No. 2267

The purpose of this measure is to support digital learning and the use of technology in public schools by:

- (1) Requiring a publisher or manufacturer that submits printed curricular materials to be used in public schools on or after July 1, 2016, to also make printed curricular materials available in an equivalent digital format during the entire period in which the printed curricular materials are being used by the public schools;
- (2) Authorizing moneys allocated for printed curricular materials to be expended for the purchase of digital formats of the curricular materials;
- (3) Defining "curricular materials" to include instructional material in both printed and digital formats and replacing references to "school textbooks, instructional materials, library books, equipment, or supplies" with "curricular materials"; and
- (4) Appropriating \$12,800,000 for digital devices for teachers and students to use in public school classrooms.

TechNet, CompTIA, and several concerned individuals supported this measure. The Department of Education supported the intent of the measure. The State Public Charter School Commission and the Hawaii State Teachers Association submitted comments.

Your Committee has amended this measure by:

- (1) Deleting the requirement that a publisher or manufacturer that submits printed curricular materials to be used in public schools on or after July 1, 2016, also make equivalent materials available in a digital format;
- (2) Clarifying that the appropriation for digital devices for teachers and students to use in classrooms be made for Department of Education schools only, and not public charter schools;
- (3) Changing the appropriation to an unspecified amount to facilitate further discussion;
- (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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2267, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2267, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 172-16 Human Services on H.B. No. 2121

The purpose of this measure is to appropriate funds to the Judiciary to purchase civil legal services for low- and moderate-income persons.

The Judiciary, Americans for Democratic Action, Domestic Violence Action Center, Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Ho'omana Pono, LLC, and numerous concerned individuals supported this measure. The Hawaii Disability Rights Center provided comments.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated to the Judiciary to purchase civil legal services to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion.

Should your Committee on Finance deliberate on this measure further, your Committee on Human Services respectfully requests that it consider appropriating \$2,159,632 to the Judiciary for the purpose of purchasing civil legal services for low- and moderate-income persons.

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. 2121, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2121, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 173-16 Human Services on H.B. No. 2647

The purpose of this measure is to assist homeless individuals in finding jobs by:

- (1) Requiring the City and County of Honolulu to establish a pilot program that connects homeless individuals willing to work with job opportunities; and
- (2) Appropriating funds to the City and County of Honolulu to establish the pilot program.

Two concerned individuals supported this measure. The Governor's Coordinator on Homelessness provided comments.

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. 2647, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2647, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Belatti.

SCRep. 174-16 Judiciary on H.B. No. 1041

The purpose of this measure is to establish a Game Commission to serve in an advisory role to the Board of Land and Natural Resources (Board) to recommend procedures, develop plans, collaborate with other agencies, and provide recommendations on the allocation of funds and other non-game resources. The Game Commission may recommend policies and criteria regarding the management, protection, and promotion of public hunting in Hawaii.

The Mayor and a Councilmember of the County of Hawaii; Hawaii Crop Improvement Association; Hookipa Network; The Society for Hawaii Heritage Animals; Hawaii Sportmen's Alliance; Hawaii Hunting Association; National Wild Turkey Federation; Hunting Farming and Fishing Association; J&K Island Magic of Hawaii, LLC; Hui Kuahiwi; Grey Boar Wildlife Services, LLC; Babooze Bowstrings; Monsanto Co.; Hawaii Farm Bureau; Aha Moku Advisory Committee; The Nature Conservancy of Hawaii; Pig Hunters Association of Oahu; Game Management Advisory Committee-Island of Hawaii; and numerous concerned individuals testified in support. Conservation Council for Hawaii and three concerned individuals testified in opposition. The Department of Land and Natural Resources (Department) and two concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Renaming the commission as the Game Management Advisory Commission;
- (2) Designating membership to include:
 - (A) One member from the County of Kauai;
 - (B) Three members from the County of Maui: one from each of the islands of Maui, Molokai, and Lānai;
 - (C) Two members from the County of Hawaii: one member from East Hawaii and one member from West Hawaii;

- (D) One member from the City and County of Honolulu;
 - (E) One at-large member; and
 - (F) The Chairperson of the Board of Land and Natural Resources or designated representative as an ex officio voting member;
- (3) Clarifying the Game Management Advisory Commission's advisory role throughout the list of enumerated responsibilities;
 - (4) Expanding the Game Management Advisory Commission's role to include advising the Department of Land and Natural Resources on policies, plans, and procedures related to the control of game mammals, including aerial shooting activities by the Department; and
 - (5) Making technical nonsubstantive amendments for clarity, consistency, and style.

Your Committee finds the name, "Game Management Advisory Commission," is better suited to the organization's purpose of ensuring that the interests and concerns of Hawaii's public hunting community are heard by the State through the Commission's advisory role to the Board. This measure creates a balanced approach to receive the viewpoints of the hunting communities in all counties through a formal process that incorporates those views in the decisionmaking deliberations of the Board.

Many organizations and concerned individuals, while in favor of a commission, testified in opposition to the Board's proposal to structure the Game Management Advisory Commission to include an advisory network of island-based committees. The proposal to systemize involvement at the local level has merits, but your Committee finds that the creation of another layer of bureaucracy would be counterproductive. An advisory group comprising at least one representative from each of the counties would be a more efficient and effective method.

Additionally, the composition of the Game Management Advisory Commission has been amended to designate members from specific islands and regions of the counties, thus ensuring representation of the local communities. Further, the Game Management Advisory Commission's charge to collaborate with "other persons who gather information and implement hunting programs and data" is intended to be a means to incorporate local community interests and expertise. Your Committee notes that the Game Management Advisory Commission would be required to have a member who represents cultural interests, including subsistence hunting activities.

Your Committee expanded the Game Management Advisory Commission's duties to include advising the Department on policies, plans, and procedures related to the control of game mammals, including advice on the Department's aerial shooting activities.

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. 1041, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1041, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Lee, Morikawa, Woodson and McDermott.

SCRep. 175-16 Judiciary on H.B. No. 1652

The purpose of this measure is to increase voter registration by:

- (1) Requiring an application for voter registration to be included with the applications for a civil identification card and driver's license;
- (2) Requiring the applicant to accept or decline the voter registration before the identification card or driver's license application is processed; and
- (3) Giving election officials and the statewide registration system electronic access to the registrant's information to allow for the timely processing of voter registration applications.

The Office of Elections, the Office of Hawaiian Affairs, Kauai Office of the County Clerk, The League of Women Voters of Hawaii, and two concerned individuals testified in support of this measure. The Department of Transportation provided comments.

This measure will reduce barriers to voting and increase citizen participation in elections by making voter registration more convenient. This measure will also modernize the registration process and data maintenance by requiring the Examiner of Drivers and the Department of Transportation to electronically transfer voter information files to the Office of Elections and election officials, rather than transferring the information with paper documents.

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. 1652 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Morikawa and Woodson.

SCRep. 176-16 Housing on H.B. No. 2293

The purpose of this measure is to enable the Hawaii Housing Finance and Development Corporation to partner with state and county departments and agencies to develop mixed-use developments to ensure that affordable housing will be in close proximity to jobs, shops, and other services.

The Department of Business, Economic Development, and Tourism, Hawaii Housing Finance and Development Corporation, Office of Planning, Chamber of Commerce Hawaii, Hawaii Association of Realtors, Land Use Research Foundation of Hawaii, and Building Industry Association of Hawaii 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 H.B. No. 2293 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 177-16 Water & Land on H.B. No. 1733

The purpose of this measure is to amend the laws relating to commercial permits for small boat harbors by authorizing:

- (1) Commercial permit holders for small boat harbors to submit permit renewal applications early and be informed of any reasons for a nonrenewal prior to the expiration of the commercial permit; and
- (2) A thirty-day grace period for persons who fail to timely file a commercial permit renewal application.

Maui Dive Shop, Fair Wind Cruises, Trilogy Corporation, Atlantis Adventures, Quicksilver Charters, Ocean Tourism Coalition, and numerous 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 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. 1733, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1733, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 178-16 Water & Land on H.B. No. 2591

The purpose of this measure is to designate fifty acres at the University of Hawaii, West Oahu for the creation of a creative media technology campus.

The Department of Business, Economic Development and Tourism, High Technology Development Corporation, University of Hawaii – West Oahu, Kapolei Chamber of Commerce, and an individual provided testimony in support of this measure. The Hawaii Housing Finance and Development Corporation provided comments. An individual provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Requiring the University of Hawaii System to submit an annual report to the Legislature on the status of the creative media technology campus, as well as copies of any memorandum of agreement entered into; 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. 2591, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2591, H.D. 1, and be referred to your Committee on Higher Education.

Signed by all members of the Committee.

SCRep. 179-16 Water & Land on H.B. No. 2693

The purpose of this measure is to enhance the capabilities of the State Historic Preservation Division to expeditiously review Department of Transportation project proposals by creating and funding two additional positions in the State Historic Preservation Division.

The Department of Land and Natural Resources, Aha Moku, Historic Hawaii Foundation, and a few individuals testified in support of this measure. One individual testified in opposition 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. 2693, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2693, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee.

SCRep. 180-16 Water & Land on H.B. No. 1630

The purpose of this measure is to ensure the accuracy of real property title documents recorded in the Bureau of Conveyances by requiring mortgage lenders, upon full payment or satisfaction of a mortgage loan, to provide documentation of the release of any interests in lease or rental income that were assigned to the mortgage lender by a real property owner as security on the mortgage loan. This measure will ensure that real property titles are not improperly clouded due to outdated records.

An individual provided testimony in support 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1630, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1630, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 181-16 Water & Land on H.B. No. 956

The purpose of this measure is to give the Board of Land and Natural Resources the discretionary authority to set values and grant easements for structures that were, at the time of construction, authorized by an appropriate regulatory agency and located landward of the shoreline within the record boundary of an oceanfront property but, over time, have become located seaward of the shoreline because of the dynamic nature of the shoreline.

The Department of Land and Natural Resources testified in support of this measure. The Office of Planning 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. 956 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 182-16 Water & Land on H.B. No. 2092

The purpose of this measure is to clarify the authority of the Hawaii Community Development Authority to prohibit or restrict the stopping, standing, or parking of vehicles on sidewalks fronting private streets in the Kakaako Community Development District.

The Department of Transportation Services of the City and County of Honolulu and several individuals testified in support of this measure. Macdonald and Porter, Inc. provided comments.

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. 2092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2092, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 183-16 Water & Land on H.B. No. 2051

The purpose of this measure is to appropriate funds to support the operations and duties of the State Building Code Council.

The Department of Accounting and General Services, State Building Code Council, Department of Fire & Public Safety of the County of Maui, Honolulu Fire Department, Hawaii State Fire Council, Kauai Fire Department, Building Industry Association of Hawaii, General Contractors Association of Hawaii, Hawaii Laborers' Union Local 368, Subcontractors Association of Hawaii, and Hawaii Laborers-Employers Cooperation and Education Trust testified in support of this measure.

Your Committee has amended this measure by changing its appropriation amount to an unspecified sum.

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. 2051, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2051, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 184-16 Labor & Public Employment on H.B. No. 2363

The purpose of this measure is to amend Hawaii's laws on workers' compensation (WC) and temporary disability insurance (TDI) to:

- (1) Exclude the following from providing TDI coverage for services they provide for themselves: sole proprietors, an individual partner of a partnership, a partner of a limited liability partnership with an interest of at least 50 percent, an individual member of a limited liability company with a distributional interest of at least 50 percent, or individual owning at least 50 percent of a corporation;
- (2) Allow the Director of Labor and Industrial Relations to receive electronic copies of injury and other reports;
- (3) Increase the penalty for employers who do not have TDI coverage for employees from not less than \$25 or \$1 per employee per day, to not less than \$500 or \$100 per employee per day;
- (4) Increase the penalty from not more than \$2,500 to not more than \$5,000 against an employer or insurance carrier for failure to make correct or timely benefit payments or to terminate such benefits without approval or statutory cause;
- (5) Increase the penalty for failure to file medical reports from \$250 to \$500, and for employer's failure to provide copies of requested medical reports from \$1,000 to \$5,000;

- (6) Increase the penalty for employers who do not have WC coverage for employees from not less than \$250 or \$10 per employee per day, to not less than \$500 or \$100 per employee per day; and
- (7) Increase the penalty from \$2,500 to \$5,000 against an employer for the deduction of premium payments from an employee's wages.

The Department of Labor and Industrial Relations, the Hawaii Construction Alliance, Pacific Resource Partnership, and the ILWU Local 142 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. 2363 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 185-16 Labor & Public Employment on H.B. No. 2364

The purpose of this measure is to extend the sunset date by one year for the provision in section 386-78(a), Hawaii Revised Statutes, which provides that compromises for workers' compensation claims reached as a result of third-party liability claims or actions do not require the approval of the Director of Labor and Industrial Relations.

The Department of Labor and Industrial Relations and the National Association of Mutual Insurance Companies 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. 2364 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 186-16 Labor & Public Employment on H.B. No. 2715

The purpose of this measure is to overhaul employee health and safety insurance protections in the state by:

- (1) Repealing the Hawaii Employers' Mutual Insurance Company;
- (2) Establishing the State Workers' Compensation Insurance Company, a public body corporate, attached to the Department of Labor and Industrial Relations, and tasked with providing workers' compensation to employees across the State; and
- (3) Requiring employers to self-insure or obtain workers' compensation coverage through the State Workers' Compensation Insurance Company.

The Ironworkers Stabilization Fund testified in support of this measure. ILWU Local 142, Chamber of Commerce Hawaii, National Association of Mutual Insurance Companies, Hawaii Insurers Council (Council), and Property Casualty Insurers Association of America testified in opposition. The Department of Labor and Industrial Relations and General Contractors Association of Hawaii provided comments.

Your Committee notes that testimony provided by the Council highlighted the potential benefits of performing a closed claim study prior to taking legislative action to repeal the Hawaii Employers' Mutual Insurance Company and establish the State Workers' Compensation Insurance Company. The Council testified that such a study, similar to the Tillinghast study that was conducted in Hawaii in 1993, may provide the Legislature with a clearer picture on "where cost drivers exist, where backlogs are slowing the process, and what, if any, inequities exist as to either the injured worker or insurer." Given the testimony of the Council, should the Committee on Consumer Protection and Commerce choose to deliberate further on this measure, your Committee respectfully requests that it further examine the merits of such a study.

Your Committee has amended this measure by:

- (1) Requiring the Department of Labor and Industrial Relations to develop, report to the Legislature on, and implement a transition and implementation plan for the repeal of the Hawaii Employers' Mutual Insurance Company and establishment of the State Workers' Compensation Insurance Company;
- (2) Changing its effective date to July 1, 2091, 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. 2715, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2715, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 187-16 Labor & Public Employment on H.B. No. 2369

The purpose of this measure is to appropriate funds to cover costs associated with departmental efforts to continue State compliance with the Federal Patient Protection and Affordable Care Act, given the cessation of operations of the Hawaii Health Connector on December 4, 2015.

Specifically, this measure appropriates \$1,651,510 to the Department of Labor and Industrial Relations and \$3,790,929 to the Department of Human Services to support the transfer of certain Hawaii Health Connector functions, including the ongoing maintenance and operations of the State's Medicaid eligibility and enrollment system, to the Department of Labor and Industrial Relations and Department of Human Services.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 6 to the Legislature, requested immediate consideration and passage of this bill by the Legislature.

The Department of Human Services, Department of Labor and Industrial Relations, Chamber of Commerce Hawaii, and ILWU Local 142 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. 2369 and recommends that it pass Second Reading and be referred to your Committee on Human Services.

Signed by all members of the Committee.

SCRep. 188-16 Labor & Public Employment on H.B. No. 2286

The purpose of this measure is to provide professionally licensed or certified government employees with the same privileges and immunities as other state employees.

The Department of the Attorney General, Department of Accounting and General Services, Department of Transportation, Department of Public Safety, Department of Taxation, Office of the Public Defender, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. The Hawaii Association for Justice testified in opposition to this measure. The Department of Human Resources of the City and County of Honolulu provided comments.

Your Committee notes that concerns were raised in testimony regarding the breadth of the legal immunities provided in this measure. Specifically, questions were raised on whether the scope of the provided immunity conflicts with general notions of protections for government employees, which historically have centered on the exercise of discretionary governmental functions. Should the Committee on Judiciary choose to deliberate on this measure, your Committee respectfully requests that this issue be further examined.

Your Committee has amended this measure by changing its effective date to July 1, 2091.

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. 2286, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2286, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 189-16 Labor & Public Employment on H.B. No. 2017

The purpose of this measure is to improve the efficiency of Hawaii's workers' compensation system by allowing physicians to transmit an injured employee's treatment plan to an employer via facsimile, e-mail, or other internet communication.

The Hawaii Injured Workers Association, Hawaii Academy of Physician Assistants, Automated HealthCare Solutions, and several individuals testified in support of this measure. The Department of Human Resources of the City and County of Honolulu and National Association of Mutual Insurance Companies testified in opposition to this measure. The Department of Labor and Industrial Relations, Department of Human Resources Development, and Hawaii Insurers Council provided comments on this measure.

Your Committee notes that concerns were raised in testimony on whether the seven-day denial period allows an employer adequate time to properly and comprehensively analyze a proposed treatment plan. Given the balance needed to ensure timely communication while maintaining appropriate acceptance or denial of proposed treatment plans, should the Committee on Consumer Protection and Commerce deliberate on this measure, your Committee respectfully requests further examination on what may constitute a more feasible deadline.

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. 2017 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 190-16 Labor & Public Employment on H.B. No. 2307

The purpose of this measure is to appropriate and authorize funds for collective bargaining cost items for Unit (14) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative for fiscal biennium 2015-2017.

The Department of Budget and Finance 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, 2091, to facilitate 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. 2307, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2307, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 191-16 Economic Development & Business on H.B. No. 2486

The purpose of this measure is to stimulate economic development and job growth on the western end of the Island of Oahu by establishing the Kapolei Jobs Initiative to provide an income tax credit and unemployment tax credit as incentives for businesses to establish locations or relocate to the Kapolei region of Oahu.

The Kapolei Chamber of Commerce; Hawaii Construction Alliance; Pacific Resource Partnership; Hawaiian Agents, Inc.; Pat Lee & Associates, LLC; West Oahu Economic Development Association; MacNaughton Group; Land Use Research Corporation of Hawaii; Avalon Group; and several concerned individuals testified in support of this measure. The Chamber of Commerce Hawaii testified in support of the intent of this bill. The Department of Labor and Industrial Relations testified in opposition to this measure. The Department of Business, Economic Development and Tourism, Department of Taxation, and Tax Foundation of Hawaii provided comments.

Kapolei, often referred to as Oahu's second city, is a master planned community on the Ewa plain of Oahu whose development was meant to counteract rising home prices and alleviate traffic congestion in Oahu's urban core of Honolulu. While Kapolei has grown substantially over the years, it is still a largely residential community with a limited number of employment opportunities in the region. As such, many residents of Kapolei still must commute to the urban core of Honolulu for work on a daily basis resulting in greater traffic congestion for all Oahu residents.

Your Committee finds that providing incentives for businesses to relocate to, or expand into, Kapolei will not only increase economic activity for the residents of Kapolei and increase their quality of life, but will affect the quality of life for all residents of Oahu.

However, your Committee understands concerns raised regarding the applicability of this program and concerns raised by the Department of Taxation. Accordingly, your Committee has amended this measure by, among other things:

- (1) Deleting the Kapolei Jobs Initiative Unemployment Tax Credit and instead incorporating this incentive as part of an income tax credit;
- (2) Clarifying that the Kapolei Jobs Initiative Tax Credit can be carried forward against a taxpayer's net income tax liability in subsequent years until the tax credit is exhausted;
- (3) Expanding eligibility for the Kapolei Jobs Initiative Tax Credit by including geographic locations represented by the zip code 96709;
- (4) Specifying that a business must have a net gain of 10 employees to qualify for the Kapolei Jobs Initiative Tax Credit rather than having a minimum of 10 employees;
- (5) Changing the implementation date for the applicability of the Kapolei Jobs Initiative Tax Credit to taxable years beginning after December 31, 2016, to allow time for the Department of Taxation to make necessary preparations for the initiation of the tax credit; and
- (6) Changing the repeal date of the Kapolei Jobs Initiative Tax Credit from June 30, 2026, to June 30, 2027.

Your Committee has also amended this measure by:

- (1) Changing its effective date to February 19, 2022, 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2486, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2486, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Ito.

SCRep. 192-16 Economic Development & Business on H.B. No. 2704

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 funding portal for business investment by establishing limited exemptions for crowdfunding from State securities exchange requirements.

The Chamber of Commerce Hawaii testified in support of this measure. The Department of Commerce and Consumer Affairs and United Public Workers testified in opposition to this measure.

Your Committee finds that crowdfunding is a popular fundraising trend using online fundraising platforms. Certain income and accreditation requirements often make it prohibitive for most individuals in Hawaii to invest in start-up businesses. Crowdfunding provides a mechanism for smaller, individual investors 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, and will provide a boost to Hawaii's economy.

However, your Committee recognizes the concerns raised by the Department of Commerce and Consumer Affairs regarding possible preemption by federal securities and exchange requirements.

Accordingly, your Committee has amended this measure to address these concerns by deleting its contents and inserting provisions amending section 485A-202(a), Hawaii Revised Statutes, to establish an exemption from Hawaii securities law for limited intrastate investments with Hawaii businesses not to exceed \$1,000,000 during a 12-month period.

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. 2704, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2704, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Ito.

SCRep. 193-16 Health on H.B. No. 2311

The purpose of this measure is to avoid overpaying benefits and wasting public funds by extending for an additional two years the Department of Health's authority to disclose personally identifiable information and other confidential data of deceased individuals recorded by the Department of Health to state agencies, which maintain official lists of persons and are prohibited by federal law from sharing the list information with the Department of Health.

The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees and the Department of Human Services testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2311 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 194-16 Health on H.B. No. 1745

The purpose of this measure, as received by your Committee, is to authorize the Director of Health, rather than the Governor, to declare an epidemic or imminent epidemic and use moneys in the new Disease Outbreak Response Fund for epidemic control and relief.

An individual testified in support of this measure. The Department of Health (DOH), Department of the Attorney General, and Department of Budget and Finance commented on this measure.

Noting DOH's testimony that other mechanisms currently exist for funding disease outbreak response and the immediate need to target resources to support vector control efforts in combatting the dengue fever outbreak and any other future outbreaks, your Committee has amended this measure by:

- (1) Deleting its contents and inserting provisions substantially similar to H.B. No. 2061, Proposed H.D. 1, which your Committee heard on February 5, 2016. As amended, this measure makes an appropriation in an unspecified amount for DOH to:
 - (A) Hire 37 positions including a vector control manager, communications specialist, and 35 staff; and
 - (B) Take steps to fully reestablish a Vector Control Sector Branch within DOH's Environmental Health Administration; and
- (2) Changing its effective date to July 1, 2070, to encourage further discussion.

Should this measure be considered by the Committee on Finance, your Committee respectfully requests that it consider an appropriation amount of \$1,901,475 to hire the 37 positions and reestablish a Vector Control Sector Branch.

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. 1745, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1745, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 195-16 Health on H.B. No. 2356

The purpose of this measure is to amend provisions relating to the use of collected information related to birth defects studies.

Specifically, this measure:

- (1) Authorizes the Department of Health to communicate with the primary care provider of a child identified with a birth defect, as a result of information collected pursuant to birth defect studies, to provide information about programs and resources that may help the child; and
- (2) Clarifies that an Institutional Review Board may exempt an activity using birth defects data under the Board's rules of exemptions.

The Department of Health and the American Congress of Obstetricians and Gynecologists, Hawaii Section, testified in support of this measure.

Your Committee has amended this measure by:

- (1) Clarifying that it takes effect on July 1, 2016; 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. 2356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2356, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 196-16 Health on H.B. No. 2359

The purpose of this measure is to lessen the time certain criminal defendants spend in state custody awaiting forensic mental health examinations and the resultant rulings on fitness to proceed and penal responsibility by separating the examination for fitness to proceed and the examination for penal responsibility.

The Department of Health, Office of the Public Defender, Hawaii Disability Rights Center, and Hawaii Psychological Association commented on this measure. The City and County of Honolulu Department of the Prosecuting Attorney opposed this measure.

Your Committee has amended this measure by:

- (1) Clarifying that proceedings in a prosecution shall be suspended during the pendency of an examination to determine penal responsibility;
- (2) Specifying that a separate examination to determine penal responsibility shall be conducted no more than thirty days after an initial examination to determine fitness to proceed;
- (3) Clarifying that the defendant's medical, mental health, social, police, and juvenile records may be provided to forensic examiners in either hard copy or digital format;
- (4) Making the court's appointment of one qualified examiner discretionary in the case of a redetermination of fitness to proceed of a defendant charged with an offense other than a Class A felony;
- (5) Clarifying that the continued confinement of a defendant in the custody of the Director of Health following a redetermination that the defendant is fit to proceed shall be subject to bail and that the continued confinement of the defendant after a penal verdict or finding of culpability shall be subject to the court's discretion;
- (6) Changing its effective date to July 1, 2070, 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 H.B. No. 2359, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2359, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 197-16 Health on H.B. No. 2434

The purpose of this measure is to provide emergency medical services to the expanding community of Puna and to augment the County of Hawaii emergency medical services system for residents and visitors of the island of Hawaii by appropriating funds to establish and staff an advanced life support medic unit in Puna on the island of Hawaii.

Hawaii Fire Fighters Association, Puna Community Medical Center, Puna Community Medical Clinic, and several individuals testified in support of this measure. The Department of Health, Hawaii Fire Department, and two individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Including the contents of H.B. No. 2529, which was heard by your Committee on February 8, 2016, and which appropriates funds to the County of Hawaii for the operation of emergency medical services for North Kona;
- (2) Changing its effective date to July 1, 2070, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments 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. 2434, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2434, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 198-16 Health on H.B. No. 1874

The purpose of this measure is to appropriate funds to establish a rapid response emergency medical services unit to include personnel, equipment, and operational expenses for a 24-hour, seven-days-a-week, rapid response emergency medical services unit for the County of Kauai.

Numerous individuals testified in support of this measure. The Department of Health provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2070, 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. 1874, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1874, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 199-16 Health on H.B. No. 2171

The purpose of this measure is to assist the City and County of Honolulu Emergency Medical Services Division to expand emergency medical and ambulance services in the Moanalua, Aliamanu, Red Hill, Salt Lake, and Foster Village communities by appropriating funds to authorize an additional emergency medical services unit.

The Honolulu Emergency Services Department, Emergency Medical Service Division; United Public Workers, AFSCME, Local 646, AFL-CIO; and two individuals testified in support of this measure. The Department of Health commented on this measure.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$1,800,000 for fiscal year 2016-2017 for an additional emergency medical services unit to expand emergency medical and ambulance services in the Moanalua, Aliamanu, Red Hill, Salt Lake, and Foster Village communities.

Your Committee has amended this measure by:

- (1) Making the appropriation an unspecified amount;
- (2) Changing its effective date to July 1, 2070, 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. 2171, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2171, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 200-16 Health on H.B. No. 1708

The purpose of this measure is to establish a limited exemption from the State's licensing requirements for visiting sports team physicians to allow them to provide care to their traveling team members and coaching staff for a specific sporting event or at a national sport training center in the State.

The Queen's Health Systems, Hawaii Medical Association, and two individuals testified in support of this measure. The Hawaii Medical Board commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2070, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 1708, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1708, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 201-16 Health on H.B. No. 1899

The purpose of this measure is to regulate the practice of midwifery care by establishing licensure requirements, continuing education requirements, and minimum training standards.

The Hawaii State Commission on the Status of Women, Hawaii Women's Coalition, Mercy in Action, and numerous individuals testified in support of this measure. The Hawaii Medical Association, The American Congress of Obstetricians and Gynecologists, Hawaii Section, and numerous individuals opposed this measure. The Department of Commerce and Consumer Affairs (DCCA); Regulated Industries Complaints Office (RICO); Midwives Alliance of Hawaii; American Association of University Women, Hawaii; Healthy Mothers Healthy Babies Coalition of Hawaii; and numerous individuals commented on this measure.

Noting concerns that this measure lacks enforcement provisions commonly found in professional and vocational licensing regulations, your Committee has requested DCCA's Professional and Vocational Licensing Division and RICO to provide information regarding enforcement procedures of other states related to regulating the practice of midwifery, including provisions for reporting disciplinary action and for enforcing unlicensed activity.

Your Committee has amended this measure by:

- (1) Clarifying that the purpose is to regulate certified professional midwives who practice midwifery care;
- (2) Deleting all references to traditional birth attendant or traditional midwife;
- (3) Deleting the traditional birth attendant as a member of the advisory committee;
- (4) Changing its effective date to July 1, 2070, 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. 1899, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1899, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 202-16 Health on H.B. No. 1897

The purpose of this measure is to ensure insurance coverage for sexually transmitted disease screenings, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome, during a woman's annual pelvic exam.

Planned Parenthood Votes Northwest and Hawaii, Hawaii Medical Service Association, Kaiser Permanente Hawaii, The Chamber of Commerce Hawaii, and several individuals testified in support of this measure. The Department of Health, Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund, Hawaii Medical Association, American Council of Life Insurers, Hawaii Section of the American Congress of Obstetricians and Gynecologists, and an individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the insurance coverage requirement applies to annual screenings for all patients, instead of only to screenings provided to women in conjunction with an annual gynecological exam;
- (2) Clarifying that the exemption from the screening coverage requirement applies to limited benefit health insurers described in section 431:10A-102.5, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2070, and specifying that the measure shall apply to policies, contracts, and plans of health insurance issued or renewed after January 1, 2018, 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. 1897, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1897, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 203-16 Health on H.B. No. 1895

The purpose of this measure is to expand access to prescription contraceptives by requiring insurers to cover the contraceptive supplies dispensed in an amount intended to last for:

- (1) A three-month period for the first dispensing of the contraceptive supply to the insured; and
- (2) A twelve-month period for subsequent dispensing of the same contraceptive supply to the insured.

The Department of Health, Hawaii Women's Coalition, and an individual testified in support of this measure. CVS Health opposed this measure. The Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund, Department of Human Services, Planned Parenthood Votes Northwest and Hawaii, Hawaii Medical Association, Hawaii Section of the American Congress of Obstetricians and Gynecologists, Kaiser Permanente Hawaii, Chamber of Commerce of Hawaii, Hawaii Medical Service Association, American Association of University Women-Hawaii, and American Council of Life Insurers commented on this measure.

Your Committee has amended this measure by:

- (1) Authorizing a prescribing health care provider to prescribe oral contraceptives for a period up to twelve months from the initial prescription based on the prescriber's discretion;
- (2) Specifying that required insurance coverage includes reimbursement to a prescribing health care provider or dispensing entity for the dispensing of contraceptive supplies intended to last up to a twelve-month period;

- (3) Clarifying that limited benefit health insurers are not subject to contraceptive coverage requirements;
- (4) Providing that the requirements of this measure apply to policies, contracts, and plans issued or renewed on or after January 1, 2019;
- (5) Changing its effective date to July 1, 2070, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1895, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1895, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 204-16 Health on H.B. No. 1757

The purpose of this measure is to authorize pharmacies to provide customized patient medication packages to patients of institutional facilities or to members of the general public, subject to certain conditions.

The Adult Foster Homecare Association of Hawaii and several individuals testified in support of this measure. The Department of Health opposed this measure. The Board of Pharmacy; State Council on Developmental Disabilities; University of Hawaii at Hilo, Daniel K. Inouye College of Pharmacy; and Aloha Care Homes Corporation commented on this measure.

Your Committee has amended this measure by:

- (1) Broadening the type of consent a pharmacist may obtain from a patient, patient caregiver, patient guardian, and prescribing practitioner to allow for not only written consent;
- (2) Specifying that the customized patient medication package shall meet all generally-applicable requirements for labeling, dispensing, transmission, refills, and branding pursuant to state law;
- (3) Specifying that the definition of "pharmacist" has the same meaning as "registered pharmacist" in Section 461-1, HRS; and
- (4) Changing its effective date to July 1, 2070, 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. 1757, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1757, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 205-16 Health on H.B. No. 254

The purpose of this measure, as received by your Committee, is to establish a biosimilars working group tasked with the consideration of issues relating to state regulation of biosimilar medicines and the making of recommendations regarding such issues to the Legislature.

For the purposes of a public hearing on this bill, your Committee circulated a proposed H.D. 1 of H.B. No. 254 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. Among other things, the Proposed Draft:

- (1) Removed provisions establishing the biosimilars working group;
- (2) Amended the Hawaii Food, Drug, and Cosmetic Act, as well as state laws regulating drug product selection and formulation, to allow for pharmacist offerings of and substitutions for interchangeable biological products; and
- (3) Established notification and information-sharing requirements among pharmacists, patients, and prescribing physicians for the disbursement of certain biological products.

Your Committee received testimony from the following organizations and individuals on H.B. No. 254, as received by your Committee, and on the Proposed Draft:

H.B. No. 254. The Hawaii Medical Service Association and American Cancer Society Cancer Action Network testified in support of this measure. The Walgreen Company and an individual provided comments.

Proposed Draft. The American Cancer Society Cancer Action Network, Alliance for Safe Biologic Medicines, Global Healthy Living Foundation, National Hispanic Medical Association, International Cancer Advocacy Network, Express Scripts, National Psoriasis Foundation, Alliance for Patient Access, Lupus and Allied Diseases Association, Pharmaceutical Research and Manufacturers of America, and an individual testified in support of the Proposed Draft. The Hawaii Medical Service Association and CVS Health provided comments on the Proposed Draft.

Upon careful consideration, your Committee has amended this bill by deleting its substance and inserting the provisions found in the Proposed Draft.

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. 254, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 254, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 206-16 Health on H.B. No. 2253

The purpose of this measure is to expand access to opioid antagonists to prevent fatal accidental poisoning caused by overdoses of drugs by:

- (1) Granting immunity to health care professionals and others who prescribe and administer an opioid antagonist; and
- (2) Authorizing emergency personnel and first responders to administer an opioid antagonist.

The Drug Policy Forum of Hawaii, Drug Policy Action Group, Hawaii College of Emergency Physicians, Hawaii Substance Abuse Coalition, Hawaii Medical Association, The Salvation Army Addiction Treatment Services and Family Treatment Services, and many concerned individuals testified in support of this measure. The Department of the Attorney General, Department of Health, Department of Human Services, Board of Pharmacy, Honolulu Emergency Medical Services Department, CHOW Project, and several concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Defining "harm reduction organization", "protocol", and "standing order" in the Overdose Prevention Emergency Response Act;
- (2) Specifying that a pharmacist, acting in good faith and with reasonable care, shall not be subject to any criminal or civil liability or professional disciplinary action for dispensing an opioid antagonist;
- (3) Changing the effective date to July 1, 2070, 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. 2253, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2253, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 207-16 Health on H.B. No. 2740

The purpose of this measure is to prevent potential harm to Hawaii residents and provide licensed health care providers with immunity from liability that stems from unreasonable delays in medical treatment or services caused by insurer preauthorization or precertification requirements.

The Hawaii Radiological Society, Hawaii Medical Association, Pacific Cancer Institute of Maui, and many individuals testified in support of this measure. The Hawaii Medical Service Association and University Health Alliance testified in opposition. The Department of Commerce and Consumer Affairs, Department of Human Services, The Queen's Health Systems, American Council of Life Insurers, Hawaii Association for Justice and several individuals provided comments.

Your Committee has amended this measure by:

- (1) Clarifying insurer actions that may constitute an undue delay in the provision of medical treatment or services to include insufficient time for the processing of a first-time preauthorization that leads to an exacerbation or worsening of a health condition;
- (2) Specifying that a licensed health care provider shall be defended and indemnified, rather than immune, from civil liability caused by an insurer's undue delay;
- (3) Establishing a liability framework for situations where a licensed health care provider delivers medical treatment or services notwithstanding an insurer's preauthorization requirements;
- (4) Changing its effective date to July 1, 2070, 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. 2740, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2740, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 208-16 Health on H.B. No. 2220

The purpose of this measure is to require health insurance coverage for lifestyle and nutrition programs intended to treat cardiovascular disease, diabetes, blood pressure issues, and diabetes-related blood sugar issues.

The Hawaii Primary Care Association and an individual testified in support of this measure. The Department of Health, Department of Commerce and Consumer Affairs, Kaiser Permanente Hawaii, and Hawaii Medical Service Association commented on this measure.

Your Committee has amended this measure by:

- (1) Narrowing the scope of coverage for lifestyle and nutrition programs to programs intended to treat diabetes and pre-diabetes; and
- (2) Changing its effective date to July 1, 2070, 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. 2220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2220, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 209-16 Health on H.B. No. 2539

The purpose of this measure is to authorize the establishment of health savings accounts as an alternative to group health insurance, including employer-sponsored group health insurance under the Prepaid Health Care Act.

University Health Alliance; Outrigger Enterprises, Inc.; Hawaii Medical Association; Alexander & Baldwin, Inc.; and an individual supported this measure. The Department of Commerce and Consumer Affairs, Department of Labor and Industrial Relations, and Department of the Attorney General commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2070; 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. 2539, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2539, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 210-16 Judiciary on H.B. No. 1647

The purpose of this measure is to increase the number of district court judges in the Second Judicial Circuit for Maui county from three to four.

The Second Judicial Circuit has had three district court judges since 1982. Since then the population of Maui County has more than doubled and in recent years, Maui has had the fastest growth rate of all of the counties.

Maui's population increase resulted in increased caseloads for district court judges who handle traffic cases, criminal cases of misdemeanor or lesser grades, small claims, civil cases, search warrants, temporary restraining orders, protective orders, weekend review of probable cause matters, and the specialty courts, including mental health, veterans', and environmental courts. Currently, the court can convene in Molokai only twice a month and in Hana and Lanai only once a month. An additional judge is needed to address the caseload of growing and underserved communities and enable the judges to attend to their judicial duties.

The Judiciary and Maui County Prosecuting Attorney 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. 1647 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Creagan, Lee, Morikawa, Woodson and McDermott.

SCRep. 211-16 Judiciary on H.B. No. 1654

The purpose of this measure is to adopt a process for permanent absentee voters to receive a ballot at both their address of record and another address inside or outside the State for different elections occurring within the same election cycle without affecting their permanent absentee status or permanent on record mailing address. The measure also allows a voter to receive an absentee ballot by electronic transmission if the voter requires a replacement ballot within five days of an election and to return the voted replacement ballot and executed forms by electronic transmission.

The Office of Elections, Kauai Office of the County Clerk, Honolulu Office of the City Clerk, Maui Office of the County Clerk, and The League of Women Voters of Hawaii testified in support of this measure.

This measure clarifies the procedure for permanent absentee voting by codifying the practices that were established by county election officials regarding permanent absentee ballot voters who need to have a ballot mailed to an address other than their permanent address for different elections that occur within the same election cycle. Further, the measure authorizes the electronic transmission of voted replacement ballots, which provides a practical and expeditious means of casting a ballot and encourages voter participation.

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. 1654 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Morikawa and Woodson.

SCRep. 212-16 Water & Land on H.B. No. 2501

The purpose of this measure is to allow a holdover permit to be issued for applicants seeking to renew their previously authorized water rights lease for a period of time necessary for the disposition of the pending application.

Alexander & Baldwin, Inc., Hawaii Farm Bureau, MauiGrown Coffee, Inc., Hawaii Cattlemen's Council, Inc., GO Maui, Land Use Research Foundation of Hawaii, Hawaii Agriculture Research Center, Pacific Resource Partnership, Kauai Island Utility Cooperative, Chamber of Commerce Hawaii, Building Industry Association – Hawaii, Realtors Association of Maui, ILWU Local 142, and many individuals provided testimony in support of this measure. The Office of Hawaiian Affairs, Earthjustice, Conservation Council of Hawaii, Life of the Land, Pana'ewa Hawaiian Home Lands Community Association, Ho'opae Pono Peace Project, Big Island Fisheries Alliance, www.WeAreOne.cc, Sierra Club of Hawaii, 'Ohana o Kaua'i, and many individuals provided testimony in opposition. The Department of Land and Natural Resources, Department of Hawaiian Home Lands, and some individuals provided comments.

Your Committee has amended this measure by clarifying that the holdover of previously authorized lease rights until the pending application can be resolved does not require a permit.

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. 2501, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2501, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing and Say.

SCRep. 213-16 Water & Land on H.B. No. 2617

The purpose of this measure is to provide guidance and clarification to chapter 205, Hawaii Revised Statutes, to resolve confusion, eliminate conflicts between sections, establish clear jurisdictional lines between the counties and the State, and prevent disputes over permissible uses allowed by special use permits in land use districts.

The County of Kauai Planning Department, Chamber of Commerce Hawaii, Hawaii Association of Realtors, Building Industry Association of Hawaii, and Land Use Research Foundation of Hawaii provided testimony in support of this measure. The Office of Planning, Land Use Commission, Office of Hawaiian Affairs, Conservation Council for Hawaii, Sierra Club of Hawaii, Hawaii's Thousand Friends, and many individuals provided testimony in opposition. The Department of Agriculture, Honolulu Department of Planning and Permitting, and two individuals offered comments.

Your Committee has amended this measure by:

- (1) Requiring the counties to submit for review any general plans adopted to the Land Use Commission and to petition for conforming regional district boundary amendments;
- (2) Deleting the sections of the measure that:
 - (A) Set forth the duties of the Land Use Commission pursuant to section 205-1, Hawaii Revised Statutes;
 - (B) Establish criteria and guidelines for districting and classification of urban, rural, and agricultural lands;
 - (C) Clarify jurisdiction of the counties for amendments to district boundaries for land areas of 15 acres or less;
 - (D) Amend the permissible uses within an agricultural district;
 - (E) Amend section 205-5, Hawaii Revised Statutes, detailing county zoning powers within the urban, rural, and agricultural districts;
 - (F) Establish requirements for special use permit applications; and
 - (G) Repeal section 205-14, Hawaii Revised Statutes, relating to adjustments of assessing practices; and
- (3) 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. 2617, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2617, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 214-16 Higher Education on H.B. No. 2193

The purpose of this measure is to subject any tuition fee increase at the University of Hawaii to legislative disapproval.

A concerned individual supported this measure. The University of Hawaii opposed the measure.

Your Committee has amended this measure by changing its effective date to July 1, 2525.

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. 2193, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2193, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by all members of the Committee except Representative Ing.
(Representative Say voted no.)

SCRep. 215-16 Higher Education on H.B. No. 1532

The purpose of this measure is to facilitate the recruitment of highly qualified candidates for the University of Hawaii Board of Regents by protecting from public disclosure the financial disclosure statements filed with the State Ethics Commission of members of the Board of Regents.

The Chamber of Commerce of Hawaii, Building Industry Association of Hawaii, General Contractors Association of Hawaii, and numerous concerned individuals supported this measure. The State Ethics Commission and University of Hawaii Professional Assembly opposed the measure. A concerned individual submitted comments.

This measure is necessary to recruit highly qualified individuals to serve as members of the Board of Regents. Testimony was received that several experienced members of the Board of Regents resigned after the change in the law in 2014, because they did not wish to expose members of their families to security breaches of private information. Furthermore, a number of emeritus and current regents expressed their support for this measure. Your Committee has addressed the concerns of the State Ethics Commission about the need to identify conflicts of interest by adding a reporting requirement for the State Ethics Commission to review the conduct of members of the Board of Regents. Your Committee finds that the staff of the State Ethics Commission is best-qualified to determine if ethical violations have occurred. Your Committee further finds that one of the primary reasons given by the State Ethics Commission for retaining the public-disclosure requirement was the sheer number of financial-disclosure filings and the Commission's lack of resources to monitor and track violations of the State Ethics Code. A balance must be struck between the need for public disclosure and the need for competent managers.

Your Committee has amended this measure by:

- (1) Adding a declaration by the Legislature that the subject matter of this measure is an issue of statewide concern;
- (2) Adding a new section requiring the State Ethics Commission to conduct reviews of the official disclosures of the members of the University of Hawaii Board of Regents to determine if any decision or action by a member of the Board of Regents violated the State's conflict-of-interests law;
- (3) Requiring the State Ethics Commission to submit an annual report to the Legislature of all commission inquiries and their dispositions relating to, and all violations of section 84-14, Hawaii Revised Statutes, committed by, any member of the University of Hawaii Board of Regents; and
- (4) Changing its effective date to July 1, 2525.

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. 1532, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1532, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Ing.

SCRep. 216-16 Housing on H.B. No. 2623

The purpose of this measure is to authorize the Hawaii Public Housing Authority to evict a tenant from a public housing project if the tenant is convicted of a felony related to the Authority's property or funds.

The Hawaii Public Housing Authority and a concerned individual supported this measure.

Your Committee has amended this measure by:

- (1) Allowing the Hawaii Public Housing Authority to also evict a tenant from a public housing project if the tenant is convicted of a misdemeanor related to the Authority's property or funds;
- (2) Changing the 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2623, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2623, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 217-16 Tourism on H.B. No. 1554

The purpose of this measure is to effectuate the State-County Functions Working Group's recommendations by distributing the transient accommodations tax as follows:

- (1) \$82,000,000 for the Tourism Special Fund, with the amount to increase with the consumer price index;
- (2) \$26,500,000 for the Convention Center Enterprise Special Fund;
- (3) \$3,000,000 for the Special Land and Development Fund;
- (4) \$1,500,000 for the Turtle Bay Conservation Easement Special Fund; and
- (5) Of the remaining revenues, 55 percent shall be allocated to the State general fund, and 45 percent shall be allocated to the counties (with no dollar cap) as follows:
 - (A) Kauai County, 14.5 percent (of the 45 percent);
 - (B) Hawaii County, 18.6 percent;
 - (C) City and County of Honolulu, 44.1 percent; and
 - (D) Maui County, 22.8 percent.

The State-County Functions Working Group; Hawaii Council of Mayors; Mayor of the County of Kauai; a councilmember of the Hawaii County Council; the Hawaii Lodging and Tourism Association; Hawaii Lodging and Tourism Association, Hawaii Island Chapter; Hawaii Lodging and Tourism Association, Kauai Chapter; Maui Hotel and Lodging Association; Pono Kai Resort Owners Association; and several concerned individuals supported this measure. The Department of Budget and Finance opposed this measure. The Tax Foundation of Hawaii, Council Chair of the Maui County Council, a councilmember of the Kauai County Council, and a councilmember of the Maui County Council offered comments.

Your Committee has amended this measure by changing its effective date to July 1, 2120, 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. 1554, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1554, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 218-16 Tourism on H.B. No. 1584

The purpose of this measure is to promote and encourage the financial sustainability of the counties by authorizing each county to levy, assess, and collect a monthly transient accommodations tax surcharge at a rate to be determined by county ordinance.

The Chamber of Commerce Hawaii, American Resort Development Association Hawaii, Wyndham Vacation Ownership, and Outrigger Hotels and Resorts opposed this measure. The Department of Taxation, Tax Foundation of Hawaii, and a concerned individual offered comments on the measure.

Your Committee has amended this measure by:

- (1) Authorizing the counties to impose a monthly transient accommodations tax surcharge on the fair market rental value of resort time share vacation units;
- (2) Requiring the counties to adopt the same transient accommodations tax surcharge rate as the State's transient accommodations tax rate as follows: 9.25 per cent for transient accommodations and 8.25 per cent for resort time share vacation units in 2016 and increasing to 9.25 per cent starting January 1, 2017;
- (3) Requiring the counties to prescribe the necessary forms to report and remit the surcharge to the counties; and
- (4) Changing the effective date to July 1, 2120, 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. 1584, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1584, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ito and Woodson.
(Representative Ward voted no.)

SCRep. 219-16 Higher Education on H.B. No. 1531

The purpose of this measure is to promote greater access to the justice system by establishing the Public Service Legal Loan Repayment Assistance Program to assist attorneys who provide direct legal assistance to indigent persons through a nonprofit organization in repaying their legal-education loans.

The University of Hawaii at Manoa William S. Richardson School of Law, Senate Concurrent Resolution No. 116 Task Force, Hawaii Coalition for Immigrant Rights, and numerous concerned individuals supported this measure. The Department of Budget and Finance and Department of Accounting and General Services submitted comments.

Your Committee has amended this measure by:

- (1) Adding a finding by the Legislature that offering assistance and support to attorneys who provide direct legal assistance to or policy advocacy on behalf of indigent persons through a nonprofit organization in Hawaii is a matter of statewide concern;
- (2) Amending the definition of "eligible employment" to mean "those positions providing direct legal assistance to or policy advocacy on behalf of indigent persons through a nonprofit organization in Hawaii";
- (3) Requiring participants in the Public Service Legal Loan Repayment Assistance Program to work in eligible employment for a minimum of two years;
- (4) Changing its effective date to July 1, 2525, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1531, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1531, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Ing.

SCRep. 220-16 Higher Education on H.B. No. 1609

The purpose of this measure is to require the Board of Regents of the University of Hawaii to develop procedures for the utilization of university facilities by:

- (1) Requiring the administration of the different UH campuses to collect and report data relating to facilities utilization; and
- (2) Prohibiting the UH Board of Regents from approving the construction of a new university building until a public hearing is held to discuss facility utilization and cost.

Several individuals testified in support of this measure. The University of Hawaii testified supporting the intent of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2525, to facilitate 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. 1609, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1609, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 221-16 Higher Education on H.B. No. 1883

The purpose of this measure is to appropriate funds for a permanent full-time associate professor and permanent full-time assistant specialist position within the University of Hawaii Center on Aging.

The University of Hawai'i at Manoa Myron B. Thompson School of Social Work, The University of Hawai'i, AARP, the Alzheimer's Association-Aloha Chapter, Policy Advisory Board for Elder Affairs, ASN Consulting Services, the Hawai'i Family Caregiver Coalition, Hawaii Pacific Gerontological Society, Kokua Council, and numerous individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriated amount for one full-time equivalent (1.0 FTE) associate professor position within the University of Hawaii Center on Aging from \$86,532 to an unspecified amount;
- (2) Changing the appropriated amount for one full-time equivalent (1.0 FTE) assistant specialist position within the University of Hawaii Center on Aging from \$75,924 to an unspecified amount; and
- (3) Changing the effective date to July 1, 2525, to facilitate 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. 1883, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1883, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 222-16 Higher Education on H.B. No. 2772

The purpose of this measure is to promote a safe environment free from sexual harassment, sexual assault, domestic violence, dating violence, and stalking at the University of Hawaii by requiring the University to, among other things:

- (1) Train all employees and students on sexual harassment, sexual assault, domestic violence, dating violence, and stalking laws and policies;
- (2) Designate a confidential advocate for students at each of its campuses;
- (3) Report all sexual-assault cases to the county police department for investigation;
- (4) Prohibiting romantic relationships between a student or graduate assistant and faculty or staff; and
- (5) Conduct a campus climate survey of all students every two years, beginning no later than December 31, 2016.

The YWCA Oahu, Hawaii State Democratic Women's Caucus, and Planned Parenthood Votes – Northwest and Hawaii supported this measure. The Hawaii State Commission on the Status of Women supported the intent of the measure. The Sex Abuse Treatment Center and a concerned individual submitted comments. The University of Hawaii opposed the measure.

Your Committee strongly supports the recommendations made by the Affirmative Consent Task Force in its 2015 report to the Legislature. The purpose of this measure is to implement the recommendations of the task force.

Your Committee notes concerns about the prohibition of "romantic relationships" between faculty and students. For example, the spouse of a faculty member may decide to return to school and, as a student, could potentially violate this provision. The measure also does not currently contain a definition of "romantic relationships".

When individuals involved in a consensual romantic or sexual relationship are in positions of unequal power at the University, it creates the potential for conflicts of interest, favoritism, and exploitation. Your Committee notes that many, if not most, universities across the nation have adopted policies to address these potential situations. If your Committee on Judiciary chooses to hear this measure, it may wish to consider the following:

- (1) University of California policy prohibits professors from entering into a romantic or sexual relationship with a student for whom they have or should reasonably expect to have in the future, any teaching, evaluative, or supervisory responsibility;
- (2) Northwestern University Policy Number 011314 on Consensual Romantic or Sexual Relationships Between Faculty, Staff and Students defines "consensual romantic or sexual relationships" as relationships of a romantic, dating, or sexual nature entered into with the consent of both parties; and
- (3) Yale University prohibits a sexual or amorous relationship between any teacher and any student whom the teacher directly supervises and between any teacher and any undergraduate student, even if the teacher does not anticipate that he or she will directly supervise the undergraduate student.

Your Committee has amended this measure by:

- (1) Requiring the University of Hawaii to inform victims in writing of the right to file a police report with the appropriate county police department for investigation and assist victims in submitting the police report, rather than requiring the University itself to report all sexual assault cases to the county police department for investigation;
- (2) Clarifying that any faculty member designated as a confidential advocate cannot be a "responsible employee" under Public Law 92-318, Title IX of the Federal Education Amendments of 1972, as amended;
- (3) Requiring the confidential advocate to provide general statistics to the Title IX Coordinator on an annual basis about the number and type of incidents received by the confidential advocate;
- (4) Changing its effective date to July 1, 2025, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2772, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2772, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Ing.

SCRep. 223-16 Higher Education on H.B. No. 2194

The purpose of this measure is to support technology transfer at the University of Hawaii as well as uphold the State Ethics Code by:

- (1) Requiring the State Ethics Commission to consider the research compliance program of the University of Hawaii in rendering advisory opinions concerning technology transfer activities conducted by the University of Hawaii;
- (2) Allowing the State Ethics Commission to permit technology transfer arrangements as long as such arrangements are likely to create specific benefits to the State or the public; and

- (3) Requiring the University of Hawaii to submit an annual report to the Legislature regarding the University's technology transfer activities.

The University of Hawaii and The Chamber of Commerce of Hawaii supported this measure. The High Technology Development Corporation supported the intent of the measure. The Hawaii State Ethics Commission opposed the measure.

Your Committee supports activities by the University of Hawaii that are designed to transfer new technology and ideas created from research at university laboratories and faculty offices to society at large. In addition, commercialization of research at the University can stimulate and diversify the local economy. To further support technology transfer activities at the University, your Committee has adopted proposed amendments from the Hawaii State Ethics Commission.

The Ethics Commission recommended a complete exemption from Chapter 84, Hawaii Revised Statutes. The Commission acknowledged that the Legislature would like the Commission to be able to consider the unique aspects of technology transfer when applying state law. Staff of the Ethics Commission suggested a blanket exemption from Chapter 84, Hawaii Revised Statutes, because it would both fulfill the intent of the Legislature and create a bright line in the application of Chapter 84, Hawaii Revised Statutes, to technology transfer activities.

Your Committee has amended this measure by:

- (1) Expressly exempting employees of the University of Hawaii who are directly involved in the research or development of technology that is sponsored and approved by the University of Hawaii from Chapter 84, Hawaii Revised Statutes, when performing activities in the transfer and commercialization of the technology;
- (2) Adding a definition of "technology";
- (3) Changing its effective date to July 1, 2525, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2194, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2194, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Ing.

SCRep. 224-16 Energy & Environmental Protection/Water & Land on H.B. No. 1657

The purpose of this measure is to enhance public participation in the environmental review process by requiring a proposing or approving agency to ensure that a notice of preparation is posted in a conspicuous place and manner at any particular site or sites that may be directly impacted by an action, at an early planning stage prior to the drafting of an environmental assessment or impact statement preparation notice.

The Office of Hawaiian Affairs, Society for Hawaiian Archaeology, and a few concerned individuals supported this measure. The Department of Land and Natural Resources and Land Use Research Foundation of Hawaii opposed the measure. The Office of Environmental Quality Control submitted comments.

Your Committees have amended this measure by:

- (1) Removing the requirement that a notice of preparation be posted and instead establishing a notice of preparation Pilot Program (Pilot Program) to require the Office of Hawaiian Affairs to ensure that a notice of preparation is posted in a conspicuous place and manner at any particular site or sites that may be directly impacted by an action, at an early planning stage prior to the drafting of an environmental assessment or impact statement preparation notice, for projects commenced by itself or in partnership with another agency of the State or any of its counties;
- (2) Requiring the Office of Hawaiian Affairs, no later than 20 days prior to the convening of the Regular Session of 2020, to submit to the Legislature a report of its findings and recommendations, including any proposed legislation, regarding the Pilot Program; 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 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. 1657, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1657, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Nishimoto.

SCRep. 225-16 Energy & Environmental Protection on H.B. No. 2636

The purpose of this measure is to restrict solar energy facilities in residential housing areas in agricultural districts to have a capacity of no more than 25 kilowatts.

Several concerned individuals supported this measure. The Office of Planning, Blue Planet Foundation, and two concerned individuals opposed this measure. The Land Use Commission, Department of Agriculture, and three concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Removing the no more than 25 kilowatt capacity restriction on solar energy facilities; and
- (2) Allowing a county with a resident population greater than 170,000 but fewer than 500,000 to require a special permit approval process for solar energy facilities with a capacity of more than 25 kilowatts.

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. 2636, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2636, H.D. 1, and be referred to your Committee on Agriculture.

Signed by all members of the Committee except Representative Nishimoto.

SCRep. 226-16 Energy & Environmental Protection on H.B. No. 2511

The purpose of this measure is to encourage and maximize the use of cost-effective energy storage technologies and systems by establishing an Energy Storage Property Tax Credit.

The Blue Planet Foundation; Green Change Networks; Sunverge Energy, Inc.; Sierra Club of Hawaii-Oahu Group; Renewable Energy Action Coalition of Hawaii; Green Power Projects LLC; and several concerned individuals testified in support of this measure. The Distributed Energy Resources Council of Hawaii and Solar Energy Association testified in support of the intent of this bill. The Department of Taxation, Department of Business, Economic Development and Tourism, and Tax Foundation of Hawaii provided comments.

Upon further consideration, your Committee has amended this measure by deleting its contents and inserting provisions ensuring that the State will continue to make robust progress toward its clean energy goal of 100 percent renewable energy by 2045 by making amendments to the Renewable Energy Technologies Income Tax Credit (Tax Credit) to conform to federal requirements relating to energy property. Among other things, the amended measure:

- (1) Clarifies that the Tax Credit may be claimed for every eligible energy property placed in service in the State by a taxpayer on or after July 1, 2017;
- (2) Conforms the Tax Credit to what is allowed under federal law for a business tax credit or individual tax credit;
- (3) Defines "energy property" to have the same meaning as defined in section 48 of the Internal Revenue Code of 1986, as amended, and related regulations, administrative guidelines, and pronouncements; and
- (4) Defines "solar energy property" to have the same meaning as defined in Treasury Regulations section 1.48-9(d) and related administrative guidelines and pronouncements.

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. 2511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2511, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 227-16 Human Services on H.B. No. 2162

The purpose of this measure is to appropriate funds to the Homeless Programs Office of the Department of Human Services to develop or expand assistance and public outreach for individuals to obtain and maintain government issued identification.

The Department of Human Services and Helping Hands Hawaii supported this measure. The Governor's Coordinator on Homelessness supported the intent of 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. 2162, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2162, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 228-16 Human Services on H.B. No. 2417

The purpose of this measure is to include the Chairperson of the Board of Land and Natural Resources and Director of Transportation as members of the Hawaii Interagency Council on Homelessness.

The Department of Land and Natural Resources opposed this measure. The Department of Human Services and the Governor's Coordinator on Homelessness provided comments.

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. 2417 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 229-16 Human Services/Housing on H.B. No. 1773

The purpose of this measure is to appropriate funds to the Department of Human Services to:

- (1) Continue to administer Housing First Programs for chronically homeless individuals; and
- (2) Support the Shallow Rent Subsidy Program to assist homeless working individuals and families in obtaining or maintaining permanent housing, and cover housing stabilization services and administrative costs to operate the program.

Family Support Hawaii, Catholic Charities Hawaii, Hawaii Children's Action Network, First United Methodist Church, PHOCUSED, Faith Action for Community Equity, Helping Hands Hawaii, and several individuals supported this measure. The Department of Human Services and the Governor's Coordinator on Homelessness supported the intent of this measure. An individual provided comments.

Your Committees have amended this measure by:

- (1) Changing all appropriated amounts to unspecified amounts; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

Should the Committee on Finance deliberate on this measure further, your Committees on Human Services and Housing respectfully request that it consider appropriating:

- (1) \$3,000,000 to be deposited to the credit of the Housing First Special Fund;
- (2) \$3,000,000 out of the Housing First Special Fund to administer housing first programs for chronically homeless individuals; and
- (3) \$2,000,000 for the Shallow Rent Subsidy Program.

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. 1773, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1773, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 230-16 Agriculture on H.B. No. 1997

The purpose of this measure is to promote the expansion and development of the State's agricultural industry by:

- (1) Establishing the K-12 Agriculture Workforce Development Pipeline Initiative Program (Program) in the Department of Labor and Industrial Relations to conduct training sessions in agricultural self-sufficiency for teachers and school administrators on the islands of Oahu, Hawaii, Maui, Molokai, Lanai, and Kauai; and
- (2) Making an appropriation for the Program.

The Department of Labor and Industrial Relations, Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, and University of Hawaii System supported this measure. The Department of Agriculture and Department of Education submitted comments on this measure.

Should the Committee on Finance deliberate on this measure further, your Committee on Agriculture respectfully requests that it consider appropriating \$200,000 for the Program, including the hiring of a full-time coordinator and a 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. 1997 and recommends that it pass Second Reading and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee except Representatives Cachola, Choy, DeCoite, Ito, Kawakami and Tokioka.

SCRep. 231-16 Human Services on H.B. No. 2226

The purpose of this measure is to appropriate funds to the Office of Language Access to establish three full-time equivalent permanent positions to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

The Office of Language Access, Office of Language Access Advisory Council, Hawaii Filipino Lawyers Association, and two individuals supported this measure.

Your Committee has amended this measure by:

- (1) Making the amount appropriated to establish three full-time equivalent permanent positions within the Office of Language Access an unspecified amount; and
- (2) Changing the effective date to July 1, 2060, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Human Services respectfully requests that it consider appropriating \$200,000 for the purpose of establishing three full-time equivalent permanent positions within the Office of Language Access.

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. 2226, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2226, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by all members of the Committee except Representative Belatti.

SCRep. 232-16 Human Services on H.B. No. 1901

The purpose of this measure is to require domestic violence intervention training for any state and county employees whose job duties require or may require intervention in a domestic abuse situation.

The Hawaii State Commission on the Status of Women, Parents and Children Together, American Association of University Women of Hawaii, Hawaii State Coalition Against Domestic Violence, Hawaii Women's Coalition, and a concerned individual supported this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Hawaii Public Housing Authority, Hawaii State Fire Council, and Honolulu Fire Department provided comments.

Your Committee has amended this measure by changing the effective date to July 1, 2060, 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. 1901, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1901, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 233-16 Human Services on H.B. No. 1789

The purpose of this measure is to better prepare Hawaii's youth for future success by establishing a standardized framework and funding mechanism for after-school 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 with the Office of Youth Services;
- (2) Specifies the powers and duties of the Office of Youth Services with regard to the R.E.A.C.H. program and requires an annual report to the Legislature on the implementation of programs and use of funds under the R.E.A.C.H. program; and
- (3) Authorizes the Office of Youth Services to establish program requirements and fees to be assessed to each participant for the cost of administering and operating the R.E.A.C.H. program.

The Office of the Lieutenant Governor, Office of Youth Services, State Public Charter School Commission, Hawaii Youth Services Network, Family Programs Hawaii, Kanu o ka 'Aina New Century Public Charter School, Hawai'i Afterschool Alliance, Waialua Intermediate School Afterschool Learning Center, and several concerned individuals supported this measure. A concerned 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 H.B. No. 1789 and recommends that it pass Second Reading and be referred to your Committee on Education.

Signed by all members of the Committee except Representative Belatti.

SCRep. 234-16 Human Services on H.B. No. 2505

The purpose of this measure is to encourage victims of abuse and neglect to seek help and be aware of available resources by requiring Department of Education schools and charter schools to post informational signs that contain information about the Department of Human Services' child abuse or neglect hotline in highly visible, high traffic locations.

A few concerned individuals supported this measure. The Department of Education supported the intent of this measure. The Department of Human Services 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2505, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2505, H.D. 1, and be referred to your Committee on Education.

Signed by all members of the Committee except Representative Belatti.

SCRep. 235-16 Health/Labor & Public Employment on H.B. No. 2478

The purpose of this measure is to maintain continued availability of affordable health insurance coverage in Hawaii as recommended by the State Innovation Waiver Task Force by:

- (1) Authorizing the State to submit a proposal for a State Innovation Waiver (Waiver) pursuant to section 1332 of the federal Patient Protection and Affordable Care Act of 2010; and
- (2) Implementing the Waiver, upon approval by the United States Secretaries of Health and Human Services and the Treasury, on or after January 1, 2017.

The Department of Labor and Industrial Relations, Chair of the Hawaii ACA State Innovation Waiver Task Force, The Queen's Health Systems, Hawaii Medical Service Association, ILWU Local 142, Healthcare Association of Hawaii, The Chamber of Commerce of Hawaii, and an individual testified in support of this measure. The Department of Commerce and Consumer Affairs commented on this measure.

As affirmed by the records of votes of the members of your Committees on Health and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2478 and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Johanson, Kobayashi, Oshiro and Fukumoto Chang.

SCRep. 236-16 Health/Labor & Public Employment on H.B. No. 2365

The purpose of this measure is to:

- (1) Preserve the benefits of the Hawaii Prepaid Health Care Act for Hawaii residents;
- (2) Ensure a smooth transition from a state-based marketplace to a state-based marketplace using the federal platform for eligibility and enrollment of individuals and families; and
- (3) Develop a system to allow small businesses to continue to take advantage of tax credits afforded by the Patient Protection and Affordable Care Act (Affordable Care Act).

The Department of Human Services, Department of Labor and Industrial Relations, Office of Enterprise Technology Services, Hawaii Medical Service Association, and ILWU Local 142 testified in support of this measure. The Department of Commerce and Consumer Affairs commented on this measure.

Should the Committee on Finance deliberate this measure further, your Committees respectfully request that it consider appropriating:

- (1) \$1,165,000 to the Department of Labor and Industrial Relations for fiscal year 2016-2017 for operating expenses, including the hiring of staff, to carry out the purposes of this measure; and
- (2) \$2,918,788 to the Department of Human Services for fiscal year 2016-2017 for operating expenses, including the hiring of staff, to carry out the purposes of this measure.

Your Committees have amended this measure by:

- (1) Clarifying the statutory authority regarding the regulatory jurisdiction of the Insurance Commissioner;
- (2) Making the appropriations in unspecified amounts;
- (3) Changing its effective date to July 1, 2070, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2365, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2365, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Har, Johanson and Oshiro.

SCRep. 237-16 Health on H.B. No. 1672

The purpose of this measure is to authorize a beneficiary of a prescription drug benefit plan to obtain a prescription without penalty from a non-network retail community pharmacy located within ten miles of the beneficiary's residence, if the nearest network retail community pharmacy is located over ten miles away.

The Queen's Health Systems and some individuals provided testimony in support of the measure. The Hawaii Medical Service Association provided testimony in opposition. The Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund, University of Hawaii System, CVS Health, and Express Scripts provided comments.

Your Committee has amended this measure by:

- (1) Blanking out the distances that determine whether a beneficiary can obtain a prescription from any retail community pharmacy without penalty; and
- (2) Changing the effective date to July 1, 2070, 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. 1672, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1672, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 238-16 Health on H.B. No. 2494

The purpose of this measure is to allow the Department of Education (DOE) to permit:

- (1) The self-administration of blood glucose monitoring by a student; and
- (2) DOE employees and agents to volunteer to administer blood glucose monitoring or to assist a student with blood glucose monitoring.

The Department of Health, American Diabetes Association, and numerous individuals testified in support of this measure. The DOE 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 H.B. No. 2494 and recommends that it pass Second Reading and be referred to your Committee on Education.

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

SCRep. 239-16 Health on H.B. No. 1950

The purpose of this measure is to establish safe and responsible packaging requirements for e-liquid containers to protect Hawaii's children and ensure consumers are better informed regarding the contents of electronic smoking device products.

The Coalition for a Tobacco-Free Hawaii and an individual provided testimony in support of this measure. A few individuals provided testimony in opposition. The Department of Health, VOLCANO Fine Electronic Cigarettes, Hawaii Vapers United, and Dajuce Hawaii LLC provided comments.

Your Committee has amended this measure by:

- (1) Requiring labelling to state that the product is not for sale to underage persons;
- (2) Deleting the requirement that the label state that the product is not FDA approved;
- (3) Changing the effective date to July 1, 2070, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1950, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1950, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 240-16 Health on H.B. No. 2227

The purpose of this measure is to support ongoing efforts to improve access to government services and programs for limited English proficient individuals by appropriating funds to operate the Statewide Language Access Resource Center and the Multilingual Website Pilot Project.

Catholic Charities Hawaii and the Hawaii Filipino Lawyers Association testified in support of this measure. The Office of Language Access and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Making the appropriations in unspecified amounts; and
- (2) Changing its effective date to July 1, 2070, to encourage further discussion.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating:

- (1) \$300,000 for fiscal year 2016-2017 to operate the Statewide Language Access Resource Center; and
- (2) \$150,000 for fiscal year 2016-2017 to operate the Multilingual Website Pilot Project.

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. 2227, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2227, H.D. 1, and be referred to your Committee on Labor & Public Employment.

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

SCRep. 241-16 Transportation on H.B. No. 2221

The purpose of this measure is to assist Hawaii in meeting its clean energy goals and promote the increased use of electric vehicles by establishing fines for owners of parking facilities with at least one hundred parking spaces, who do not provide at least one parking space equipped with a charging system exclusively for electric vehicles as required by law.

Ning, Lilly & Jones, Attorneys at Law, A Law Corporation testified in support of this measure. The Department of Business, Economic Development and Tourism and Ulupono Initiative testified in support of the intent of this measure.

Hawaii relies primarily on the consumption of imported oil to satisfy its energy needs. Much of this imported oil is used for the production of gasoline to fuel internal combustion engines. With over one million registered motor vehicles on Hawaii's roadways, the consumption of gasoline can be enormous.

As a result of efforts to promote clean energy initiatives and increased costs of gasoline, electric vehicle use in Hawaii has increased over the years. Your Committee finds that the legislature has also promoted the use of electric vehicles by providing incentives for electric vehicle use including requiring parking facilities with 100 stalls or more to be equipped with an electric vehicle charging station that is designated for the exclusive use of an electric vehicle. However, your Committee finds that the current law regarding the provision of electric vehicle charging stations in parking facilities contains no penalties for violations and therefore no consequences for non-compliance. This measure addresses this issue.

Your Committee has amended this measure by:

- (1) Requiring that the owner of a parking facility be given a written warning thirty days prior to being fined for a first violation to afford the owner some time to comply with the requirement; and
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion.

Technical, nonsubstantive amendments have also been 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. 2221, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2221, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 242-16 Transportation on H.B. No. 1827

The purpose of this measure is to simplify and enhance harbor operations for maritime cargo transporters by:

- (1) Providing vehicle registration, safety inspection, and driver licensure requirement exemption for marine terminal equipment when operating on public roadways; and
- (2) Allowing the operation of marine terminal equipment on public highways under certain conditions.

The Department of Transportation and Matson testified in support of this measure.

As an island state, Hawaii imports and exports a majority of its goods in cargo shipped to and from Hawaii via its commercial harbors. Movement of this cargo around the harbors requires specialized equipment that operates at various marine terminals around the State. However, these marine terminals are often separated by short stretches of public highways and roadways. While the operation of marine terminal equipment is generally confined to marine terminal locations, at times the equipment must traverse short distances across a public highway or road. Currently, a cargo transporter must receive a waiver for this action. Your Committee finds that allowing marine terminal equipment certain exemptions for operational purposes will enhance maritime operations at Hawaii's harbors without jeopardizing 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. 1827 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 243-16 Transportation on H.B. No. 1753

The purpose of this measure is to increase public safety on Hawaii's roadways by, among other things:

- (1) Prohibiting the use on public roadways of a moped that is not in good working order;
- (2) Extending certain police powers dealing with vehicle inspections to include mopeds; and
- (3) Requiring a certificate of inspection for all mopeds.

Two concerned individuals testified in support of this measure. The Department of Transportation and a concerned individual testified in support of the intent of this measure. The Hawaii Insurers Council and several concerned individuals provided comments.

Mopeds provide a cheaper alternative mode of transportation to driving a motor vehicle, and moped use continues to grow in popularity. According to the City and County of Honolulu, the number of registered mopeds in Honolulu increased every year between 2006 and 2012. With the increase in the use of mopeds, traffic safety concerns grow regarding these types of vehicles. Your Committee finds that public safety on Hawaii's roadways is paramount and that requiring safety inspections for mopeds increases roadway safety. However, your Committee also finds that the annual registration of mopeds would help to determine if mopeds are being inspected on an annual basis and thus also increase the safety of Hawaii's roadways.

Your Committee has amended this measure by:

- (1) Requiring that mopeds be registered annually and establishing a moped registration fee of \$50 per year;
- (2) Requiring that proof of a certificate of inspection be provided to the Director of Finance for a moped to be registered each year;
- (3) Clarifying that the certificate of inspection shall state the effective date and termination date of the certificate of inspection; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1753, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1753, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 244-16 Transportation on H.B. No. 2756

The purpose of this measure is to increase the efficient operation, management, and oversight of Hawaii's small boat harbors and small airports by, among other things:

- (1) Establishing the Hawaii Port Authority, which will assume the functions, duties, and responsibilities of the Department of Transportation and Department of Land and Natural Resources in setting statewide policy on all matters relating to small boat harbors and small airports; and
- (2) Appropriating funds for the establishment of the Hawaii Port Authority.

The Department of Land and Natural Resources, Airport Concessionaires Committee, Ocean Tourism Coalition, and Airlines Committee of Hawaii testified in support of this measure. The Department of Budget and Finance and Hawaii Shippers' Council testified in opposition to this measure.

Hawaii's geography and isolation in the middle of the Pacific Ocean makes its transportation network essential to the State. Currently, Hawaii's numerous harbors and airports fall under the jurisdiction of several agencies, including the Department of Transportation, which oversees and regulates commercial harbors and all airports statewide, and the Department of Land and Natural Resources, which oversees small boat harbors. This multijurisdictional situation has resulted in inefficiencies and conflicts that are difficult to resolve between agencies. Your Committee finds that creating a Hawaii Port Authority to oversee and manage a statewide system of small boat harbors and airports may be the answer to solving some of these issues.

However, your Committee notes that concerns were raised about the inclusion of small boat harbors under the jurisdiction of a port authority. Accordingly, your Committee has amended this measure by:

- (1) Removing small boat harbors from the jurisdiction of the Hawaii Port Authority and making technical amendments to reflect this change;
- (2) Changing its effective date to July 1, 2116, to facilitate further discussion; and
- (3) Making additional technical, nonsubstantive amendments for clarity, consistency, and style.

While your Committee understands that this is a work in progress and more discussion needs to occur on this matter, this measure 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. 2756, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2756, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee except Representative Johanson.

SCRep. 245-16 Transportation on H.B. No. 2049

The purpose of this measure is to address questions regarding responsibility for the repair and maintenance of privately owned highways. Specifically, this measure:

- (1) Requires the counties to accept the surrender of a private road if there has been no act of private ownership for five years; and
- (2) Exempts the State and counties from maintaining surrendered roads and from liability for lack of maintenance or for maintenance performed prior to assuming ownership.

The Chamber of Commerce Hawaii and Bank of Hawaii testified in support of this measure. The Department of the Attorney General and Department of Facility Maintenance of the City and County of Honolulu testified in opposition to this bill.

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 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 were not for unknown reasons. 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 who is responsible for the repair and maintenance of such roads. Your Committee finds that this measure offers a solution to this important issue.

Your Committee has amended this measure by:

- (1) Providing that surrender of a public highway, road, alley, street, way, lane, bikeway, bridge, or trail shall be deemed to have taken place if condemnation proceedings for the parcel are initiated by the State or a county;
- (2) Changing its effective date to July 1, 2116, 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2049, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2049, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 246-16 Transportation/Water & Land on H.B. No. 2199

The purpose of this measure is to:

- (1) Establish the Transit Oriented Development Infrastructure Authority (Authority) within the Department of Business, Economic Development, and Tourism to facilitate, oversee, and manage infrastructure development of state lands within one-quarter mile of any rail station of the high capacity transit corridor project in the City and County of Honolulu; and
- (2) Establish and appropriate funds into and out of the Transit Oriented Development Infrastructure Special Fund, which shall also be funded with a percentage of transient accommodations tax revenues to cover the administrative and operational costs of the Authority.

A concerned individual testified in support of this measure. The Chamber of Commerce Hawaii, Hawaii Association of Realtors, RMA Sales, and Building Industry Association of Hawaii testified in support of the intent of this measure. The Office of Planning, Department of Budget and Finance, and Land Use Research Foundation of Hawaii provided comments.

Transit-oriented development can provide significant economic, social, and environmental benefits through the co-location of jobs, workforce housing, and economic opportunities in mixed-use communities at public transportation hubs. However, the development of transit-oriented development plans encompasses a wide spectrum of issues over multiple jurisdictions. Your Committees find that there is a need to address infrastructure capacity building along the entire transit corridor and the Transit Oriented Development Infrastructure Authority will provide the planning, oversight, and interagency and intergovernmental coordination that is critical to accomplishing this goal.

While your Committees note that concerns were raised as to the appropriate entity to oversee the Transit Oriented Development Infrastructure Authority, this measure is a work in progress and discussion of this issue can continue should the measure move further through the legislative process.

As affirmed by the records of votes of the members of your Committees on Transportation and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2199 and recommend that it pass Second Reading and be referred to your Committee on Economic Development & Business.

Signed by all members of the Committee except Representatives Har, Ing, Lowen, Nishimoto, Say and Takumi.

SCRep. 247-16 Transportation on H.B. No. 2168

The purpose of this measure is to assist rental car companies in recovering government mandated fees assessed against their vehicles as long as the fees recovered do not exceed the annual fees actually paid by a rental car company in a particular year.

Enterprise Holdings LLC, Enterprise Rent-A-Car, Alamo Rent-A-Car, National Car Rental, Enterprise CarShare, Enterprise Rideshare, Hertz Corporation, Dollar Rent A Car, Thrifty Car Rental and Avis Budget Group testified in support of this measure. The Office of Consumer Protection of the Department of Commerce and Consumer Affairs testified in opposition to this measure.

Current law permits rental car companies to recover certain mandatory government fees, for the purpose of making a vehicle road-ready, from rental car customers. However, the prorated formula is calculated over a period of 365 days, which results in a significant portion of the fees going unrecovered. This is partially because rental cars are rented significantly less than 100 percent of the time. Your Committee finds that this measure addresses this issue, while presenting transparency for consumers.

However, your Committee notes concerns that this measure may be unfair to consumers because it may create a situation in which consumers may be charged an excessive amount for fees and taxes. Your Committee on Transportation respectfully requests your Committee on Consumer Protection & Commerce to examine these consumer issues further as this bill makes its way through the legislative process.

Your Committee has amended this bill by:

- (1) Requiring lessors of rental motor vehicles to provide lessees with the option of paying license plate fees and use taxes as part of any motor vehicle recovery fee charged; 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2168, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2168, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 248-16 Transportation on H.B. No. 2021

The purpose of this measure is to mitigate issues of public safety and privacy concerns with regard to unmanned aerial vehicles. Specifically, this measure;

- (1) Establishes enhanced fines for the use of unmanned aerial systems in the commission of offenses related to trespassing, harassment, privacy violations, and violations of temporary restraining orders; and
- (2) Includes knowingly entering or remaining unlawfully in airspace directly above a premises up to 200 feet above ground level in the offense of simple trespass.

The Department of Public Safety and Hawaii Farm Bureau testified in support of this measure. The Motion Picture Association of America testified in opposition to this measure.

Unmanned aerial vehicles, also known as drones, have become very popular over the years. In 2015, an estimated 700,000 recreational drones were sold in the United States with that number expected to increase in 2016. Often equipped with cameras, drones are popular tools to capture video images of Hawaii's stunning natural beauty which has led to an increase in their use statewide. However, with this new technology comes concerns regarding issues of privacy and public safety. Your Committee finds that establishing enhanced fines and offenses for the improper use of drones will work to protect public safety.

Your Committee has amended this measure by:

- (1) Increasing the height limit for unlawfully remaining in airspace directly above a premises from 200 feet to 400 feet to be more in-line with Federal Aviation Administration rules; and
- (2) Changing its effective date to July 1, 2050.

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. 2021, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2021, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Johanson.

SCRep. 249-16 Transportation on H.B. No. 1828

The purpose of this measure is to preserve alternative forms of transportation services available to consumers while affording consumers the protection of law by establishing motor vehicle insurance requirements for the transportation network company industry as well as for persons who operate or serve as drivers for transportation network companies.

The Hawaii Insurers Council, National Association of Mutual Insurance Companies, and GEICO testified in support of this measure. USAA testified in support of the intent of this measure. The Hawaii Association for Justice, Charley's Taxi, Lyft, Uber Technologies, TheCAB, EcoCab, and several concerned individuals testified in opposition to this measure. The Department of Commerce and Consumer Affairs and Property Casualty Insurers Association of America 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, insurance requirements for transportation network companies are not 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.

While your Committee finds that this measure works to address insurance concerns regarding transportation network companies, your Committee finds that further regulation of the overall operations of transportation network companies, transportation network activities, and transportation network drivers may be necessary. However, your Committee finds that this is better accomplished on the county level. Accordingly, your Committee has amended this measure by:

- (1) Providing counties with the explicit authority to regulate transportation network companies, transportation network company activities, and transportation network company drivers; and
- (2) Exempting transportation network companies from regulation under Hawaii's motor carrier law.

Your Committee has also 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1828, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1828, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 250-16 Public Safety on H.B. No. 2460

The purpose of this measure is to help the recruitment of personnel for law enforcement positions within state government and standardize law enforcement training among various state departments and agencies by establishing and appropriating funds for a state law enforcement training academy within the Department of Public Safety to train candidates for law enforcement positions of the State.

A concerned individual supported this measure. The Department of Public Safety and the Honolulu Police Department opposed this measure. The Department of Land and Natural Resources offered comments.

Your Committee has amended this measure by:

- (1) Changing the proposed site of the state law enforcement training academy from the Honolulu police department training academy in Waipahu, Oahu, to an unspecified location;
- (2) Leaving unspecified, the designation of the entity that will perform the duties of the Director of Public Safety in establishing and administering the proposed state law enforcement training academy;
- (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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2460, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2460, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Aquino.

SCRep. 251-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 686

The purpose of this measure is to prohibit the propagation, cultivation, and farming of genetically engineered fish in state marine waters.

Your Committee received testimony in support of this measure from the Aha Moku Advisory Committee, Hawai'i Center for Food Safety, Hawaii Fishermen's Alliance for Conservation and Tradition, Babes Against Biotech, and many individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture; Hawaii Farm Bureau; Ponoholo Ranch Limited; Hawaii Cattlemen's Council; Hawaii Crop Improvement Association; Ho'omana Pono, LLC; and several individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources; Biotechnology Innovation Organization; fightforyourhealth.blogspot.com; Hunting, Farming, and Fishing Association; and several individuals.

Your Committee has amended this measure by:

- (1) Adding language to also prohibit the sale, attempted sale, and possession of genetically engineered fish; and
- (2) Changing the effective date to December 24, 2088, to promote 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. 686, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 686, H.D. 1, and be referred to your Committee on Agriculture.

Signed by all members of the Committee except Representatives Evans, Nishimoto and Say.

SCRep. 252-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1222

The purpose of this measure is to enhance fiscal support for the Hawaiian Language College at the University of Hawaii at Hilo by expanding the range of revenues eligible for deposit into the Hawaiian Language College Revolving Fund to include income generated for services, trainings, and products sold by the Hawaiian Language College, Hawaiian Language Support Center, and Indigenous Outreach Program.

The Office of Hawaiian Affairs, Hawaiian Language College at the University of Hawaii at Hilo, Kamehameha Schools, Ho'omana Pono, LLC, and a few individuals testified in support of this measure. The University of Hawaii at Hilo testified in opposition to this measure.

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. 1222, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1222, H.D. 1, and be referred to your Committee on Higher Education.

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

SCRep. 253-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1223

The purpose of this measure is to require the Hawaiian Language College at the University of Hawaii at Hilo to:

- (1) Establish a four-year Hawaiian Language Medium Preschool Pilot Program as part of the Hawaiian Language College Laboratory School Program; and
- (2) Provide annual reports to the Legislature, over the same four-year period, of the progress of the Pilot Program.

The Aha Moku Advisory Committee, University of Hawaii at Hilo College of Hawaiian Language, Association of Hawaiian Civic Clubs, Kamehameha Schools, and Ho‘omana Pono, LLC and a few individuals testified in support of this measure. The University of Hawaii at Hilo, and the Department of Education provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to December 24, 2088, 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 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. 1223, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1223, H.D. 1, and be referred to your Committee on Higher Education.

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

SCRep. 254-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1224

The purpose of this measure is to require the University of Hawaii at Hilo Hawaiian Language College to establish a pilot program that provides classes, taught in the Hawaiian language, to high school students in the State.

The Office of Hawaiian Affairs, Kamehameha Schools, Ho‘omana Pono, LLC, and a few individuals testified in support of this measure. The University of Hawaii at Hilo provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to December 24, 2088, 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 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. 1224, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1224, H.D. 1, and be referred to your Committees on Education and Higher Education.

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

SCRep. 255-16 Labor & Public Employment on H.B. No. 2208

The purpose of this measure is to:

- (1) Require the Department of Labor and Industrial Relations (DLIR) to issue written determinations to investigated individuals and employers if the determination as to whether a worker is an employee or self-employed as an independent contractor is part of an unemployment insurance investigation;
- (2) Authorize employers to appeal DLIR's determination of employment status and require DLIR to respond to an employer's appeal within 30 days or the appeal will be dismissed in favor of the employer;
- (3) Authorize employers to request an advisory opinion from DLIR regarding an individual's employment status, if the request is made prior to an investigation;
- (4) Require DLIR to provide a written advisory opinion determining whether an individual's services could be employment; and
- (5) Require DLIR to place all advisory opinions on its website with personal information redacted.

DLIR testified in opposition to this measure.

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

- (1) Change references to the common law relationship of "employee and employer" instead of "master and servant";
- (2) Provide that if an employer files an appeal of a coverage determination, the Employment Security Appeals Referee's Office (ESARO) must render a decision within 30 days after the filing of the appeal. If the ESARO fails to render a decision on appeal within 30 days, the employer will be reimbursed for any contribution or penalty paid;
- (3) Require DLIR to publish findings of all issued determinations, redeterminations, appeals, and written advisory opinions on its website, provided that all personal or identifiable information is redacted; and
- (4) Prior to an unemployment insurance investigation by DLIR, allow an individual or employer to request that DLIR issue a written advisory opinion about whether the individual's services would be considered employment. The advisory opinion must be issued no later than 30 days after the request was received.

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. 2208, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2208, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 256-16 Consumer Protection & Commerce on H.B. No. 1626

The purpose of this measure is to clarify that private detectives and private guards are prohibited from self-identifying as a law enforcement officer, police, or police officer.

The Hawaii Government Employees Association testified in support of the intent of this measure. A few individuals testified in opposition to this measure. The Board of Private Detectives and Guards provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the Department of Transportation's authority to confer police powers to persons performing services at airports under contract with the Department of Transportation;
- (2) Changing the effective date to July 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. 1626, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1626, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 257-16 Consumer Protection & Commerce on H.B. No. 1541

The purpose of this measure is to change the proxy statement requirements for planned community associations from a maximum length of one hundred words to a maximum length of one single-sided page.

The Hawaii State Association of Parliamentarians; Hawaii First, Inc.; Community Associations Legislative Action Committee; Palehua Townhouse Association; and several individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Providing flexibility to homeowners who use their own proxy form, to match the requirements for unit-owners in condominium associations under section 514B-123(d)(3), Hawaii Revised Statutes (HRS);
- (2) Specifying that proxies that name the board of directors as an entity shall be decided based upon the majority of the directors present at the meeting, rather than all of the directors, to match the requirements for condominium associations permitted by section 514B-123(d)(3), HRS;
- (3) Clarifying that a board of directors that intends to use proxies must post notice and reducing the posting time to twenty-one days, to match the requirements for condominium associations permitted by section 514B-123(h)(1), HRS;
- (4) Clarifying that the statement of a homeowner requesting nomination to the board shall indicate the owner's qualifications or reason for requesting proxies to match similar flexibility as provided in section 514B-123(h)(1), HRS;
- (5) Prohibiting a managing agent, resident manager, or their employees from soliciting any proxies from any unit owner of the association that retains the managing agent or employs the resident manager and using them at an association meeting;
- (6) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes there was a discussion about the use of various font sizes in the statement indicating the owner's qualifications to serve on the board. Your Committee respectfully requests that your Committee on Judiciary 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. 1541, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1541, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Creagan, Lee, Nakashima and Oshiro.

SCRep. 258-16 Consumer Protection & Commerce on H.B. No. 2167

The purpose of this measure is to update various provisions relating to financial institutions by removing conflicts with other statutory provisions, clarifying unclear language, and repealing the inactive Credit Union Advisory Board.

Specifically, this measure:

- (1) Changes the semiannual payment dates for financial institutions;
- (2) Repeals various fees that are included elsewhere in statute or are outdated;
- (3) Aligns fees to more closely match financial institution requirements;
- (4) Clarifies that a Hawaii office of an out-of-state bank must pay a fee to establish an additional branch;
- (5) Clarifies requirements for an intra-Pacific bank to acquire the assets of, take control of, or merge with a Hawaii bank; and
- (6) Repeals the Credit Union Advisory Board.

The Department of Commerce and Consumer Affairs and the Hawaii Bankers Association submitted testimony in support of the measure.

Your Committee finds that this measure will remove conflicting and overlapping fees established by chapter 412, Hawaii Revised Statutes. Your Committee further finds that extending the due dates for financial institutions to make semiannual assessment payments will allow the Department of Commerce and Consumer Affairs Division of Financial Institutions more time to calculate the assessments and send billing letters. Your Committee notes that the Credit Union Advisory Board has been inactive since 2010 and there are no state-chartered credit unions in the State. Accordingly, your Committee finds that the Credit Union Advisory Board should be repealed.

Your Committee has amended this measure by changing the effective date to July 1, 2012, 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. 2167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2167, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Creagan, Kawakami, Nakashima, San Buenaventura, Yamane and McDermott.

SCRep. 259-16 Consumer Protection & Commerce on H.B. No. 2175

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 the partition of heirs property. The measure defines the term "heirs property" as real property that is held under a tenancy in common in which:

- (1) There is no binding agreement among the cotenants governing partition of the property;
- (2) One or more of the cotenants acquired title from a relative; and
- (3) Any of the following applies:
 - (A) Twenty per cent or more of the interests are held by cotenants who are relatives;
 - (B) Twenty per cent or more of the interests are held by an individual who acquired title from a relative; or
 - (C) Twenty per cent or more of the cotenants themselves are relatives.

Your Committee received comments on this measure from 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 a 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 property held in tenancy in common by establishing procedures and remedies to be used under certain real property partition actions.

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. 2175 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Creagan, Nakashima, San Buenaventura, Yamane and McDermott.

SCRep. 260-16 Consumer Protection & Commerce on H.B. No. 1629

The purpose of this measure is to conform the use of the professional designation of licensed marriage and family therapists in this State with the standard designation used in most other states by authorizing appropriately licensed professionals to use the title of licensed marriage and family therapist.

The Marriage and Family Therapists Program of the Department of Commerce and Consumer Affairs, Hawaii Association for Marriage and Family Therapist, Grace Works, Windward Therapy, and numerous individuals testified in support of this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs provided comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that appropriately licensed professionals may use either the title marriage and family therapist or licensed marriage and family therapist, which will allow the Department of Commerce and Consumer Affairs' Regulated Industries Complaints Office to enforce professional licensing requirements and restrictions against any person who misuses either title; 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. 1629, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1629, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Lee.

SCRep. 261-16 Consumer Protection & Commerce on H.B. No. 1851

The purpose of this measure is to amend the eligibility requirements to serve on the Public Utilities Commission and allow for the limited use of teleconferencing or videoconferencing in Commission meetings.

Specifically, this measure:

- (1) Requires at least one Commissioner to be a resident of a county other than the City and County of Honolulu and requires that Commissioner to receive a per diem compensation; and
- (2) Allows an Oahu Commissioner to use the technology to attend a meeting on a neighbor island and allows a neighbor island Commissioner to use the technology to attend a meeting on Oahu.

Your Committee received testimony in support of this measure from two members of the Hawaii County Council; Young Brothers, Limited; and one concerned individual. Comments on the measure were received from the Public Utilities Commission and the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs.

Your Committee finds that decisions of the Public Utilities Commission may have statewide consequences and that the best interests of the State will be served through statewide representation. Your Committee further finds that the use of teleconferencing or videoconferencing will assist the Commission in meeting quorum 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. 1851 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Lee.
(Representative McDermott voted no.)

SCRep. 262-16 Consumer Protection & Commerce on H.B. No. 2084

The purpose of this measure is to prohibit the denial, exclusion, or limitation of health care services or treatment by a health insurance provider to a person on the basis of a person's actual gender identity or perceived gender identity.

The Hawaii Civil Rights Commission, Kaiser Permanente, American Civil Liberties Union, Equality Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Hawk Health, A Place in the Middle Campaign, Planned Parenthood Votes Northwest and Hawaii, and numerous individuals testified in support of this measure. 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) Specifying that this measure apply to all policies, contracts, plans, or agreements issued or renewed in the State after January 1, 2017; and

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

Your Committee respectfully requests that your Committee on Judiciary further examine the definition of gender transition.

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. 2084, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2084, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Lee.
(Representative McDermott voted no.)

SCRep. 263-16 Human Services on H.B. No. 2005

The purpose of this measure is to protect the interests of Hawaii's elderly and disabled by establishing various policies to address the issues concerning the elderly, disabled, and the community healthcare industry in the State. Among other things, this measure:

- (1) Requires the Department of Health to conduct unannounced visits, other than for inspection for relicensing, to community care homes or day care centers licensed or certified by the Department of Health;
- (2) Requires the licensing of community-based care homes or day care centers providing healthcare to the elderly or disabled who are unrelated to the caregiver family;
- (3) Makes it a misdemeanor for any person to intentionally operate a community-based foster family home, adult foster home, or adult day care center without a license;
- (4) Requires inspection reports to be posted on the Department of Health's website and provides for the removal of violations from the website after three years from the date the report was posted;
- (5) Allows 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;
- (6) Establishes a schedule for license, relicense, certification, and recertification fees for various care facilities;
- (7) Allows two private-pay individuals to be cared for in the same community care foster family home under certain qualifying conditions;
- (8) Establishes a compensation schedule for caregivers;
- (9) Requires the Department of Health to reimburse community health care facilities and case managers for interest on late payments that are overdue by at least 30 days; and
- (10) Requires the Director of Health to adopt rules regarding expanded adult residential care homes whereby a Type I home must consist of five or fewer residents with no more than three, instead of two, nursing facility level residents.

The Adult Foster Homecare Association of Hawaii and numerous concerned individuals supported this measure. The Department of Health and the Department of Human Services opposed this measure. State Council on Developmental Disabilities, Hawaii Disability Rights Center, and two concerned individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the limitation that the Department of Health conduct unannounced visits other than for the inspection for relicensing;
- (2) Removing the requirement for the Department of Health to maintain a forum on its website where all state-licensed care facilities may post vacancy information;
- (3) Removing the schedule for license, relicense, certification, and recertification fees for various care facilities;
- (4) Removing the compensation schedule for caregivers;
- (5) Removing the requirement that the Department of Health reimburse community health care facilities and case managers for interest on late payments that are overdue by at least 30 days;
- (6) Removing the requirement that the Director of Health adopt rules regarding expanded adult residential care homes whereby a Type I home must consist of five or fewer residents with no more than three, instead of two, nursing facility level residents;
- (7) Changing its effective date to July 1, 3000, 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2005, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2005, H.D. 1, and be referred to your Committee on Health.

Signed by all members of the Committee except Representative Belatti.

SCRep. 264-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2548

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for the plans, design, construction, and materials and equipment for a community center and agriculture park benefitting the Anahola Hawaiian Homes Association.

The Department of Hawaiian Home Lands, Aha Moku Advisory Committee, Association of Hawaiian Civic Clubs, Pana'ewa Hawaiian Home Lands Community Association, and an individual testified in support of this measure. Ho'omana Pono, LLC and the Center for Hawaiian Sovereignty Studies testified 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 is in accord with the intent and purpose of H.B. No. 2548 and recommends that it pass Second Reading and be referred to your Committee on Agriculture.

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

SCRep. 265-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2736

The purpose of this measure is to require that all information included on an election ballot be in both English and Hawaiian.

The University of Hawaii at Hilo College of Hawaiian Language, Laboratory School Program of the University of Hawaii at Hilo College of Hawaiian Language, Kahuawaiola Indigenous Teacher Education Program of the University of Hawaii at Hilo College of Hawaiian Language, 'Aha Pūnana Leo, Ho'omana Pono, LLC, and several individuals testified in support of this measure. The Office of Elections provided comments.

Your Committee has amended this measure by:

- (1) Replacing the requirement that all information included on an election ballot be in both English and Hawaiian with a requirement that a Hawaiian language election ballot be made available to any voter upon request; 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. 2736, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2736, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 266-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1844

The purpose of this measure is to recognize the centrality of kalo and kalo production to Hawaii's culture and agricultural economy by:

- (1) Exempting kalo farm cooperative marketing sites from zoning and land use restrictions;
- (2) Making protection of kalo farming as a cultural activity an agricultural planning objective of the State;
- (3) Establishing a limited income tax exemption for income from kalo farming, kalo products, and related activities; and
- (4) Exempting amounts received for kalo products, kalo farming, and activities directly related to kalo from the general excise tax.

The Aha Moku Advisory Committee and several individuals submitted testimony in support of this measure. The Department of Taxation and Department of Agriculture submitted comments.

Your Committee has amended this measure by:

- (1) Amending the income tax and general excise tax exemptions to clarify that they are meant to apply to kalo producers and manufacturers of kalo products;
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency; 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 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. 1844, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1844, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee.

SCRep. 267-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1734

The purpose of this measure is to prohibit and provide penalties for the knowing capture, killing, or taking of all sharks and rays within state marine waters subject to exceptions for special activity permits, native Hawaiian gathering rights and traditional cultural practices, public safety, and personal safety. This measure establishes a new prohibition on the knowing capture, killing, or taking of sharks and clarifies and expands the existing prohibition on the knowing capture or killing of manta rays.

Your Committee received testimony in support of this measure from the Aha Moku Advisory Committee, Humane Society International, Wild Aid, The Manta Trust, Shark Stewards, the Center for Biological Diversity, The Humane Society of the United States, Defenders of Wildlife, West Hawaii Humane Society, Animal Rights Hawai'i, Conservation Council for Hawai'i, Babes Against Biotech, Ho'omana Pono, LLC, and many individuals. Your Committee received testimony in opposition to this measure from Hawaii Goes Fishing, Hawaii Fishermen's Alliance for Conservation and Tradition, and several individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Center for Hawaiian Sovereignty Studies, and two individuals.

Your Committee has amended this measure by:

- (1) Clarifying the definitions of "shark" and "ray";
- (2) Adding a severability clause; and
- (3) Making technical, nonsubstantive 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. 1734, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1734, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Evans, Nishimoto and Say.

SCRep. 268-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.B. No. 1655

The purpose of this measure is to establish a means to fulfil the State's constitutional and statutory obligation to provide the Office of Hawaiian Affairs with a 20 percent share of revenues derived from ceded lands, which the Office of Hawaiian Affairs is charged to expend for the betterment of the conditions of native Hawaiians and to give effect to the right of native Hawaiians to benefit from the public land trust. To achieve that purpose, this measure:

- (1) Removes caps on annual and quarterly public land trust revenues that are paid to the Office of Hawaiian Affairs;
- (2) Returns to the Office of Hawaiian Affairs funds from purported past overpayments maintained in the carry-forward trust account by the Department of Budget and Finance pursuant to Executive Order 06-06; and
- (3) Establishes a Public Land Trust Negotiating Committee composed of members representing the Legislature, the Governor's administration, and the Office of Hawaiian Affairs to resolve the matter of the amount of the income and proceeds of the public land trust that shall be paid annually to the Office of Hawaiian Affairs.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Kaho'olawe Island Reserve Commission, Kalihi Palama Hawaiian Civic Club, KAFarmers Hui, Ko'olaupoko Hawaiian Civic Club, Kai Loa, Inc., Kamehameha Schools, and several individuals. Your Committees received testimony in opposition to this measure from Keaukaha Community Association, Center for Hawaiian Sovereignty Studies, Ho'omana Pono, LLC, and one individual. The Department of the Attorney General, University of Hawai'i, Association of Hawaiian Civic Clubs, Ka Lahui Hawai'i, and one individual submitted comments.

Your Committees note that this measure is intended to serve as an interim means of providing the Office of Hawaiian Affairs with its constitutionally and statutorily mandated revenue in the short term while simultaneously establishing a process to bring lasting resolution to the matter of the amount of income and proceeds from the public land trust to which the Office of Hawaiian Affairs is entitled.

Your Committees have amended this measure by:

- (1) Changing its effective date to December 24, 2088, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments.

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. 1655, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1655, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Evans, Nishimoto and Say.

SCRep. 269-16 Human Services on H.B. No. 1900

The purpose of this measure is to help victims of domestic violence, sexual assault, and stalking by:

- (1) Establishing the Address Confidentiality Program (Program) to maintain the secrecy of the addresses of those victims upon relocation; and
- (2) Appropriating funds to the Department of Accounting and General Services for the implementation and operation of the Program.

The City and County of Honolulu Department of the Prosecuting Attorney, Hawaii State Democratic Women's Caucus, The Sex Abuse Treatment Center, Hawaii State Coalition Against Domestic Violence, Parents and Children Together, Crime Victim Compensation Commission, Hawaii State Commission on the Status of Women, Domestic Violence Action Center, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women, and a concerned individuals supported this measure. The Department of Accounting and General Services and Office of Information Practices provided comments.

Your Committee has amended this measure by:

- (1) Defining the word "agency" to incorporate all agencies necessary to effectuate this program;
- (2) Removing the definitions of "state agency" and "resident";
- (3) Removing the Department of Accounting and General Services as the department responsible for the program and changing all references to the Department of Accounting and General Services to an unspecified department;
- (4) Requiring the program director to designate, rather than hire, applicant assistants to assist applicants of the Program;
- (5) Allowing the parent or guardian of any individual residing with the parent or guardian to participate in the Program, rather than only minor residents;
- (6) Clarifying that a secondary participant's participation in the Program ends when the primary participant's participation in the Program ends for any reason;
- (7) Clarifying the secondary participant's participation in the Program will be cancelled if a renewal application from the secondary participant is not received or approved by the Program;
- (8) Distinguishing between the disclosure of public records pursuant to Chapter 92F, Hawaii Revised Statutes, and disclosure pursuant to a court order;
- (9) Clarifying that an employee of any agency that has received a request from a Program participant to use a substitute address shall be guilty of a misdemeanor if the employee knowingly discloses any address or telephone number that the Program participant uses other than the substitute address;
- (10) Requires the director of the Program, rather than the Comptroller to adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, to carry out the provisions of this measure; and
- (11) Changing the effective date to July 1, 2060, 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. 1900, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1900, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 270-16 Human Services/Education on H.B. No. 1787

The purpose of this measure is to establish the Erin's Law Task Force (Task Force) to guide the establishment of a program to educate public school students on sexual abuse prevention through use of age-appropriate curricula.

Specifically, the Task Force shall review current policies, programs, and curricula for educating students in the public school system about sexual abuse prevention and make recommendations for the establishment of the program.

The Hawaii State Commission on the Status of Women, Hawaii Youth Services Network, Planned Parenthood Votes Northwest and Hawaii, Parents and Children Together, The Sex Abuse Treatment Center, and two individuals testified in support of this measure. The Department of Education and Executive Office on Early Learning testified in support of the intent of this measure. The State Public Charter School Commission commented on this measure.

Your Committees have amended this measure by:

- (1) Amending the composition of the Task Force to:
 - (A) Include the Superintendent, or the Superintendent's designee, rather than the Deputy Superintendent, or the Deputy Superintendent's designee;
 - (B) Add the Director of the Executive Office on Early Learning, or the Director's designee;
 - (C) Add an elementary school principal and a secondary school principal, to be designated by the Superintendent; and
 - (D) Add a representative from a charter school, to be designated by the Executive Director of the State Charter School Commission;
- (2) Specifying that the respective members of the Senate and House of Representatives, rather than the respective Chairs of the Senate and House of Representatives Committees on Education, shall serve as the co-chairs of the Task Force;
- (3) Changing the effective date to July 1, 2060, to facilitate further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1787, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1787, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by all members of the Committee except Representatives Belatti, Choy, Ing, Say, Tsuji and Fukumoto Chang.

SCRep. 271-16 Human Services/Education on H.B. No. 1987

The purpose of this measure is to develop a youth gang response system coordinated by the Department of the Attorney General that incorporates critical elements of law enforcement and intelligence, training and community awareness, community intervention, community prevention, information, and evaluation. Specifically, this measure appropriates funds to:

- (1) The Department of the Attorney General to:
 - (A) Develop a statewide information system and information clearinghouse on youth gangs, public education, community support groups, a statewide parent education program for parents and caregivers, and a statewide law enforcement task force focusing on resolving and preventing youth gang criminal activities; and
 - (B) Provide personnel, equipment, office space, and monitoring trips to the Neighbor Islands in its role as the overall coordinator of the youth gang response system.
- (2) The City and County of Honolulu, County of Hawaii, County of Maui, and County of Kauai to monitor gang activities and establish new gang prevention strategies and projects;
- (3) The Office of Youth Services to provide and develop prevention and intervention services and programs statewide for youth at risk;
- (4) The University of Hawaii to commission the Center for Youth Research; and
- (5) The Department of Education to develop school based gang and drug prevention and intervention programs.

The Kalihi Community Youth Violence and Gang Prevention and Intervention Task Group and two concerned individuals supported this measure. The Office of Youth Services supported the intent of this measure. The Adult Friends for Youth and a concerned individual opposed this measure. The Department of the Attorney General and a concerned individual provided comments.

Your Committees have amended this measure by:

- (1) Deleting all of the appropriations except for the appropriation for counties to monitor gang activities and establish new gang prevention strategies and projects;
- (2) Inserting an appropriation for the Office of Youth Services to provide and develop prevention and intervention services and programs statewide for youth at risk;
- (3) Changing the appropriation amounts to an unspecified amount;
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical nonsubstantive amendments for the purposes of style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1987, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1987, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Choy, Ing, Say, Tsuji and Fukumoto Chang.

SCRep. 272-16 Education on H.B. No. 2538

The purpose of this measure is to allow fee in lieu funds in the Kalihi to Ala Moana school impact district to be used to purchase completed construction, construct new school facilities, improve or renovate existing structures for school use, or lease land or facilities for school use.

The Department of Education, Pacific Resource Partnership, and a concerned individual supported this measure. The Honolulu Authority for Rapid Transportation and Chamber of Commerce Hawaii 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2538, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2538, H.D. 1, and be referred to your Committee on Water & Land.

Signed by all members of the Committee except Representatives Say and Tsuji.

SCRep. 273-16 Education on H.B. No. 2205

The purpose of this measure is to make clarifying and conforming, or housekeeping amendments to certain statutory provisions governing charter schools, including by:

- (1) Allowing the State Public Charter School Commission to issue interim rules by Commission directives exempt from public-notice, public-hearing, and gubernatorial-approval requirements;
- (2) Prohibiting the State Public Charter School Commission from providing technical support to prospective charter school applicants that would directly and substantially affect its decision related to the approval or denial of the charter application;
- (3) Amending requirements for charter school governing boards regarding the contents and posting of meeting agendas and minutes;
- (4) Providing a nonprofit organization that seeks to manage and operate a conversion charter school with the same protections that are afforded to all other governing boards in its role as the conversion charter school governing board;
- (5) Specifying that State Public Charter School Commission hearings on revocation or nonrenewal of a charter contract are not subject to Chapter 91, Hawaii Revised Statutes;
- (6) Expressly allowing charter schools to assess and collect special fees and charges from students for co-curricular activities;
- (7) Requiring conversion charter schools to apply the same enrollment procedures as start-up charter schools, which may include enrollment preferences, for any seats still available after the enrollment of students who reside within the school's former geographic service area; and
- (8) Expressly excluding the State Public Charter School Commission from open-meeting requirements for the exercise of adjudicatory functions in declaratory rulings and contested case hearings.

The State Public Charter School Commission and a concerned individual supported this measure. The Hawaii Educational Policy Center, League of Women Voters of Hawaii, Common Cause Hawaii, Kamehameha Schools, Council for Native Hawaiian Advancement, Connections Public Charter School, Hawaii Academy of Arts and Science Public Charter School, Kua o ka La Public Charter School, Ka Waihona o ka Na'auao Public Charter School, Halau Ku Mana Public Charter School, and numerous concerned individuals opposed the measure. The Office of Hawaiian Affairs and Hawaii Public Charter Schools Network submitted comments.

Your Committee has amended this measure by:

- (1) Deleting the provision allowing the State Public Charter School Commission to issue interim rules;
- (2) Clarifying that the governing boards of charter schools must post written minutes from public meetings within sixty calendar days after the public meeting or five calendar days after the next public meeting, whichever is sooner;
- (3) Clarifying that State Public Charter School Commission hearings for revocation or nonrenewal of a charter contract are governed by the specific statutory requirements for these proceedings and are not subject to requirements for an agency hearing under Chapter 91, Hawaii Revised Statutes;
- (4) Clarifying that the State Public Charter School Commission's exclusion from open meetings for the exercise of adjudicatory functions pertains solely to a matter on which the Commission has already rendered a decision in a public meeting;
- (5) Changing its effective date to July 1, 2050, to facilitate 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2205, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2205, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Say and Tsuji.

SCRep. 274-16 Education on H.B. No. 868

The purpose of this measure, as received by your Committee, is to:

- (1) Require the Board of Education to annually re-establish statewide performance standards and the means to assess the standards based upon multiple forms of assessment that do not require extensive standardized testing and from which students and their parents may opt-out; and
- (2) Repeal current statutory requirements for assessment of public school students' achievement through testing on performance standards developed by the Commission for Performance Standards pursuant to Act 334, Session Laws of Hawaii 1991.

For the purposes of a public hearing on this bill, your Committee circulated a Proposed H.B. No. 868, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the proposal, which allows certain individuals to engage in the practice of behavior analysis in a public education setting, provided that the individual shall not use any title or description that states or implies that the individual is a "licensed behavior analyst" or "behavior analyst" if the individual does not hold the required license.

The Department of Education and a concerned individual supported the Proposed Draft. The Special Education Advisory Council supported the intent of the Proposed Draft. Horizons Academy of Maui, Hawaii Association for Behavior Analysis, and numerous concerned individuals opposed the Proposed Draft. The Department of Commerce and Consumer Affairs and Hawaii Disability Rights Center offered comments on the Proposed Draft.

Your Committee considered the merits of H.B. No. 868, as received by your Committee, and the Proposed Draft, and upon careful consideration, adopted the Proposed Draft.

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. 868, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 868, H.D. 1, and be referred to your Committees on Health and Consumer Protection & Commerce.

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

SCRep. 275-16 Health on H.B. No. 1707

The purpose of this measure is to require:

- (1) The Insurance Commissioner, insurers, mutual benefit societies, and health maintenance organizations to make certain rate increase information available on their respective websites prior to increasing rates; and
- (2) Insurers, mutual benefit societies, and health maintenance organizations to provide, without charge and upon request, aggregated claims data to group purchasers.

The Department of Commerce and Consumer Affairs commented on this measure. Hawaii Medical Service Association and the American Council of Life Insurers opposed this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the requirement to provide the required information to the public or to group purchasers applies to insurers that provide health care coverage;
- (2) Deleting provisions relating to disclosures of aggregated claims data to group purchasers;
- (3) Changing its effective date to July 1, 2070, 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. 1707, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1707, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 276-16 Health on H.B. No. 2481

The purpose of this measure is to facilitate greater transparency in the health care sector by broadening the scope of health and health care data and other information, including health care services claims and payment information submitted to the State Health Planning and Development Agency.

The State Health Planning and Development Agency and Hawaii Health Data Center testified in support of this measure. Hawaii Medical Service Association opposed this measure. The Department of the Attorney General, Department of Health, Department of Human Services, University of Hawaii System, Office of Enterprise Technology Services, Healthcare Association of Hawaii, and Hawaii Health Information Corporation provided comments.

Your Committee notes that in 2013, the Department of Commerce and Consumer Protection received an award of \$3,023,387 from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services as part of a Cycle III Grant to support health insurance rate review and increase transparency in health care pricing.

According to the February 4, 2014, report "Rate Review Cycle III Final Report," Hawaii State Department of Commerce and Consumer Affairs, as part of the receipt of this grant, in November 2013, the Office of the Governor, the Department of Commerce and Consumer Affairs, and the then-Office of Information Management Technology conducted a series of stakeholder meetings with Hawaii Medical Service Association, Kaiser Permanente, and the Healthcare Association of Hawaii about the development of an All Payer Claims Database (APCD) in the State of Hawaii. Discussions among the stakeholders included:

- Value brought to the health care system by establishing an APCD;
- A plan to identify a health data governance board in relation to the APCD to develop policy regarding reporting, oversight, data confidentiality, data priorities, and data use; and
- Identification of tentative priorities and a timeline for data collection including ER and hospitalization, chronic diseases, Medicaid, Hawaii Employer-Union Health Benefits Trust Fund, Department of Health, and commercial data.

To date, the now-Office of Enterprise Technology Services manages the federal grant funds and has created a special project, the Hawaii Health Data Center, to carry out the activities of the Cycle III grant.

Your Committee finds that the work of the Hawaii Health Data Center and the creation of an APCD can play a key role to reduce overall health insurance premiums by focusing cost control efforts on healthcare pricing, identifying structural health cost drivers, providing the knowledge and tools to begin bending the health cost curve, and identifying wasteful expenditures in the health care system.

Should the House Committee on Judiciary deliberate on this measure, your Committee respectfully requests that it consider the creation of a stakeholder group comprised of key state department leaders, patient advocates, and health industry leaders to facilitate the work of the Hawaii Health Data Center and the creation of an APCD to realize the goals of healthcare pricing and cost transparency.

Your Committee has amended this measure by:

- (1) Requiring that the submittal of data, statistics, and other information be consistent with state and federal laws pertaining to security and confidentiality;
- (2) Specifying that the state agency shall submit the acquired data to a state-designated data center;
- (3) Changing its effective date to July 1, 2070, to facilitate further discussion; and
- (4) 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. 2481, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2481, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 277-16 Health on H.B. No. 2706

The purpose of this measure is to:

- (1) Clarify the certification requirements for dental hygienists; and
- (2) Prohibit dental assistants from rendering dental services that represent the practice of dentistry or dental hygiene or require the knowledge, skill, and training of a licensed dentist or licensed dental hygienist.

Numerous individuals testified in support of this measure. Hawaii Dental Association and several individuals opposed this measure. The Board of Dental Examiners, Hawaii Primary Care Association, Hawaii Dental Hygienists' Association, and two individuals commented on this measure.

Your Committee has amended this measure by:

- (1) Reinstating existing statutory language that allows the Board of Dental Examiners to adopt rules regarding the duties of dental assistants and regulatory directives;
- (2) Changing its effective date to July 1, 2070, 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. 2706, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2706, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 278-16 Health on H.B. No. 1674

The purpose of this measure is to help prevent childhood obesity and dental caries in the State by establishing restrictions on sugar-sweetened beverages and other beverages served in child care facilities.

The Hawaii Public Health Institute, Hawaii Primary Care Association, Hawaii Public Health Association, American Diabetes Association, American Heart Association, and numerous individuals testified in support of this measure. Two individuals opposed this measure. The Department of Human Services and Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Excluding beverages provided by a parent or guardian for the parent or guardian's child at a child care facility;
- (2) Applying the beverage restrictions only to child care facilities licensed by the Department of Human Services and in existence as of the effective date of this measure;
- (3) Changing its effective date to July 1, 2070, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1674, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1674, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 279-16 Energy & Environmental Protection on H.B. No. 1684

The purpose of this bill is to effectuate its title.

H.B. No. 1684 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1684, as amended herein, and recommends that it be recommitted to your Committee on Energy & Environmental Protection, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1684, H.D. 1.

Signed by all members of the Committee except Representative Nishimoto.

SCRep. 280-16 Judiciary on H.B. No. 1044

The purpose of this measure is to prohibit sexual contact between an adult who holds a position of trust, power, authority, or supervision over a minor, and the subject minor is 16 or 17 years of age, and at least five years younger than the adult.

The Honolulu Police Department and two concerned individuals testified in support of this measure. The Office of the Public Defender testified in opposition. The Honolulu Prosecuting Attorney provided comments.

Your Committee finds that sexual relationships between an adult and a minor who is over the age of consent may be the result of the adult's abuse of the adult's position of power or influence over the minor, calling into question the consensual nature of the relationship. Sexual relationships between a teacher and the teacher's high school student or an employer and the employer's teenage employee are examples of an adult's abuse of power.

Sexual relations between a person who is younger than 16 years (the age of consent) and a person who is not less than five years older is a crime even if the younger person consents. However, once a minor attains 16 years of age, consensual sexual activity is not a crime and the minor is not protected from adults who abuse the power of their position to obtain consent.

Your Committee finds that individuals in positions of trust, power, authority, or supervision must adhere to the highest standards of conduct to protect minors from abuses of power and exploitation. This measure is intended to be broadly applied to any person who "holds a position of trust, power, authority, or supervision over that minor." The factual determination of whether a person holds a position of trust, power, authority, or supervision over a minor must be made by the trier of fact.

Your Committee notes that this measure does not change the statutory age of consent. Also, the misdemeanor penalty for an adult who engages in sexual penetration with a 16 or 17 year old is significantly less severe than the Class A felony penalty of up to 20 years imprisonment if the adult commits the offense against a young person who is younger than 16 years old.

Your Committee has amended this measure to prohibit "sexual penetration" in addition to "sexual contact"; both terms are defined in chapter 707, Hawaii Revised Statutes.

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. 1044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1044, H.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 281-16 Judiciary on H.B. No. 799

The purpose of this measure is to amend the Uniform Aeronautics Act to allow the State, its employees, or its independent contractors, while in flight and in furtherance of the State's official duties, to kill wildlife located in remote or inaccessible areas.

The Kaua'i Invasive Species Committee, O'ahu Invasive Species Committee, American Bird Conservancy, Wailuku Water Company, and numerous concerned individuals testified in support of this measure. The County of Hawai'i Game Management Advisory Commission; Haleakala Ranch; Earthjustice; The Society for Hawaii Heritage Animals; Leilani Farm Sanctuary; Conservation Council for Hawai'i; Hawaii Hunting Association; Hawaii Sportsman's Alliance; Hunting Farming and Fishing Association; Ho'okipa Network-Kauai and Aha Moku o Kauai; National Wild Turkey Federation; Grey Boar Wildlife Services, LLC; Hawaii Sportsmen's Alliance; Hui Kuahiwi; Babooze Bowstrings; Maui Conservation Alliance; Animal Rights Hawai'i; and numerous concerned individuals testified in opposition. The Department of Land and Natural Resources, The Nature Conservancy of Hawai'i, The Humane Society of the United States, and several concerned individuals provided comments.

Your Committee finds that aerial shooting by the State to control or eradicate wildlife should be employed only when necessary, when there are no practicable alternatives, and subject to appropriate safeguards.

To accomplish effective wildlife management, your Committee recommends that aerial shooting should be a tool available to the State. For example, a federal court order requires the State to protect the critically endangered palila bird that exists on the slopes of Mauna Kea. Compliance with the order necessitates the use of aerial shooting to control the population of ungulates that are impacting the palila's habitat. The State's effort regarding the palila is governed by federal laws and is not subject to the limitation or prohibitions of state or county laws. This measure is intended to clarify the State's authority to conduct aerial shooting in other areas.

Your Committee finds that the Department of Land and Natural Resources has a long-standing aerial shooting policy that addresses a number of citizen concerns, including a policy of providing public notice at least 15 days in advance. However, the Department may benefit from an increased effort to inform the public of its policies and practices, adopt rules, and expand the scope of its policies to address the public's other concerns.

Your Committee notes that another measure is under consideration this session that would establish a Game Management Advisory Commission whose duties include advising the Department on the use of aerial hunting.

Your Committee has amended this measure by:

- (1) Deleting language that restricted aerial killing of wildlife to remote and inaccessible areas; and
- (2) Inserting an effective date of March 15, 2037.

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. 799, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 799, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Lee, Morikawa, Woodson and McDermott.

SCRep. 282-16 Higher Education on H.B. No. 1608

The purpose of this measure is to appropriate funds to the University of Hawaii for the Graduation Pathway System for fiscal year 2016-2017.

The University of Hawaii testified in support of this measure.

Your Committee has amended this measure by:

- (1) Replacing the \$550,000 appropriation with an unspecified amount; and
- (2) Changing its effective date to July 1, 2525, to facilitate further discussion.

Should your Committee on Finance deliberate on this measure, your Committee respectfully requests that it consider an appropriation amount of \$550,000.

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. 1608, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1608, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 283-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2467

The purpose of this measure is to recognize *Flavobacterium akiainvivens* as an organism unique in origin to Hawaii by establishing and designating it as the official microbe of the State.

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. 2467 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 284-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2491

The purpose of this measure is to honor the men and women who served and to reflect on and appreciate the sacrifices they made during the Vietnam War by appropriating funds to commemorate the 50th Anniversary of the Vietnam War with programs, ceremonies, and activities.

The Department of Defense, Office of Veterans' Services, Go For Broke Association, Veterans of Foreign Wars of the United States, and numerous concerned individuals supported this measure.

Your Committee has amended this measure by deleting the specified sum of the appropriation to facilitate further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Veterans, Military, & International Affairs, & Culture and the Arts respectfully requests that it consider appropriating \$300,000 for the purpose of commemorating the Fiftieth 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. 2491, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2491, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 285-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2741

The purpose of this measure is to provide greater access to the arts for the military community and to make a significant contribution to their quality of life in Hawaii by appropriating funds to establish an Arts in the Military Program (Program).

The Office of the Governor, Department of Defense, State Foundation on Culture and the Arts, and Office of Veterans' Services supported this measure.

Your Committee has amended this measure by deleting the specific sum appropriated for the Program to facilitate further discussion.

Should your Committee on Finance deliberate this measure further, your Committee on Veterans, Military, & International Affairs, & Culture and the Arts respectfully requests that it considering appropriating \$200,000 for the establishment of the Program.

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. 2741, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2741, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 286-16 Tourism on H.B. No. 2037

The purpose of this measure is to appropriate money to the Department of Land and Natural Resources for hosting the 2016 International Union for Conservation of Nature World Conservation Congress meeting at the Hawaii Convention Center in September 2016.

The Department of Land and Natural Resources; Aha Moku Advisory Committee; The Nature Conservancy of Hawaii; Conservation Council for Hawaii; Kuaaina Ulu Auamo; National Tropical Botanical Garden; The Trust for the Public Land; Humane Society of the U.S.-Hawaii; Diamond Head State Monument Foundation; Hawaii Center for Food Safety; Outrigger Hotels Hawaii; the President of the World Conservation Congress, National Host Committee/Hawaii 2016; Hawaii Lodging and Tourism Association; and a few concerned individuals supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2021, 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. 2037, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2037, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Choy and Ito.

SCRep. 287-16 Water & Land on H.B. No. 2420

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 Department of Agriculture; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council; Maui County Farm Bureau; Hawaii Crop Improvement Association; MauiGrown Coffee, Inc.; Central Maui Soil and Water Conservation District; Hawaii Association of Conservation Districts; Monsanto Hawaii; Larry Jefts Farms, LLC; Hawaii Farm Bureau; Ponoholo Ranch Limited; and numerous individuals testified in support of this measure. The Department of Land and Natural Resources testified in support of the intent of this measure.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2420, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2420, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 288-16 Water & Land on H.B. No. 2027

The purpose of this measure is to increase the capacity of the State's sewer, water, drainage, road, telecommunications, and broadband infrastructure 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 by the Department of Accounting and General Services.

The Building Industry Association of Hawaii, Chamber of Commerce Hawaii, Hawaii Association of Realtors, Land Use Research Foundation of Hawaii, and an individual 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 is in accord with the intent and purpose of H.B. No. 2027 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Say.

SCRep. 289-16 Water & Land on H.B. No. 1847

The purpose of this measure is to establish a Sports and Entertainment Authority to undertake and expand on the objectives and responsibilities of the Stadium Authority.

The Office of the Lieutenant Governor, Outrigger Hotels Hawaii, Hawaii Lodging & Tourism Association, Chamber of Commerce Hawaii, and a few individuals provided testimony in support of this measure. The Office of the Mayor of the City and County of Honolulu provided testimony in opposition. The Department of Budget and Finance, State Procurement Office, Department of Human Resources Development, Department of Accounting and General Services, and an individual provided comments.

Your Committee has amended this measure by:

- (1) Amending the language to protect the rights and benefits of the employees to be transferred to the Sports and Entertainment Authority;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1847, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1847, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 290-16 Water & Land on H.B. No. 1750

The purpose of this measure is to require the State and counties to consider stormwater management, reuse, reclamation, and remediation in the development of the Hawaii Water Resource Protection Plan.

The Hawaii Farm Bureau, Maui County Farm Bureau, Hawaii Community Foundation's Hawaii Fresh Water Initiative, and several individuals testified in support of this measure. The Department of Land and Natural Resources testified 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. 1750 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 291-16 Water & Land on H.B. No. 1749

The purpose of this measure is to amend the goals of the Hawaii Water Plan to include the 100 percent utilization of reclaimed water in all State and county facilities.

The Hawaii Community Foundation's Hawaii Fresh Water Initiative and a few individuals testified in support of this measure. The Department of Land and Natural Resources and Department of Agriculture 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. 1749 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 292-16 Water & Land on H.B. No. 2235

The purpose of this measure is to:

- (1) Authorize the Board of Land and Natural Resources to transfer the operation, administration, management, and maintenance of Honokohau small boat harbor to a community-based board of Hawaii County, a public-private partnership, or a private organization; and
- (2) Appropriate funds for repairs and maintenance of the Honokohau small boat harbor.

Aha Moku, Blue Ocean Mariculture, Hawaii Fishing & Boating Association, and numerous individuals testified in support of this measure. The Department of Land and Natural Resources, Pursuit Sportfishing, and several individuals provided comments 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. 2235, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2235, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 293-16 Labor & Public Employment on H.B. No. 2018

The purpose of this measure is to establish guidelines for the management of capital improvement projects based on the recommendations of the Office of the Auditor in Report No. 15-13, Study of State Departmental Engineering Sections That Manage Capital Improvement Projects.

The Department of Accounting and General Services and Office of the Auditor testified in support of this measure. The Department of Transportation testified in support of the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2018 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 294-16 Labor & Public Employment on H.B. No. 2209

The purpose of this measure is to clarify the scope of Hawaii's anti-discrimination law by specifying that employers, employment agencies, and labor organizations may refuse to hire, refer, or discharge workers for reasons other than those protected under sections 378-2, 378-2.3, 378-2.5, and 378-2.7, Hawaii Revised Statutes.

The Chamber of Commerce Hawaii and the Society for Human Resource Management Hawaii Chapter testified in support of this measure. The Hawaii Civil Rights Commission and the ILWU Local 142 testified in opposition.

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 2209, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2209, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 295-16 Consumer Protection & Commerce on H.B. No. 2278

The purpose of this measure is to improve the State's management of information technology.

Specifically, this measure:

- (1) Clearly establishes the Chief Information Officer as the State's information technology leader;
- (2) Consolidates the Office of Information Management and Technology and the Information and Communication Services Division of the Department of Accounting and General Services, including all related information technology functions, in the Office of Enterprise Technology Services under the direction of the Chief Information Officer; and
- (3) Makes conforming amendments by repealing statutory references to the Information and Communication Services Division of the Department of Accounting and General Services that are no longer applicable.

The Comptroller, Chief Information Officer, and Office of Consumer Protection of the Department of Commerce and Consumer Affairs submitted testimony in support of this measure.

Your Committee finds that the state Auditor reported in 2009 that the State's management of information technology was weak and ineffective, and that, absent a clearly designated and effective Chief Information Officer, the State could not ensure that its information technology investments were "cost effective, optimally utilized, adequately planned for future growth, or [had] the operational flexibility to easily adapt to changing requirements."

Your Committee further finds that clearly establishing the Chief Information Officer as the State's information technology leader and consolidating the Office of Information Management and Technology and the Information and Communication Services Division of the Department of

Accounting and General Services in the Office of Enterprise Technology Services will address the deficiencies identified by the Auditor and improve the State's management of information technology.

Your Committee has amended this measure by changing the effective date to July 2, 2112, to facilitate further discussion on the measure. Technical nonsubstantive amendments were also made to correct typographical and Ramseyering errors and for 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. 2278, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2278, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Creagan, Nakashima, San Buenaventura, Yamane and McDermott.

SCRep. 296-16 Public Safety on H.B. No. 2099

The purpose of this measure is to define "person in custody" as used in the offense of sexual assault in the second degree and third degree to explicitly prohibit a law enforcement officer from knowingly subjecting to sexual contact a person who is stopped by or under the control of a law enforcement officer for official purposes, including a traffic stop.

The Department of the Prosecuting Attorney of the City and County of Honolulu and The Sex Abuse Treatment Center supported this measure.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to promote further discussion.

Should the Committee on Judiciary further deliberate on this measure, your Committee respectfully requests that it consider examining the language in the proposed definition of "person in custody". For example, according to the Department of the Prosecuting Attorney of the City and County of Honolulu, the phrase "under the control of" may be considered overly broad.

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. 2099, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2099, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Aquino.

SCRep. 297-16 Public Safety on H.B. No. 2385

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 continuation of an order for involuntary treatment upon the return to custody of an inmate or detainee prior to the expiration of the order and extension of an order upon motion of the Department of Public Safety.

The Department of the Attorney General and 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. 2385 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Aquino.

SCRep. 298-16 Public Safety on H.B. No. 2387

The purpose of this measure is to increase public safety by adding misdemeanor offenses involving any type of firearm, ammunition, or dangerous weapon under chapter 134, Hawaii Revised Statutes, to the offenses that disqualify parolee violators from provisions that, among other things, limit the revocation period of incarceration to no longer than six months.

The Department of Public Safety and the Hawaii Paroling Authority 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. 2387 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Aquino.

SCRep. 299-16 Public Safety on H.B. No. 2389

The purpose of this measure is to allow the Department of Public Safety to use funds deposited into the the Federal Reimbursement Maximization Special Fund for corrections workforce recruitment and retention.

The Department of Public Safety and the United Public Workers, AFSCME, Local 646, and AFL-CIO 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. 2389 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 300-16 Public Safety on H.B. No. 2391

The purpose of this measure is to prevent overcrowding at community correctional centers by authorizing the Director of Public Safety to release pretrial or sentenced misdemeanants based on specific criteria and referenced procedures.

The Department of Public Safety, Office of Hawaiian Affairs, Community Alliance on Prisons, and a few individuals supported this measure. The Honolulu Police Department and Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure.

Your Committee has amended this measure by:

- (1) Specifying that individuals who are not eligible for release by the Director of Public Safety shall include pretrial or sentenced misdemeanants who are convicted or arrested on suspicion of abuse of family or household members; 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. 2391, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2391, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Aquino.

SCRep. 301-16 Public Safety on H.B. No. 2629

The purpose of this measure is to increase public safety by authorizing county police departments to enroll firearms applicants into a criminal record monitoring service used to alert police when an owner of a firearm is arrested for a criminal offense anywhere in the country.

The Honolulu Police Department supported this measure. The Hawaii Rifle Association, National Rifle Association, and a few concerned individuals opposed this measure.

Your Committee has amended this measure by:

- (1) Authorizing county police departments to enroll individuals who are registering their firearms into a criminal record monitoring service; and
- (2) 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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2629, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2629, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Aquino.

SCRep. 302-16 Agriculture on H.B. No. 1607

The purpose of this measure is to address the threat of the little fire ant to the bio-environment, agricultural production, economy, and human health by:

- (1) Expanding the Department of Agriculture's Little Fire Ant Program to include a Pilot Pesticide Treatment Coupon Project (Coupon Project) that provides coupons redeemable for appropriate pesticides to people who report and verify the presence of little fire ants on their property in the County of Hawaii;
- (2) Requiring the Department of Agriculture to create, update, and place on its website, a map of little fire ant sites in the County of Hawaii;
- (3) Requiring the Department of Agriculture to submit a progress report on the Coupon Project and the little fire ant site map to the Legislature; and
- (4) Appropriating funds for the Coupon Project and the little fire ant site map.

The Department of Land and Natural Resources, University of Hawaii System, two members of the Hawaii County Council, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, and two concerned individuals supported this measure. The Department of Agriculture, Hawaii Pest Control Association, and Hawai'i Association of Realtors supported the intent of this measure. A concerned individual opposed this measure. A concerned individual submitted comments on this measure.

Your Committee notes that at this point in the legislative process, the amount of the appropriation for the Pilot Project and the little fire ant site map is unspecified and further information is necessary to determine a recommended amount.

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. 1607 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 303-16 Agriculture on H.B. No. 1676

The purpose of this measure is to ensure that the City and County of Honolulu, the hub of the State's agricultural industry, is represented on the Board of Agriculture (Board) by increasing the membership of the ten-member Board to eleven with the eleventh Board member being required to be a resident of the City and County of Honolulu.

A concerned individual testified in support of this measure. The Hawaii Farm Bureau supported the intent of this measure. The Department of Agriculture submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Reinstating the ten-member Board while maintaining the requirement that one member is a resident of the City and County of Honolulu, but reducing the number of at large members from four to three;
- (2) Changing its effective date to January 20, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1676, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 304-16 Agriculture on H.B. No. 2143

The purpose of this measure is to effectively and expeditiously address the threat of invasive species in Hawaii by:

- (1) Authorizing the state Invasive Species Council to adopt rules, without regard to the notice and public hearing requirements of the Hawaii Administrative Procedure Act (Act) to make additions and deletions from the list identifying invasive species; provided that rules are adopted pursuant to the Act that provide for public input and notice of the revisions to the list; and
- (2) Clarifying that the agents of a member department of the Invasive Species Council may enter premises where invasive species are found, as provided by law.

The Department of Agriculture, Department of Land and Natural Resources, Office of Hawaiian Affairs, Invasive Species Council, The Nature Conservancy, Conservation Council for Hawaii, O'ahu Invasive Species Committee, American Bird Conservancy, Hawaii Cattlemen's Council and a concerned individual supported this measure. The Hawaii Floriculture and Nursery Association and several concerned individuals opposed this measure. The Landscape Industry Council of Hawaii and an concerned individual submitted comments on this measure.

Your Committee has amended this measure by changing its effective date to January 20, 2050, to encourage further discussion.

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. 2143, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2143, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Woodson.

SCRep. 305-16 Agriculture on H.B. No. 2546

The purpose of this measure is to support certain agricultural practices by establishing an Agriculture Grant Program (Program) and a special fund for the Program to provide grants to qualifying farmers for:

- (1) Expanding farm operations and productivity;
- (2) Changing or adding crops;
- (3) Investing in food safety; and
- (4) Providing for workforce development.

The Hawaii Cattlemen's Council, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, Chamber of Commerce Hawaii, and two concerned individuals supported this measure. The Department of Agriculture 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) Deleting the amount of the appropriation;
- (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 on this measure further, your Committee on Agriculture respectfully requests that it consider appropriating \$5,000,000 for the 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. 2546, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2546, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 306-16 Agriculture on H.B. No. 1597

The purpose of this measure is to address the rapid ohia death disease that is devastating the critically important ohia forests in the State, especially on the island of Hawaii, by:

- (1) Requiring the Department of Agriculture to submit a report to the Legislature that includes information about the nature of the rapid ohia death disease, status of plans and strategies to combat the disease, and the funds necessary to eliminate, control, or prevent the disease; and
- (2) Appropriating funds to research preventative and treatment methods and to control and contain damage caused by the disease.

The Department of Land and Natural Resources, University of Hawai'i System, Aha Moku Advisory Committee, two members of the Hawai'i County Council, Conservation Council for Hawai'i, Coordinating Group on Alien Pest Species, The Nature Conservancy, Hawaii Farm Bureau, Ponoholo Ranch Limited, Carol Kwan Consulting LLC, and numerous individuals supported this measure. The Department of Agriculture submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting the amount of the appropriation; 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 on Agriculture respectfully requests that it consider appropriating \$200,000 for the preparation of the report and the preventative and treatment research.

To emphasize the urgency in addressing the rapid ohia death disease threat as early as possible and in a meaningful way, a member of your Committee believes that \$300,000 should be appropriated for purposes 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 H.B. No. 1597, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1597, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Choy, DeCoite, Ito, Kawakami and Tokioka.

SCRep. 307-16 Agriculture on H.B. No. 1999

The purpose of this measure is to address the high cost of feed and the lack of local feed mills in Hawaii by:

- (1) Establishing and funding a grant program for qualified feed developers to cover a percentage of their feed development costs up to a specified cap;
- (2) Appropriating funds to reimburse qualified producers of certain products for their cost of feed;
- (3) Appropriating funds to reimburse qualified feed developers for the costs of development of feed for sale to qualified producers; and
- (4) Appropriating funds for the Department of Agriculture to conduct a survey to identify, assess, and validate locally sourced feed ingredients that are available to qualified feed developers.

The Department of Agriculture, American Feed Industry Association, Land Use Research Foundation of Hawaii, Ulupono Initiative, Hawaii Cattlemen's Council, Hawaii Farm Bureau, and a concerned individual supported this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the required documentation pertains to feeds costs, rather than feed development costs;

- (2) Clarifying that documentation shall be filed for feed purchased within the immediately preceding year of the filing and shall be effective for fees costs incurred after July 1, 2016;
- (3) Requiring annual financial statements to be filed within 90 days following the close of the business' fiscal year after June 30, 2016, for final reconciliation;
- (4) Changing its effective date to January 20, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that at this juncture in the legislative process, the amounts of the appropriations for the reimbursements to qualified producers and qualified feed developers and the survey to identify locally sourced feed ingredients are unspecified and further discussion is necessary to determine recommended amounts.

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. 1999, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1999, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 308-16 Agriculture on H.B. No. 2117

The purpose of this measure is to encourage and support the growth of new, small, and diversified farming businesses by excluding from income tax a portion of a farmer's income; provided that the farmer's annual gross income does not exceed a certain amount.

The Cattlemen's Council, Hawaii Farm Bureau, and several concerned individuals supported this measure. The Department of Agriculture supported the intent of this measure. The Department of Taxation and Tax Foundation of Hawaii submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Leaving unspecified, the amount of the farmer's income that would be excluded from income taxes and the cap on the farmer's annual gross income applicable to qualifying for the income tax exclusion;
- (2) Changing its effective date to January 20, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

Should your Committee on Finance deliberate on the measure further, your Committee on Agriculture respectfully requests that it consider excluding from incomes taxes the first \$50,000 of income earned by a farmer whose annual gross income does not exceed \$200,000.

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. 2117, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2117, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 309-16 Agriculture on H.B. No. 2593

The purpose of this measure is to support sustainable food production and the development and use of renewable energy by authorizing the issuance of special purpose revenue bonds to assist Hawaii Renewable Resources, LLC.

The Department of Agriculture, Hawaii Renewable Resources, LLC, Renewable Energy Action Coalition of Hawaii, Hawaii Farm Bureau, and several concerned individuals supported this measure. The Department of Budget and Finance submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting the authorized amount of the special purpose revenue bond to assist Hawaii Renewable Resources, LLC; and
- (2) Changing its effective date to January 20, 2050, to encourage further discussion.

Should the Committee on Finance deliberate on this measure further, your Committee on Agriculture respectfully requests that it consider issuing the special purpose revenue bond in a total amount not to exceed \$30,000,000.

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. 2593, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2593, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 310-16 Education on H.B. No. 2739

The purpose of this measure is to continue to allow students to participate in valuable, enriching educational trips by appropriating funds to support the Department of Education's Student Travel Program.

The Department of Education and two concerned individuals supported this measure. The State Public Charter School Commission submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Education's Student Travel Program is intended to provide for the direct travel expenses of department school chaperones and to fund financial-assistance scholarships for department school students who would not otherwise be able to participate in educational travel;
- (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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2739, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2739, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ito and Tupola.

SCRep. 311-16 Education on H.B. No. 2132

The purpose of this measure is to:

- (1) Prohibit the denial of a meal for a student under the school meals program:
 - (A) Within the first thirty days of a semester while the student's application for free or reduced lunch is being processed, or
 - (B) Within one week following the student's meal fund account reaching a zero or negative balance; and
- (2) Authorizing the Department of Education to adopt rules or policies on the collection of funds for negative student meal balances.

The Hawaii State Teachers Association; United Public Workers, AFSCME, Local 646, and AFL-CIO; and a concerned individual supported 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2132 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 312-16 Education on H.B. No. 2453

The purpose of this measure is to help strengthen public education in Hawaii by appropriating \$200,000 for start-up grants for new pre-opening public charter schools that will meet the priority needs identified by the State Public Charter School Commission in its request for proposals for new schools.

The State Public Charter School Commission, Kamehameha Schools, and several concerned individuals supported this measure. A concerned individual supported the measure with amendments. The Hawaii State Teachers Association and IMUAlliance opposed the measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum to facilitate further discussion;
- (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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2453, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2453, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Say and Tsuji.

SCRep. 313-16 Education on H.B. No. 1744

The purpose of this measure is to, among other things:

- (1) Require Department of Education (Department) school principals to make the athletic facilities of Department schools available for use by public charter schools under certain circumstances;

- (2) Provide public charter schools with the right of first refusal for the use of Department athletic facilities within the complex area in which the public charter school is located and on available dates; and
- (3) Require Department school principals to provide public charter schools with schedules of available dates for the use of athletic facilities.

The State Public Charter School Commission, Hawaii Academy of Arts and Science Public Charter School, Kua o ka La Charter School, Kamehameha Schools, Hawaii Public Charter Schools Network, and numerous concerned individuals supported this measure. The Department of Education and a concerned individual provided comments.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1744, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1744, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Say and Tsuji.

SCRep. 314-16 Education on H.B. No. 2510

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

The Department of Education, Special Education Advisory Council, Hawaii State Teachers Association, and an individual testified in support of this measure. The Hawaii Housing Finance and Development Corporation and the State Public Charter School Commission testified in support of the intent 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2510, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2510, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Say and Tsuji.

SCRep. 315-16 Education on H.B. No. 2524

The purpose of this measure is to:

- (1) Ensure a fair allocation of funds meant to benefit students who attend public schools established and maintained by the Department of Education and students who attend public charter schools by mandating that incentive bonuses shall not be paid from per-pupil funds; and
- (2) Appropriate funds to pay for teacher bonuses for hard-to-fill placement incentives and National Certification Incentive Program bonuses for public charter school teachers.

The State Public Charter School Commission, Council for Native Hawaiian Advancement, Ho'okāko'o Corporation, Kualapu'u School, Hawaii Academy of Arts and Science Public Charter School, Kamaile Academy, Hālaui Kū Māna, Hawaii State Teachers Association, Kamehameha Schools, Hawaii Public Charter Schools Network, and several concerned individuals supported this measure. The Department of Budget and Finance opposed this measure. Kua o ka La Charter School and a concerned individual provided comments.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2524, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2524, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Say and Tsuji.

SCRep. 316-16 Education on H.B. No. 1814

The purpose of this measure is to provide a safe learning environment for students by:

- (1) Requiring the Department of Education to report to the Legislature no later than 20 days prior to the convening of the Regular Session of 2018 regarding:
 - (A) The Department's progress toward implementing sections 302A-1141 (limited punishment of pupils), 302A-1141.3 (prohibition on the use of seclusion, chemical restraint, or mechanical restraint), and 302A-1141.4 (limited use of physical restraint), Hawaii Revised Statutes; and
 - (B) The expenditure of appropriated funds, including details of the training provided and the data accountability to assist with the implementation of sections 302A-1141, 302A-1141.3, and 302A-1141.4, Hawaii Revised Statutes; and

- (2) Appropriating \$460,000 for fiscal year 2016-2017 to fund a full-time equivalent position (1.0 FTE) to provide training and data accountability to assist with the effective implementation of sections 302A-1141, 302A-1141.3, and 302A-1141.4, Hawaii Revised Statutes.

The Department of Education, State Council on Developmental Disabilities, Special Education Advisory Council, and Community Children's Council of Hawaii supported this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum to facilitate further discussion;
- (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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1814, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1814, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito, Tsuji and Tupola.

SCRep. 317-16 Education on H.B. No. 2266

The purpose of this measure is to ensure that the Executive Office on Early Learning (EOEL) has the necessary staffing and support to ensure a solid foundation for Hawaii's young children by appropriating funds for:

- (1) Travel and attendance at relevant conferences for the Early Learning Advisory Board (Board);
- (2) A secretary IV position for EOEL; and
- (3) A data processing systems analyst VI position for EOEL.

The EOEL, State Early Learning Advisory Board, Chamber of Commerce Hawaii, Hawaii Children's Action Network, Kamehameha Schools, and two concerned individuals supported this measure. The State Public Charter School Commission supported the intent of this measure. A concerned individual submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriation for travel is solely for the purpose of allowing Board members to attend meetings, rather than relevant conferences;
- (2) Deleting the specified sums from the appropriations; and
- (3) Changing its effective date to July 1, 2050, to encourage further discussion.

Should your Committee on Finance deliberate on this measure further, your Committee on Education respectfully requests that it consider appropriating the follow sums for the specified purposes:

- (1) \$28,800 for Board travel;
- (2) \$39,492 for a secretary IV position; and
- (3) \$59,736 for a data processing systems analyst VI position.

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. 2266, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2266, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Say and Tsuji.

SCRep. 318-16 Education on H.B. No. 2269

The purpose of this measure is to:

- (1) Expand the National Board Certification Incentive Program to include public school counselors and school psychologists to provide greater monetary incentives to those professions; and
- (2) Authorize continuing bonuses for public school teachers, counselors, and school psychologists in designated high-need schools that improve and become no longer designated as a high-need school.

The Hawaii Association of School Psychologists, Hawaii School Counselor Association, Community Children's Councils, Kamehameha Schools, Hawaii State Teachers Association, and many concerned individuals supported this measure. The Department of Education supported the intent of this measure. A concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Removing public school counselors from the National Board Certification Incentive Program; 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2269, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2269, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ing, Ito, Tsuji and Tupola.

SCRep. 319-16 Education on H.B. No. 2705

The purpose of this measure is to promote physical education in kindergarten through the elementary grades of public schools in Hawaii by establishing a working group to assess the sufficiency of physical education resources and opportunities in these grade levels.

The Department of Education, Department of Health, American Cancer Society Cancer Action Network, and numerous concerned individuals supported this measure. The American Heart Association supported the intent of the measure. The Hawaii State Teachers Association supported this measure with amendments. The State Public Charter School Commission and Hawaii Education Policy Center submitted comments.

Your Committee has amended this measure by:

- (1) Requiring that a representative of the State Public Charter School Commission and a physical education teacher be included among the 16 members of the working group;
- (2) Adding an appropriations section that contains an unspecified sum; 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. 2705, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2705, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ito and Tupola.

SCRep. 320-16 Higher Education on H.B. No. 1637

The purpose of this measure is to appropriate funds to the University of Hawaii to hire six full-time equivalent staff attorneys to provide legal counsel to the University of Hawaii System statewide.

The University of Hawaii supported this measure. A concerned individual opposed this measure.

Your Committee has amended this 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. 1637, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1637, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 321-16 Higher Education on H.B. No. 1800

The purpose of this measure is to enhance legislative oversight of the University of Hawaii by ensuring that appropriations to the University are expended for the specific purposes intended by the Legislature by:

- (1) Requiring that any appropriation made by the Legislature to the University of Hawaii for a specific purpose as described in an appropriations vehicle must be expended by the University for the specific purpose described in that appropriations vehicle;
- (2) Providing that if the University of Hawaii does not expend all of the funds for the specific purpose described by the Legislature, the University must submit a report to the Legislature no later than 20 days before the convening of the next Regular Session that includes, among other things, a detailed explanation of why the funds were not expended or, if the funds were expended for a different purpose, why they were expended for that purpose; and
- (3) Requiring that during the fiscal year following the submission of the report identified in paragraph (2), an amount equal to any funds appropriated for the prior fiscal year that were not expended in accordance with the specific purpose as described by the Legislature, plus any related recurring appropriations, must be returned by the Director of Finance or the University of Hawaii to the general fund.

A concerned individual supported this measure. The University of Hawaii opposed the measure.

Your Committee has amended this measure by changing its effective date to July 1, 2525, to facilitate 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. 1800, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1800, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 322-16 Higher Education on H.B. No. 1894

The purpose of this measure is to help the Hawaii Post-secondary Education Authorization Program to carry out its duties more effectively by:

- (1) Specifying that when a private institution of post-secondary education ceases to operate in the State, it must deposit with the Department of Commerce and Consumer Affairs only those educational records that have been requested by the Department;
- (2) Clarifying that when a private institution of post-secondary education ceases to operate in the State, the student transcripts permanently retained by the Department shall be in a form prescribed by the Director of Commerce and Consumer Affairs; and
- (3) Allowing any other records requested and obtained by the Department from a private institution of post-secondary education that has ceased to operate in the State, to be retained for the length of time of prescribed by the Director.

The Hawaii Post-secondary Education Authorization Program and a concerned individual supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2525, to facilitate 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. 1894, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1894, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 323-16 Human Services on H.B. No. 1943

The purpose of this measure is to preserve access to health care for Medicaid recipients by providing an inflationary adjustment based on the annual inflation factor approved by the federal government in the Medicaid state plan to the methodology used to reimburse facilities for the long-term care of Medicaid recipients for fiscal year 2016-2017.

The Healthcare Association of Hawaii, Hale Makua Wailuku, Ohana Pacific Management Company, Inc., Aloha Nursing Rehab Centre, Hawaii Health Systems Corporation, Chamber of Commerce Hawaii, Hale Makua Health Services, The Queen's Health Systems, Nuuanu Hale, Palolo Chinese Home, and several individuals supported this measure. The Arc in Hawaii supported the intent of this measure. The Department of Human Services provided comments.

Your Committee has amended this measure by:

- (1) Adding a new section that appropriates funds to the Department of Human Services to provide an inflationary adjustment to a long-term care facility's provider-specific prospective payment; and
- (2) Adding a sunset date of June 30, 2017.

Should your Committee on Finance deliberate this measure further, your Committee on Human Services respectfully requests that it consider \$1,900,000 for the purpose of providing an inflation adjustment to long-term care facilities' provider-specific prospective payment rates.

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. 1943, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1943, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 324-16 Human Services on H.B. No. 1905

The purpose of this measure is to prohibit the court from granting mutual protective orders unless separate petitions are filed and reasonable notice of the filing is provided.

The Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the City and County of Honolulu, Parents and Children Together, Hawaii State Coalition Against Domestic Violence, American Association of University Women in Hawaii, YWCA Oahu, Hawaii Women's Coalition, and an individual supported this measure. A concerned individual 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 H.B. No. 1905 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 325-16 Human Services on H.B. No. 1906

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 the 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, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii State Commission on the Status of Women, American Association of University Women in Hawaii, Hawaii State Coalition Against Domestic Violence, Hawaii Women's Coalition, and a concerned individual supported this measure. The Judiciary opposed this measure.

Your Committee has amended this measure by changing the effective date to July 1, 3000, to promote further discussion.

Should your Committee on Judiciary deliberate on this measure further, your Committee on Human Services respectfully requests that it consider the concerns raised by Judge Mark Browning of the Judiciary and his suggested amendments.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1906, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1906, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 326-16 Human Services on H.B. No. 1907

The purpose of this measure is to establish the Sexual Assault Kit Tracking Program. More specifically, this measure requires, among other things:

- (1) A law enforcement agency to submit sexual assault kits connected to a criminal investigation to an authorized laboratory, the laboratory to complete the analysis of the kit, and the results to be uploaded in a timely manner;
- (2) Each law enforcement agency that obtains a sexual assault kit in connection with a criminal investigation to annually report to the Department of the Attorney General on the number of sexual assault kits in its possession; and
- (3) The police department of each county, the Department of Public Safety, and the Division of Conservation and Resources Enforcement to submit a report to the Legislature no later than twenty days prior to the convening of the Regular session of 2017 on the number of kits in its possession and the progress on any backlog, and make the reports publicly available.

The Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women in Hawaii, Hawaii Women's Coalition, and Joyful Heart Foundation supported this measure. The Honolulu Police Department supported the intent of this measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by changing the effective date to July 1, 3000, 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. 1907, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1907, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Belatti.

SCRep. 327-16 Higher Education on H.B. No. 1703

The purpose of this measure is to advance students' mental health treatment by appropriating funds to establish three full-time psychologist positions and one full-time case manager position at the University of Hawaii at Manoa.

The University of Hawaii at Manoa Graduate Student Organization and numerous concerned individuals supported this measure. The University of Hawaii and a concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2525, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance choose to consider this measure, your Committee notes that the estimated total cost of this measure is \$330,000, as follows:

- (1) \$85,000 per year for each full-time psychologist position (3.0 FTE); and
- (2) \$75,000 per year for a full-time case manager position (1.0 FTE).

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. 1703, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1703, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 328-16 Higher Education on H.B. No. 1530

The purpose of this measure is to require the University of Hawaii at Manoa to provide its nonsupervisory blue collar employees in collective bargaining unit (1) or one of their family members with tuition waivers comparable to the tuition waivers provided to faculty and their family members.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers AFSCME, Local 646, and AFL-CIO; and a concerned individual supported this measure. The University of Hawaii System and Office of Collective Bargaining opposed this measure.

Your Committee has amended this measure by requiring the University of Hawaii at Manoa to also provide its supervisory blue collar employees in collective bargaining unit (2) or one of their family members with tuition waivers comparable to the tuition waivers provided to faculty and their family members.

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. 1530, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1530, H.D. 2.

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

SCRep. 329-16 Higher Education on H.B. No. 2213

The purpose of this measure is to establish the First-generation Matching Grant Program to provide private donors with a matching grant incentive to make financial contributions toward grant-based student financial aid for undergraduate University of Hawaii students with financial need and whose parents have not earned a baccalaureate or higher degree.

A concerned individual supported this measure. The University of Hawaii provided comments

Your Committee has amended this measure by changing its effective date to July 1, 2525, to encourage further discussion.

Should the Committee on Finance deliberate on this measure further, your Committee on Higher Education notes that \$10,000,000 was suggested as the amount that would be necessary to initially fund the First-generation Matching Grant 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. 2213, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2213, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 330-16 Consumer Protection & Commerce on H.B. No. 1772

The purpose of this measure is to appropriate funds to the Department of Human Services to restore basic adult dental benefits to Medicaid and QUEST integration enrollees.

The State Council on Developmental Disabilities, Hawaii Dental Association, Kokua Kalihi Valley Comprehensive Family Services, Waianae Coast Comprehensive Health Center, Hoola Lahui Hawaii, The Queen's Health Systems, Hawaii Primary Care Association, Waimanalo Health Center, Hawaii Public Health Association, DentaQuest, and several individuals testified in support of this measure. The Department of Health and Department of Human Services provided comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, Your Committee on Consumer Protection & Commerce respectfully requests that it consider appropriating \$4,800,000 for the purpose of restoring adult dental benefits to Medicaid and Hawaii QUEST integration enrollees.

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. 1772, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1772, H.D. 2.

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

SCRep. 331-16 Consumer Protection & Commerce on H.B. No. 2047

The purpose of this measure is to improve the electrical infrastructure at Kalaeloa by requiring the Hawaii Community Development Authority to undertake and complete the Kalaeloa Energy Corridor Project.

The Interim Executive Director of the Hawaii Community Development Authority provided comments on this measure.

Your Committee has amended this measure by:

- (1) Inserting language that provides flexibility regarding project specifications for the Hawaii Community Development Authority in order to comply with the electrical standards set forth by the Hawaiian Electric Company; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee on Consumer Protection & Commerce respectfully requests that it consider inserting an appropriation section and appropriating \$6,000,000 to fund the Kalaeloa Energy Corridor Project.

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. 2047, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2047, H.D. 2.

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

SCRep. 332-16 Agriculture/Economic Development & Business on H.B. No. 2657

The purpose of this measure is to financially assist farmers and ranchers on Molokai with the costs of complying with federal and state food safety laws by, among other things:

- (1) Expanding the Maui County Revolving Loan Program to include the provision of financial assistance to qualified applicants for costs incurred in complying with the FDA Food Safety Modernization Act and state food safety laws; and
- (2) Appropriating funds for the Maui Office of Economic Development to review and approve cost reimbursement applications.

The Department of Agriculture, Hawaii Farm Bureau Molokai County, Hawaii Farm Bureau, and two concerned individuals supported this measure. The Department of the Attorney General submitted comments on this measure.

Your Committees have 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.

Your Committees note that at this juncture of the legislative process, the appropriation for the Maui Office of Economic Development to review and approve cost reimbursement applications is unspecified and further information is necessary to determine the recommended amount.

Your Committees further note that according to the testimony of the Department of the Attorney General, the language in section 3(b) of Act 387, Session Laws of Hawaii 1988, in this measure provides that disbursements under the Maui County Revolving Loan Program are reimbursements, rather than loans. Further, section 3(b)(4) and (5) of Act 387, which would be repealed by this measure, provided loan repayment terms and provisions. Should the Committee on Finance deliberate on this measure further, your Committees on Agriculture and Economic Development & Business respectfully request that it examine this inconsistency noted by the Department of the Attorney General and, if necessary, appropriately resolve the inconsistency.

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. 2657, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2657, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 333-16 Agriculture/Tourism on H.B. No. 2091

The purpose of this measure is to assist farmers in generating additional revenues from their bona fide farming operations by establishing statewide standards for agricultural tourism uses and activities in agricultural districts, including:

- (1) Clarifying that agricultural tourism uses or activities must be in conjunction with an existing bona fide farming operation;
- (2) Establishing minimum criteria and standards to qualify as a bona fide farming operation, including at least two years of prior farming operations, requirements for gross income derived from agricultural products on land used for agricultural tourism, and gross sales requirements that are dependent on whether overnight accommodations are provided;
- (3) Capping permissible duration of overnight accommodations at fewer than thirty consecutive days; and
- (4) Repealing existing directives to the counties relating to agricultural tourism and authorizing counties to adopt procedures and more restrictive standards and requirements for permitting and regulating agricultural tourism uses and activities.

The Department of Agriculture, Office of Planning, Kauai Kunana Dairy, and two concerned individuals supported this measure. The Hawaii Farm Bureau supported the intent of this measure. The City and County of Honolulu Department of Planning and Permitting, Land Use Research Foundation of Hawaii, Ho'omana Pono, LLC, and a concerned individual opposed this measure. The Land Use Commission submitted comments on this measure.

Your Committees have 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.

Your Committees request the Department of Agriculture, as this measure proceeds through the legislative process, to provide input on the purpose and basis for requiring a farm to be operational for at least two years to qualify as a bona fide farming operation. Further, your Committees encourage the Department of Agriculture and the Hawaii Farm Bureau to collaborate on this measure regarding the issues each party may have regarding agricultural tourism and actions that may be taken to support small farms.

As affirmed by the records of votes of the members of your Committees on Agriculture and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2091, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2091, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Choy, DeCoite, Ito, Kawakami and Tokioka.

SCRep. 334-16 Transportation on H.B. No. 1736

The purpose of this measure is to honor the memory and legacy of Ellison Onizuka by renaming the Kona International Airport at Keahole to the Ellison Onizuka Kona International Airport at Keahole.

The Department of Transportation, Councilmember from Council District 8 of the Hawaii County Council, and several concerned individuals testified in support of this measure.

Ellison Onizuka, the first Japanese American selected to participate in America's space program and the first Asian astronaut to venture into space, was born on the island of Hawaii. While best known as Hawaii's first astronaut, Ellison Onizuka also served in the United States Air Force where he used his education in aerospace engineering to participate in flight test programs and systems safety engineering for numerous aircraft before ultimately being selected as an astronaut candidate by NASA in January 1978. Tragically, Ellison Onizuka, along with six other individuals, perished as the Space Shuttle Challenger exploded shortly after lift-off from the Kennedy Space Center at Cape Canaveral, Florida. Your Committee finds that renaming the Kona International Airport to the Ellison Onizuka Kona International Airport is a fitting tribute that will serve to honor the memory and legacy of a beloved and treasured keiki o ka aina.

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. 1736 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Johanson.

SCRep. 335-16 Transportation on H.B. No. 2404

The purpose of this measure is to enhance international passenger experiences and meet federal safety requirements for international airports by appropriating funds for a federal inspection station at the Kona International Airport on the island of Hawaii.

The Department of Transportation, Department of Defense, Office of the Mayor of the County of Hawaii, Council Member from District 3 of the County of Hawaii, Kohala Coast Resort Association, Fairmont Orchid, Hawaiian Airlines, and Airlines Committee of Hawaii testified in support of this measure.

Hawaii is currently experiencing an increase in visitor arrivals from international destinations. Since 2009, there has been a fifty-nine per cent increase in the amount of international travelers arriving on our shores. This has resulted in hundreds of millions of dollars being infused into Hawaii's economy. However, the United States Department of Homeland Security, Customs and Border Protection, requires a federal inspection station meeting Customs and Border Protection standards to be in place for all certified United States airports designated as the first point of entry into the United States for international arriving visitors. Currently, only Honolulu International Airport meets these requirements resulting in a congestion of international passengers at this facility. Your Committee finds that establishing a federal inspection station at Kona International Airport will provide a secondary entry point for international visitors to Hawaii, help to relieve congestion at Honolulu International Airport during peak hours, and encourage further growth in Hawaii's tourism economy.

Your Committee has amended this measure by:

- (1) Deleting the appropriation amount of \$50,000,000; and
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion.

Should your Committee on Finance deliberate this measure further, your Committee on Transportation respectfully requests that it consider appropriating \$50,000,000 for a federal inspection station at the Kona International Airport on the island of Hawaii.

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. 2404, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2404, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Johanson.

SCRep. 336-16 Transportation on H.B. No. 1747

The purpose of this measure is increase traffic safety by, among other things, allowing a police officer to have a motor vehicle towed and impounded if the operator of the motor vehicle is arrested or cited for various traffic offenses, including driving under the influence of an intoxicant, with certain exceptions.

The Department of Transportation, Honolulu Police Department, MADD Hawaii, and a concerned individual testified in support of this measure.

Your Committee finds that traffic safety is a serious issue. Numerous drivers are cited each year for operating a vehicle without a license, operating a vehicle with a suspended or revoked license, and operating a vehicle under the influence of an intoxicant, to name a few. Unfortunately, many of these drivers continue to operate their motor vehicles immediately after receiving these citations. Your Committee finds that allowing police officers to tow and impound a motor vehicle if the operator of that motor vehicle is arrested or cited for certain serious traffic offenses may act as a deterrent to this type of activity and make Hawaii's roadways 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 H.B. No. 1747 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Johanson.

SCRep. 337-16 Transportation on H.B. No. 2250

The purpose of this measure is to repair, maintain, and improve privately owned roadways. Specifically, this measure appropriates funds for repair work and resurfacing of Kalani Street, Auld Lane, and Rawlins Lane on the island of Oahu.

A concerned individual testified in support of this measure. Bank of Hawaii provided comments.

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 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 were not for unknown reasons. Over the decades, many of these roads have remained open to the public with unrestricted access, including access for cars, buses, and refuse trucks. However, questions still remain as to who is responsible for the repair and maintenance of such roads. Kalani Street, Auld Lane, and Rawlins Lane on the island of Oahu appear to be remnant roads and have fallen into serious disrepair. Your Committee finds that providing funds to repair and resurface these roads will help to enhance transportation safety for roads that may have otherwise gone unrepaired and unmaintained.

Your Committee has amended this measure by:

- (1) Making the appropriation for Kalani Street on Oahu an unspecified amount; and
- (2) Changing its effective date to July 1, 2050.

Should the Committee of Finance deliberate this measure further, your Committee on Transportation respectfully requests that it consider appropriating \$1,850,000 for the repair work, including floor mitigation and installing drainage infrastructure, and resurfacing of Kalani Street on Oahu.

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. 2250, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2250, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 338-16 Transportation on H.B. No. 2048

The purpose of this measure is to resolve ownership issues involving the roads in the Kakaako Community Development District by prohibiting the Hawaii Community Development Authority from approving community development plans or permit applications without first executing a memorandum of understanding with the landowner or developer of the land that is the subject of the community development plan or permit, acknowledging the ownership of each public street or highway adjacent to the community development plan or permit. This measure also requires the Authority to accept ownership of public streets and highways for which ownership is in dispute.

The Interim Executive Director of the Hawaii Community Development Authority and Department of the Attorney General provided comments on this measure.

Your Committee finds that with the rapid increase in development of the Kakaako area on Oahu, it is important to ensure cohesive development of the Kakaako Community Development District, particularly with regard to the adequacy of infrastructure for future developments. As numerous private roads that are open for public use exist in Kakaako, concerns have been raised as to the true ownership of the roads as well as the party responsible for repair and maintenance. Your Committee finds that this measure addresses these concerns.

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. 2048, H.D. 1, and recommends that it be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 339-16 Housing/Human Services on H.B. No. 2659

The purpose of this measure is to authorize the use of the Rental Housing Revolving Fund and the Dwelling Unit Revolving Fund to provide rent subsidies, loans, or grants for residential housing for persons who qualify for social security disability benefits and are diagnosed with serious mental illnesses.

The Department of Health and Mental Health Kokua supported this measure. The Governor's Coordinator on Homelessness supported the intent of this measure. The Hawaii Housing Finance and Development Corporation opposed this measure.

Your Committees have amended this measure by:

- (1) Deleting provisions requiring funding from the Dwelling Unit Revolving Fund and the Rental Housing Revolving Fund, and instead requiring an unspecified percentage of funds from the Housing First Special Fund to be used for housing for residents who qualify for social security disability benefits and are diagnosed with a life-long serious mental illness; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committees on Housing and Human Services respectfully request that it consider examining what percentage of funds from the Housing First Special Fund is needed to be used for housing for residents who qualify for social security disability benefits and are diagnosed with a life-long serious mental illness.

As affirmed by the records of votes of the members of your Committees on Housing and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2659, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2659, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 340-16 Labor & Public Employment/Transportation on H.B. No. 2475

The purpose of this measure is to:

- (1) Establish a maritime industry grant program within the Department of Labor and Industrial Relations to award grants to qualified shipyards; and
- (2) Appropriate funds for awarding grants under the program.

The Chamber of Commerce Hawaii and several individuals testified in support of this measure. The Department of Labor and Industrial Relations provided comments.

Your Committees have amended this measure by:

- (1) Exempting grants awarded by the maritime industry grant program from Hawaii laws regulating public procurement and public contracts for the purchase of health and human services;
- (2) Changing its effective date to July 1, 2091, to facilitate 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 Labor & Public Employment and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2475, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2475, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 341-16 Labor & Public Employment on H.B. No. 2310

The purpose of this measure is to amend the Employer-Union Health Benefits Trust Fund (EUTF) definition of "dependent-beneficiary" to:

- (1) Clarify the eligibility of children for participation in EUTF benefits plans; and
- (2) Conform with the federal Affordable Care Act.

The EUTF Board of Trustees and the United Public Workers, AFSCME Local 646, 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 H.B. No. 2310 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 342-16 Labor & Public Employment on H.B. No. 2161

The purpose of this measure is to appropriate funds to the Department of Labor and Industrial Relations to hire six full-time equivalent hearings officer positions and support staff within the Department of Labor and Industrial Relations' Disability Compensation Division.

The Department of Human Resources Development, Department of Human Resources of the City and County of Honolulu, Pacific Resource Partnership, Hawaii Injured Workers Association, ILWU Local 142, and two concerned individuals supported this measure. The Department of Labor and Industrial Relations provided comments.

Your Committee has amended this measure by:

- (1) Specifying the hearings officer positions and support staff to be hired within the Department of Labor and Industrial Relations' Disability Compensation Division to be:
 - (A) One professional employers organization specialist;
 - (B) One vocational rehabilitation specialist;
 - (C) Two disability compensation enforcement specialists, with one each to be assigned to Kauai and Kona;
 - (D) One auditor; and
 - (E) One hearings officer, to be assigned to Kona; 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. 2161, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2161, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 343-16 Labor & Public Employment on H.B. No. 2477

The purpose of this measure is to:

- (1) Limit the maximum number of civil service exempt positions within executive branch departments except the Department of Education, the University of Hawaii, the Hawaii Health Systems Corporation, and public charter schools to five percent of all executive branch employees;
- (2) Require the Department of Human Resources Development (DHRD) to report on the number of executive branch employees that are exempt from civil service; and
- (3) Reduce the number of civil service exempt employees if it exceeds five per cent by requiring departments to take action to remove existing exemptions.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. The Department of the Attorney General and one individual testified in opposition. The Department of Human Resources Development and the Department of Business, Economic Development and Tourism provided comments.

Your Committee has amended this measure by:

- (1) Removing the exclusion of employees of the Department of Education, the University of Hawaii, the Hawaii Health Systems Corporation, and public charter schools and adding an exclusion for employees of the Department of the Attorney General;
- (2) Changing its effective date to July 1, 2091, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2477, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2477, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 344-16 Labor & Public Employment on H.B. No. 2606

The purpose of this measure is to establish a retirement benefit incentive for public employees, otherwise eligible to retire, whose positions are subject to layoff due to the consolidation or abolition of functions, or the privatization of the functions of the position.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, the United Public Workers, AFSCME Local 646, AFL-CIO, and several individuals testified in support of this measure. The Department of Budget and Finance testified in opposition. The Employees' Retirement System and an individual provided comments.

Your Committee has amended this measure by:

- (1) Specifying that eligibility for members serving in positions identified for layoff due to the privatization of services is for members serving within the Maui regional system; and
- (2) Inserting a sunset date of June 30, 2017.

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. 2606, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2606, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 345-16 Labor & Public Employment on H.B. No. 2367

The purpose of this measure is to provide for a more efficient way of satisfying notice requirements to parties with respect to unfair labor practice complaints by:

- (1) Authorizing the Board to require a complainant to serve a copy of the complaint upon the person charged;
- (2) Allowing complaints to be served by electronic service designated by the Board; and
- (3) Requiring that all parties be given written notice of hearing by first class mail or by electronic service at least 15 days before the hearing.

The Hawaii Labor Relations Board 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. 2367 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 346-16 Labor & Public Employment on H.B. No. 2472

The purpose of this measure is to restore positions that were cut during the reduction-in-force of 2009 by appropriating funds for five positions in the Wage Standards Division of the Department of Labor and Industrial Relations.

The Department of Labor and Industrial Relations; Hawaii State AFL-CIO; and Hawaii Construction Alliance supported this measure.

Your Committee has amended this measure by changing the appropriation to an unspecified amount.

Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests inserting an appropriation amount of \$249,864 to reestablish and fund five positions in the Wage Standards Division that were lost in the reduction-in-force from 2009.

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. 2472, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2472, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 347-16 Labor & Public Employment on H.B. No. 1909

The purpose of this measure is to:

- (1) Ensure that employees performing substantially similar work are paid equally;
- (2) Change the requirement of "equal work" to "substantially similar work";
- (3) Provide affirmative defenses for employers in cases where pay differentials are caused by bona fide seniority systems, bona fide merit systems, and bona fide occupational qualifications;
- (4) Ensure that any legitimate, non-sex related factor relied upon are applied and operate in a non-discriminatory manner;
- (5) Eliminate the "same establishment" provision, which prevented employees from being able to compare their salary to that of a coworker who did the same job in a different physical location; and
- (6) Prohibit retaliation or discrimination against employees who disclose, discuss, or inquire about their own or co-workers' wages for the purpose of exercising rights under the law.

The American Association of University Women, the Hawaii State Coalition Against Domestic Violence, YWCA Oahu, the National Association of Social Workers Hawaii Chapter, and two individuals testified in support of this measure. The Chamber of Commerce Hawaii, the Society for Human

Resource Management Hawaii Chapter, and the National Federation of Independent Business testified in opposition. The Hawaii Civil Rights Commission, the Hawaii State Commission on the Status of Women, the Hawaii State Democratic Women's Caucus, the Hawaii Women's Coalition, and one individual provided comments.

Your Committee has amended this measure by:

- (1) Repealing the bona fide occupational qualification affirmative defense and instead establishing an affirmative defense for a bona fide factor other than sex under certain circumstances;
- (2) Prohibiting employers from screening job applicants based on their wage or salary histories;
- (3) Prohibiting employers from seeking salary histories from prospective employees, unless the employer offers employment to the prospective employee and obtains written authorization;
- (4) Requiring employer advertisements to include the minimum rate of pay and prohibiting the employer from paying less than the rate advertised;
- (5) Clarifying that the changes do not limit any person's right under existing law to be free from compensation discrimination in employment; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1909, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1909, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 348-16 Labor & Public Employment on H.B. No. 1849

The purpose of this measure is to address the aging state workforce by creating a direct hire pilot program to streamline the recruitment and hiring process for vacancies within state departments.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and a concerned individual supported this measure. The Department of Human Resources Development (Department) opposed this measure.

Your Committee has amended this measure by:

- (1) Amending the purpose of the program to allow the State to efficiently fill vacant positions through active recruitment strategies that include redrafting, reclassifying, and creating new positions for hard-to-fill vacancies with a minimum higher education or expertise requirement;
- (2) Requiring the Director of the Department to compile a list of recruitment requests submitted by all departments statewide and Director of Human Resources Development (Director) develop recruitment strategies that include reclassifying, redrafting, and creating new positions to address state departmental position needs;
- (3) Requiring the Director to submit a report to the Legislature on the pilot program, based on information submitted by all departments statewide;
- (4) Authorizing the Department to hire five full-time recruitment and reclassification specialists for the duration of the program and appropriate unspecified funds; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1849, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1849, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 349-16 Labor & Public Employment on H.B. No. 2714

The purpose of this measure is to assess the viability of basalt rebar as a new emerging high-tech industry for the State by appropriating funds for a basalt rebar market study.

The Department of Business, Economic Development, and Tourism and Pacific International Space Center for Exploration Systems supported this measure.

Your Committee has amended this measure by changing the appropriation to an unspecified amount.

Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests inserting an appropriation amount of \$100,000.

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. 2714, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2714, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 350-16 Labor & Public Employment on H.B. No. 2361

The purpose of this measure is to make an appropriation to replenish funds in the Premium Supplementation Trust Fund to cover the costs of health care expenses for eligible employees and for premium supplementation for employers that are entitled to premium supplementation under the Prepaid Health Care Act.

The Department of Labor and Industrial Relations and Chamber of Commerce Hawaii supported this measure.

Your Committee has amended this measure by changing the appropriation to an unspecified amount. Technical nonsubstantive amendments were also made for clarity, consistency, and style.

Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests inserting an appropriation amount of \$500,000.

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. 2361, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2361, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 351-16 Labor & Public Employment/Public Safety on H.B. No. 2390

The purpose of this measure is to increase the quality of applicants seeking employment with the Department of Public Safety. Specifically, this measure ensures that the Department's hiring process is consistent between its Law Enforcement and Corrections Divisions by explicitly excepting the Department from the unlawful employment practice provisions of Chapter 378, Hawaii Revised Statutes, when administering lie detector tests.

The Department of Labor and Industrial Relations and the Department of Public Safety supported this measure.

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. 2390 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, LoPresti and San Buenaventura.

SCRep. 352-16 Labor & Public Employment on H.B. No. 2362

The purpose of this measure is to conform the State Workforce Development Council Law to the federal requirements in the Workforce Innovation and Opportunity Act of 2014, which supersedes the Workforce Investment Act of 1998.

The Workforce Development Council and the University of Hawaii Community Colleges testified in support of this measure.

Your Committee notes that it has concerns about the Hawaii Workforce Development Council's size and its ability to constitute a quorum.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2091, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2362, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2362, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 353-16 Labor & Public Employment on H.B. No. 1683

The purpose of this measure is to expand the allowable leave for employees under the Hawaii Family Leave Law to include leave to care for siblings with a serious health condition.

The Department of Labor and Industrial Relations; Kapiolani Community College Staff Council; ILWU Local 142; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Women's Coalition; Hawaii State AFL-CIO; and numerous individuals supported this measure. The Hawaii Food Industry Association; Chamber of Commerce Hawaii; and ABC Stores opposed this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2091, 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. 1683, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1683, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 354-16 Labor & Public Employment on H.B. No. 2014

The purpose of this measure is to assist the Department of Labor and Industrial Relations (DLIR) in gathering information necessary for preparing accurate summaries of economic conditions in Hawaii. Specifically this measure requires employers to keep a record of the former physical addresses and current physical address of the employer and the North American Industry Classification System code applicable to the employer.

DLIR and ALTRES, Inc. provided comments.

Your Committee has amended this measure by:

- (1) Specifying that every employer, including those using Professional Employer Organizations or third-party administrators, must keep records of their former and current physical addresses and their North American Industry Classification System code;
- (2) Repealing statutory language requiring DLIR to collect insurance plan information, as DLIR no longer collects this information; 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. 2014, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2014, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 355-16 Labor & Public Employment on H.B. No. 1870

The purpose of this measure is to create an income tax credit for businesses that hire individuals with a disability.

The State Council on Developmental Disabilities; Hawaii Restaurant Association; Easter Seals Hawaii; Hale Oluea Clubhouse; Lanakila Pacific; and numerous concerned individuals supported this measure. The Department of Taxation; Tax Foundation of Hawaii; Hawaii Disability Rights Center; and a concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Providing that the wages allowed as the base of the tax credit are not also allowed as a deduction to the employer;
- (2) Clarifying that the Department of Taxation may disqualify wages that were paid to a non-qualified employee without the employer receiving notice that the employee's certification as a person totally disabled was false;
- (3) Clarifying that in the case of a successor employer, only the current employer may claim the credit and that the credit shall not be claimed multiple times for the same employee;
- (4) Removing the definition of "individual with a disability" and replacing all references with "person totally disabled" as it is defined under section 235-1, Hawaii Revised Statutes;
- (5) Making the tax credit apply to taxable years beginning after December 31, 2017; and
- (6) Making technical, nonsubstantive amendments for purposes of 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 is in accord with the intent and purpose of H.B. No. 1870, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1870, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 356-16 Labor & Public Employment on H.B. No. 2015

The purpose of this measure is to amend the management and administrative structure of the Hawaii Employer-Union Health Benefits Trust Fund (EUTF). Specifically, this measure:

- (1) Exempts procurement of plan carriers, administrators, and professional service providers from the State Procurement Code;
- (2) Specifies the fiduciary duties of EUTF trustees;
- (3) Amends the composition, appointing authorities, vacancy-filling procedure, and quorum requirements of the EUTF board of trustees;

- (4) Authorizes the establishment of sub-boards of the EUTF board for the negotiation of contributions that apply only to particular bargaining units;
- (5) Authorizes the EUTF board to appoint attorneys independent of the attorney general; and
- (6) Amends the administration of EUTF moneys and transfers control of EUTF to the department of human resources development.

The University of Hawaii Professional Assembly; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure. The Department of Budget and Finance opposed this measure. The Department of the Attorney General; Department of Human Resources Development; State Procurement Office; and Department of Budget and Fiscal Services of the City and County of Honolulu commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the provision that would have established an alternate board trustee position to sit in the absence of the county-appointed trustee;
- (2) Adjusting the quorum requirements for board actions and repealing detailed statutory voting procedures;
- (3) Placing fund administration under the Office of Collective Bargaining;
- (4) Including a sunset on June 30, 2017;
- (5) Changing the effective date to July 1, 2019, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2015, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2015, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 357-16 Labor & Public Employment on H.B. No. 2186

The purpose of this measure is to support workers affected by the cessation of sugar production on Maui by appropriating funds to the Department of Labor and Industrial Relations to provide workforce development, worker training and retraining, and other assistance programs for dislocated workers.

The Department of Labor and Industrial Relations; Department of Agriculture; a Maui County Councilmember; County of Maui Department of Management; United Public Workers, AFSCME, Local 646, AFL-CIO; Maui County Farm Bureau; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; ILWU Local 142; Maui Chamber of Commerce; Hawaii State AFL-CIO; Hawaii Farm Bureau; Hawai'i Construction Alliance; Alexander & Baldwin, Inc.; Ho'omama Pono, LLC; and several concerned individuals testified in support of this measure.

Your Committee has amended this measure by allowing the funds appropriated to be used as matching or leverage funds in federal grant applications.

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. 2186, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2186, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 358-16 Labor & Public Employment on H.B. No. 2605

The purpose of this measure is to support workers affected by the closure of the Hawaiian Commercial & Sugar Company on Maui by appropriating funds to the Department of Labor and Industrial Relations to establish, administer, and support on-the-job training for dislocated workers.

The Department of Labor and Industrial Relations; Mayor of Maui County; a Maui County Councilmember; County of Maui Department of Management; County of Maui Office of Economic Development; Hawaii State AFL-CIO; Hawaii Farm Bureau; Hawai'i Construction Alliance; Alexander & Baldwin, Inc.; United Public Workers, AFSCME, Local 646, AFL-CIO; Maui County Farm Bureau; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; ILWU Local 142; Maui Chamber of Commerce; and several concerned individuals testified in support of 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, 2019, to encourage further discussion.

Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests inserting an appropriation amount of \$850,000.

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. 2605, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2605, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 359-16 Labor & Public Employment on H.B. No. 2722

The purpose of this measure is to address unemployment in the State by extending unemployment insurance benefits for eligible individuals who receive a final payment of regular unemployment insurance benefits within a certain period.

The Department of Labor and Industrial Relations; Hawaii State AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; and ILWU Local 142 supported this measure. BIA-Hawaii opposed this measure. The Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Allowing for additional benefits to be used for claimants to complete vocational training or retraining courses; and
- (2) Ensuring that the Unemployment Compensation Trust Fund does not fall below the adequate reserve level.

With respect to the unspecified amount of the appropriation in this measure, your Committee respectfully defers to your Committee on Finance to determine the appropriate 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. 2722, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2722, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 360-16 Labor & Public Employment on H.B. No. 2124

The purpose of this measure is to:

- (1) Authorize the Board of Trustees of the Employees' Retirement System (Board) to appoint investment professionals and investment support staff;
- (2) Exempt appointed investment officers and investment professionals, including investment specialists, from civil service and collective bargaining laws;
- (3) Provide the Board with discretion to exempt any appointed investment support staff from civil service law and collective bargaining laws; provided that the exemptions do not include exemptions from section 76-16(b)(17), Hawaii Revised Statutes; and
- (4) Authorize incumbent investment specialists, as of the effective date of this measure, the option to remain subject to civil service law, so long as the person remains an investment specialist.

The Employees' Retirement System testified in support of this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in opposition.

Your Committee has amended this measure by:

- (1) Deleting the provision giving the Board discretionary authority to exempt appointed investment support staff from civil service and collective bargaining laws; and
- (2) Changing its effective date to July 1, 2091, to facilitate 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. 2124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2124, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 361-16 Labor & Public Employment on H.B. No. 2012

The purpose of this measure is to:

- (1) Specify that the benefits of the Hawaii Employer-Union Health Benefits Trust Fund are subject to negotiation; and
- (2) Repeal the role of the Legislature in determining a public employer's contribution rate in the case of a bargaining impasse and making the decision of an arbitration panel final and binding.

The University of Hawaii Professional Assembly; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure. The Department of

Budget and Finance opposed this measure. The Department of the Attorney General; Department of Education; Office of Collective Bargaining; University of Hawaii; and Department of Human Resources of the City and County of Honolulu offered comments.

Your Committee has amended this measure by:

- (1) Restoring the current statutory proviso that arbitration shall not be available to resolve impasses or disputes regarding State and county contributions to the Hawaii Employer-Union Health Benefits Trust Fund;
- (2) Restoring current statutory language establishing the Legislature's role in resolving impasses related to employer contribution amounts;
- (3) Changing the effective date to July 1, 2091, to encourage further discussion;
- (4) Including a sunset date of June 30, 2017; 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. 2012, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2012, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 362-16 Labor & Public Employment on H.B. No. 2445

The purpose of this measure is to ensure that a public employee whose position is privatized by an action of the State or a county remains eligible for continued participation in the pension benefits provided by the Employees' Retirement System.

The Hawaii Government Employees Association, AFSCME, Local 152; United Public Workers, AFSCME, Local 656, and AFL-CIO; and several individuals testified in support of this measure. The Department of Budget and Finance testified in opposition to this measure. The Board of Trustees of the Employees' Retirement System provided comments on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2091, 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. 2445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2445, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 363-16 Labor & Public Employment on H.B. No. 2010

The purpose of this measure, as received by your Committee, is to require, rather than authorize, the Director of Labor and Industrial Relations (DLIR) to adopt rules establishing standards and requirements for the employment of learners, apprentices, part-time employees who are full-time students attending public or private schools other than post-secondary schools, paroled wards of Hawaii Youth Correctional Facility, and handicapped workers.

For the purposes of a public hearing on this bill, your Committee circulated H.B. No. 2010, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft, which requires the DLIR to approve First Job Training Programs (Programs).

The Chamber of Commerce Hawaii, the Hawaii Food Industry Association and the Hawaii Restaurant Association testified in support of the Proposed Draft. DLIR provided comments.

Your Committee considered the merits of both H.B. No. 2010, 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) Providing that the Programs apply only to first-time hires;
- (2) Deleting the requirement that the Programs provide participants with a robust and well-rounded experience aimed at developing strong work ethic, positive attitude, good communication skills, time management abilities, problem-solving skills, the ability to function as a productive team member, self-confidence, constructive criticism, flexibility, adaptability, and the ability to work under pressure;
- (3) Authorizing, rather than requiring, that employers offer full-time employment to graduates of the Programs;
- (4) Requiring that employers evaluate the performance of all participants; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that although it removed the requirement that the Programs provide the experience described above, it was the Committee's intent that the experience be provided to participants.

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. 2010, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2010, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 364-16 Labor & Public Employment on H.B. No. 2007

The purpose of this measure is to improve government operations and efficiency by establishing a Lean Government Advisory Board within the Department of Human Resources Development.

The Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO commented on this measure.

Your Committee has amended this measure by:

- (1) Inserting a preamble to set forth the legislative intent of this measure; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2007, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2007, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 365-16 Labor & Public Employment on H.B. No. 2008

The purpose of this measure is to:

- (1) Prohibit the State from hiring any person for more than one 89-day term for a fully or partially general-funded position during that person's lifetime; and
- (2) Exempt the following:
 - (A) Certain contracts for which a contracting process is established by law;
 - (B) The counties; and
 - (C) The Legislature.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure. The Department of Health; Department of Hawaiian Home Lands; Department of Agriculture; Department of Taxation; Department of Public Safety; State Ethics Commission; Campaign Spending Commission; Department of Land and Natural Resources; Department of Transportation; Department of Education; Department of the Attorney General; Hawaii Public Housing Authority; Hawaii Health Systems Corporation; Department of Business, Economic Development, and Tourism; Ethics Commission of the City and County of Honolulu; and two concerned individuals opposed this measure. The Department of Budget and Finance; Department of Human Resources Development; Department of Accounting and General Services; University of Hawaii; and the Office of Enterprise Technology Services commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the allowable 89-day term to two terms;
- (2) Expanding the exceptions to include:
 - (A) Seasonal hires by the Department of Taxation; and
 - (B) Bona fide employees that were held over after retirement for training purposes with a training plan filed with the Department of Human Resources Development; and
- (3) Changing the effective date to July 1, 2017.

Your Committee notes the concerns raised by the Department of Budget and Finance regarding the lack of pension contributions to the Employees' Retirement System, which are estimated between \$3,000,000 to \$4,000,000 per year, for 89-day term employees. Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests that it examine how to balance department operational concerns and general fund liability.

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. 2008, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2008, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative San Buenaventura.

SCRep. 366-16 Labor & Public Employment on H.B. No. 665

The purpose of this measure is to include the Office of Hawaiian Affairs (OHA) in the State's collective bargaining process by granting:

- (1) Collective bargaining rights to OHA officers and employees; and
- (2) Voting rights to OHA as a public employer.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. OHA and one individual testified in opposition. The Office of Collective Bargaining and the Department of Budget and Finance provided comments.

Your Committee notes that questions were raised regarding the role unions would play should OHA dissolve and a Native Hawaiian government arise.

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. 665, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 367-16 Labor & Public Employment on H.B. No. 2353

The purpose of this measure is to:

- (1) Restore the second Deputy Director position at the Department of Human Services and exempt this position from civil service; and
- (2) Designate various positions in the Department of Human Services, the Department of Public Safety, Department of Health, Department of Labor and Industrial Relations, and Department of Business, Economic Development, and Tourism, as permanently exempt from civil services.

The Department of Health; Department of Business, Economic Development and Tourism; Department of Human Services; Department of Labor and Industrial Relations; Department of Public Safety; and Department of Human Resources Development testified in support of this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and many individuals testified in opposition.

Your Committee has amended this measure by:

- (1) Limiting the exemption period for the positions highlighted in this measure, except for the second deputy director position at the Department of Human Services, to a period of one year; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests that it further examine the merits of:

- (1) Designating the Community/Project Development Director and Policy Director positions in the Department of Human Services, the terms of which currently coincide with the tenure of the Director of Human Services, as permanently exempt from the civil service requirements of chapter 76, Hawaii Revised Statutes; and
- (2) Permanently exempting positions in the Hawaii State Energy Office, which were previously exempted by Act 73, Session Laws of Hawaii 2010, in an effort to maintain the appropriate staffing quality needed to meet the growing requirements of the State's progressive renewable energy policy.

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. 2353, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2353, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 368-16 Water & Land on H.B. No. 2200

The purpose of this measure is to authorize, but not require, the Chairperson of the Board of Land and Natural Resources to transfer funds from the Department of Land and Natural Resources' public land trust accounts to the Kaho'olawe Rehabilitation Trust Fund and to authorize, but not require, the Office of Hawaiian Affairs to expend public land trust proceeds for rehabilitation of the Kaho'olawe Island Reserve.

The Aha Moku Advisory Committee and Kaho'olawe Island Reserve Commission provided testimony in support of this measure. The Office of Hawaiian Affairs and Center for Hawaiian Sovereignty Studies provided testimony in opposition. The Department of Land and Natural Resources and Department of Budget and Finance 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. 2200, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 369-16 Water & Land on H.B. No. 2721

The purpose of this measure is to require the Department of Land and Natural Resources to implement a management plan, to be developed by the Hawaiian Islands Land Trust, for the Lipoa Point area on the Island of Maui.

The Hawaiian Islands Land Trust, Save Honolua Coalition, Plantation Estates Lot Owners Association, Makana Aloha Foundation, and a few individuals testified in support of this measure. The Department of Land and Natural Resources, Aha Moku Advisory Committee, and two individuals testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Inserting an unspecified appropriation for costs associated with implementing the management 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2721, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2721, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 370-16 Water & Land on H.B. No. 2058

The purpose of this measure is to establish the necessary statutory authority to enable the issuance of special purpose revenue bonds for certain dam and reservoir projects that improve facilities to protect public safety and provide significant benefits to the general public as important water resources.

The Department of Land and Natural Resources, Department of Agriculture, Hawaii Fresh Water Initiative, Hawaii Farm Bureau, Maui County Farm Bureau, Hawaii Cattlemen's Council, Waikapu Gardens Association, a Trustee for the Mary Lucas Trust, and an individual provided testimony in support of this measure. The Department of the Attorney General and Department of Budget and Finance provided comments.

Your Committee notes that this measure was drafted and introduced based on the advice and opinion of the Department of the Attorney General, that new statutory authority was required to enable the issuance of special purpose revenue bonds for dam and reservoir projects.

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. 2058 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 371-16 Water & Land on H.B. No. 2029

The purpose of this measure is to establish the framework, as well as provide short- and long-term funding mechanisms for the creation of the Hawaii Water Infrastructure Authority, which shall be purposed with loan-making for water infrastructure development, repair, and maintenance.

The Department of Agriculture, Aha Moku Advisory Committee, Hawaii Community Foundation's Hawaii Fresh Water Initiative, Maui County Farm Bureau, Hawaii Farm Bureau, Hawaii Cattlemen's Council, and two individuals testified in support of this measure. The Department of Land and Natural Resources testified in opposition to this measure. The State Procurement Office and Land Use Research Foundation of Hawaii provided comments.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2029, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2029, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 372-16 Water & Land on H.B. No. 2033

The purpose of this measure is to clarify that the Director of Health or the Director's designee shall serve as an ex officio voting member on the Commission on Water Resource Management.

The Department of Health, Department of Land and Natural Resources, and an individual 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. 2033 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 373-16 Water & Land on H.B. No. 2041

The purpose of this measure is to fund and establish a five-year program aimed at conducting standardized water audits of public water systems in accordance with recommendations for water audits and loss control programs by the American Water Works Association.

The Board of Water Supply, Hawaii Community Foundation's Hawaii Fresh Water Initiative, Surfrider Foundation, Surfrider Foundation – Oahu Chapter, and two individuals testified in support of this measure. The Department of Land and Natural Resources and Department of Agriculture provided comments.

Your Committee has amended this measure by:

- (1) Making the appropriation for the establishment and implementation of the program to conduct standardized water audits an unspecified amount;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2041, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2041, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 374-16 Water & Land/Energy & Environmental Protection on H.B. No. 2040

The purpose of this measure is to establish a two-year pilot program for a Water Security Advisory Group in the Department of Land and Natural Resources that enables public-private partnerships by providing matching funds for projects that increase water security.

The Department of Land and Natural Resources, Hawaii Farm Bureau, Hawaii Fresh Water Initiative, Hawaii Cattlemen's Council, Surfrider Foundation, and a few individuals provided testimony in support of the measure.

As affirmed by the records of votes of the members of your Committees on Water & Land and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2040 and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 375-16 Water & Land/Energy & Environmental Protection on H.B. No. 2030

The purpose of this measure is to prohibit the discharge of treated wastewater into state waters after December 31, 2049, except when used to create clean energy.

Sierra Club of Hawaii, Larry Jefts Farms, LLC, and one 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 Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2030 and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 376-16 Water & Land/Energy & Environmental Protection on H.B. No. 2028

The purpose of this measure is to:

- (1) Exempt personal income tax income, general excise tax income, and use tax income in an amount up to an unspecified percentage of the costs of construction and operation of projects entered into under a public-private partnership with the Employees' Retirement System to improve water infrastructure or water supply, or to promote clean energy; and
- (2) Authorize the Employees' Retirement System to invest in such projects.

An individual provided testimony in support of this measure. The Department of Taxation, Employees' Retirement System, and Tax Foundation of Hawaii provided comments.

Your Committees have amended this measure by:

- (1) Defining "direct costs of construction and operation";
- (2) Inserting a certification mechanism for the amount excluded from income;
- (3) Deleting the exemption for use tax income;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical nonsubstantive amendments for the purposes of style, clarity, and consistency.

As affirmed by the records of votes of the members of your Committees on Water & Land and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2028, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2028, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 377-16 Water & Land on H.B. No. 2407

The purpose of this measure is to facilitate the efficient use of public lands by allowing the Department of Transportation to negotiate the disposition of lands under its jurisdiction and control without the approval of the Board of Land and Natural Resources, when such disposition encourages competition within the aeronautical, airport-related, maritime, and maritime-related operations.

The Department of Transportation, Airlines Committee of Hawaii, Airport Concessionaires Committee, Hawaiian Airlines, and Young Brothers provided testimony in support of this measure. Conservation Council for Hawaii, Hawaii's Thousand Friends, Ka Lahui Hawaii Political Action Committee and a few individuals provided testimony in opposition. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by changing the sunset date to July 1, 2021.

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. 2407, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2407, H.D. 2.

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

SCRep. 378-16 Water & Land on H.B. No. 2408

The purpose of this measure is to facilitate the efficient use of public lands under the jurisdiction of the Department of Transportation by:

- (1) Allowing the Board of Land and Natural Resources to delegate the authority to approve revocable permits for the use of public lands under the jurisdiction of the Department of Transportation to the Director of Transportation; and
- (2) Exempting the revocable permits issued by the Department of Transportation from Board of Land and Natural Resources approval requirements as well as public auction and public advertisement for sealed tender requirements.

The Department of Transportation, Airlines Committee of Hawaii, Airport Concessionaires Committee, and Young Brothers provided testimony in support of this measure. Conservation Council for Hawaii, Ka Lahui Hawaii Political Action Committee and a few individuals provided testimony in opposition. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by changing the sunset date to July 1, 2021.

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. 2408, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2408, H.D. 2.

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

SCRep. 379-16 Water & Land on H.B. No. 1573

The purpose of this measure is to clarify county zoning authority by distinguishing single-family residential use from single-family vacation rental use and allowing amortization by ordinance for single-family transient vacation rentals over a reasonable period.

The Office of Hawaiian Affairs, County of Kauai Planning Department, Chair of the Kauai County Council, two councilmembers of the Kauai County Council, Kailua Neighborhood Board, and a few individuals provided testimony in support of this measure. Hawaii Association of Realtors and Rental by Owner Awareness Association provided testimony in opposition.

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. 1573, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1573, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 380-16 Water & Land on H.B. No. 2302

The purpose of this measure is to properly, effectively, and efficiently address the numerous issues facing transit-oriented development statewide through a coordinated, intergovernmental, and interagency approach by establishing the Hawaii Interagency Council for Transit-Oriented Development.

The Department of Business, Economic Development & Tourism, Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, Office of Planning, Chamber of Commerce Hawaii, Hawai'i Association of Realtors, and Building Industry Association-Hawaii provided testimony in support of this measure. The Department of Planning and Permitting of the City and County of Honolulu and 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. 2302, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 381-16 Water & Land on H.B. No. 2520

The purpose of this measure is to repeal the Kakaako Community Development District.

The Office of Planning and Permitting and several individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Establishing a two-year transitional period for the repeal of the Kakaako Community Development District and a transferring of its functions to the City and County of Honolulu;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2520, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2520, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 382-16 Water & Land on H.B. No. 2502

The purpose of this measure is to improve coordination between state natural resources laws and other government authorities in protecting endangered species by prohibiting the trafficking of certain wild life.

The Department of Land and Natural Resources, Global March for Elephants and Rhinos, Sierra Club of Hawaii, NSEFU Wildlife Conservation Foundation, International Fund for Animal Welfare, Wildlife Conservation Society, Animal Rights Hawaii, Vulcan Inc., Malama O Puna, Humane Society of the United States, Humane Society International, Conservation Council of Hawaii, Hawaiian Humane Society, Animal Welfare Institute, and many individuals provided testimony in support of the measure. The Art and Antique Dealers League of America, Elephant Protection Association, and many individuals provided testimony in opposition. Tigers Eye Fine Imports and many individuals provided comments.

Your Committee has amended this measure by:

- (1) Deleting the requirement that exempted antiques need to evidence provenance;
- (2) Raising the allowable volume of covered animal species part or product for exemption to 20 percent for antiques and musical instruments;
- (3) Adding an exemption for guns and knives containing less than 20 percent ivory or rhinoceros horn;
- (4) Adding an exemption for larger manufactured items where a fixed ivory component is not the primary source of value;
- (5) Changing the effective date to ensure no enforcement actions will take place until December 31, 2017; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2502, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2502, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 383-16 Health on H.B. No. 1878

The purpose of this measure is to appropriate funds for:

- (1) The Kupuna Care Program;
- (2) The Aging and Disability Resource Center;
- (3) Fall prevention and early detection services for the elderly;
- (4) The Healthy Aging Partnership Program;
- (5) An Alzheimer's disease and related dementia services coordinator position; and
- (6) An Alzheimer's disease and related dementia public awareness campaign.

The City and County of Honolulu Department of Community Services; PHOCUSED; Alzheimer's Association, Aloha Chapter; Catholic Charities Hawaii; ILWU Local 142; The Queen's Health Systems; Child & Family Service; Healthcare Association of Hawaii; Lanakila Pacific; and several individuals testified in support of this measure. The Executive Office on Aging, State Council on Developmental Disabilities, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO commented on this measure.

Your Committee has amended this measure by:

- (1) Providing that the Alzheimer's disease and related dementia services coordinator position shall be exempt from Chapter 76, Hawaii Revised Statutes, for a period of two years;
- (2) Changing the appropriations to unspecified amounts; and
- (3) Changing its effective date to July 1, 2070, to facilitate further discussion.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider the following appropriation requests for fiscal year 2016-2017:

- (1) \$5,100,000 for the Kupuna Care Program;
- (2) \$1,710,000 for the Aging and Disability Resource Center;
- (3) \$32,000 for fall prevention and early detection services for the elderly;
- (4) \$485,880 for the Healthy Aging Partnership Program;
- (5) \$70,000 for an Alzheimer's disease and related dementia services coordinator position; and
- (6) \$200,000 for an Alzheimer's disease and related dementia public awareness campaign.

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. 1878, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1878, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 384-16 Health on H.B. No. 2360

The purpose of this measure is to:

- (1) Clarify the membership of the Hawaii Healthcare Workforce Advisory Board (Board) as follows:
 - (A) Clarifying that the nursing member is the Executive Director of the Hawaii State Center for Nursing; and
 - (B) Specifying that Hawaii/Pacific basin area health education center is part of the University of Hawaii John A. Burns School of Medicine; and
- (2) Enable all Board members to receive reimbursement for necessary expenses incurred in the performance of their duties.

The Department of Labor and Industrial Relations, Hawaii Association of Professional Nurses, University of Hawaii at Manoa School of Nursing and Dental Hygiene, Hawaii Pacific Health, AONE Hawaii, and several individuals testified in support of this measure. An individual opposed this measure. The Hawaii State Center for Nursing and Prime Care Services Hawaii commented on 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2360, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2360, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 385-16 Health on H.B. No. 2332

The purpose of this measure is to repeal the Joint Formulary Advisory Committee established under section 457-8.6, Hawaii Revised Statutes, thereby granting the Board of Nursing sole authority to determine the exclusionary formulary for qualified advanced practice registered nurses who are granted prescriptive authority.

The Board of Nursing, University of Hawaii at Manoa School of Nursing and Dental Hygiene, Hawaii Association of Professional Nurses, Hawai'i State Center for Nursing, Hawai'i Pacific Health, AONE Hawaii, and several 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 H.B. No. 2332 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 386-16 Health on H.B. No. 1788

The purpose of this measure is to ensure that the Legislature receives appropriate information about child and maternal death reviews and to provide funding to the Department of Health to conduct child death reviews and to implement a program for the performance of maternal death reviews.

The Department of Human Services, Hawaii State Democratic Caucus, Kapiolani Child Protection Center, Hawaii Section of the American Congress of Obstetricians and Gynecologists, Hawaii Children's Action Network, March of Dimes Hawaii Chapter, Hawaii Public Health Association, Kapiolani Medical Center for Women & Children, Hawaii Pacific Health, Hawaii Affiliate of the American College of Nurse-Midwives, Hawaii Association for Infant Mental Health, Healthy Mothers Healthy Babies Coalition of Hawaii, and several individuals provided testimony in support of this measure. The Department of Health provided comments.

Your Committee has amended this measure by:

- (1) Blanking out the appropriation amount;
- (2) Changing the effective date to July 1, 2070, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that Hawaii is one of only 13 states without a multi-disciplinary professional panel to review pregnancy-related deaths, and only one of two states not conducting child death reviews.

Should the Committee on Finance deliberate on this measure further, your Committee respectfully requests that it consider appropriating \$150,000 for the Department of Health to conduct child death reviews and to implement a program for the performance of maternal death reviews.

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. 1788, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1788, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 387-16 Health on H.B. No. 2482

The purpose of this measure is to require managed care plans to provide claims data annually at no charge to a large group purchaser if the large group purchaser requests the information and meets certain requirements.

The Department of Commerce and Consumer Affairs commented on this measure. The American Council of Life Insurers and Hawaii Medical Service Association testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2070, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2482, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2482, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 388-16 Health on H.B. No. 2559

The purpose of this measure is to require the family courts to consider assisted community treatment as an alternative to commitment to a psychiatric facility for a person subject to a petition for involuntary hospitalization. This measure also repeals the sunset date of current statutes establishing criteria and procedures for family court-ordered assisted community treatment.

The Hawai'i Psychological Association and Hawaii Association of Professional Nurses testified in support of this measure. The Department of Health, Department of the Attorney General, and Hawaii Disability Rights Center commented on this measure.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2070, 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. 2559, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2559, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 389-16 Health on H.B. No. 2632

The purpose of this measure is to require firearm owners who have been disqualified from owning, possessing, or controlling firearms and ammunition due to mental illness or other mental health conditions to immediately surrender their firearms and ammunition to the Chief of Police upon written notification by the Chief of Police.

The Honolulu Police Department and a few individuals supported this measure. The Hawaii Rifle Association, NRA, and numerous individuals testified in opposition to this measure. An individual commented on this measure.

Your Committee has amended this bill by changing its effective date to July 1, 2070, 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. 2632, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2632, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 390-16 Economic Development & Business on H.B. No. 1397

The purpose of this measure is to continue efforts to achieve the State's overall economic development strategy through the adjustment and expansion of funding mechanisms for community-based economic development initiatives. Among other things, this measure:

- (1) Establishes new financing framework to assist qualified community development entities that leverage federal new market tax credits in the provision of investment capital and securitization for low-income communities and individuals; and
- (2) Adjusts loan maximums and expands the financial products offered by the community-based economic development program to facilitate the capitalization of entities providing community development services and the monetization of existing project assets.

Pacific Growth Associates, Lanai Community Health Center, Kailapa Community Association, and a concerned individual testified in support of this measure. The Department of Business, Economic Development, and Tourism and Department of Taxation provided comments.

The Community-Based Economic Development program has been in existence for nearly twenty-five years and has assisted over a thousand organizations with grants, loans, and technical assistance, creating numerous jobs in the process. Community-based organizations assisted by this program are normally in rural areas and serve to promote economic development activities in the most economically distressed areas of the State. Your Committee finds that continuing to support Hawaii's vital community-based organizations and finding ways to optimize all sources of funding for these organizations will ultimately promote Hawaii's economic development initiatives, particularly for economically depressed areas.

Your Committee has amended this measure by changing its effective date to February 19, 2022, to facilitate 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. 1397, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1397, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 391-16 Economic Development & Business on H.B. No. 2060

The purpose of this measure is to improve oversight, openness, and transparency of the State procurement process by:

- (1) Requiring all Chief Procurement Officers to assist and cooperate with any compliance review by the Administrator of the State Procurement Office; and
- (2) Clarifying that the Administrator of the State Procurement Office has the authority to perform periodic compliance reviews of all governmental bodies.

The State Procurement Office testified in support of this measure.

Fairness, open competition, a level playing field, and government disclosure and transparency in procurement and contract processes are vital to good government. Your Committee finds that clarifying the Hawaii Public Procurement Code to ensure consistent compliance with the State Procurement Code by all governmental bodies is a means to achieving this goal.

Your Committee has amended this measure by changing its effective date to February 19, 2022, to facilitate 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. 2060, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2060, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 392-16 Economic Development & Business on H.B. No. 2063

The purpose of this measure is to continue the diversification of Hawaii's economy through development of the manufacturing and processing industry by authorizing the issuance of \$10,000,000 in special purpose revenue bonds (SPRBs) for Keahole Management Group, LLC.

Keahole Management Group LLC testified in support of this measure. A concerned individual testified in opposition to this measure. The Department of Budget and Finance provided comments.

The development of the manufacturing and processing industry in Hawaii is one way to diversify Hawaii's economy. Your Committee finds that the issuance of SPRBs for the purpose of planning, designing, constructing, and equipping facilities for the manufacturing and processing of products, including value-added agricultural products, will help Hawaii achieve its goal of economic diversification.

Your Committee has amended this measure by changing:

- (1) The amount of SPRBs authorized to be issued from \$10,000,000 to an unspecified amount; and
- (2) Its effective date to February 19, 2022, to facilitate 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. 2063, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2063, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 393-16 Economic Development & Business on H.B. No. 2160

The purpose of this measure is to preserve the quality of Hawaii's night sky by reducing light pollution. Specifically, this measure establishes a Dark Night Skies Protection Advisory Committee (Advisory Committee) to assist the Department of Business, Economic Development, and Tourism (DBEDT) in the development of a statewide dark night skies protection strategy to preserve dark night skies and reduce light pollution.

The Department of Land and Natural Resources, University of Hawaii, and two concerned individuals testified in support of this measure. DBEDT testified in support of the intent of this measure.

The quality of the night sky in Hawaii is unique and is a valuable natural resource that needs to be protected. Artificial light reduces dark skies and directly impacts the quality of the night sky for astronomical observations in Hawaii, as well as biological resources of the islands by altering wildlife behavioral patterns. Your Committee finds that establishing an Advisory Committee will allow for the preservation of Hawaii's dark night skies, which is essential for Hawaii's astronomy industry and for the State's overall well-being.

Your Committee has amended this measure by:

- (1) Including a representative from the University of Hawaii at Hilo on the Advisory Committee;
- (2) Including the impacts of light pollution on astronomical observations from Mauna Loa as an issue for evaluation and consideration by the Advisory Committee;
- (3) Including public safety issues related to the reduction in artificial light as an issue for evaluation and consideration by the Advisory Committee;
- (4) Changing its effective date to February 19, 2022, 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2160, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2160, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 394-16 Economic Development & Business on H.B. No. 2219

The purpose of this measure is to position Hawaii as a leader in science and technology industry development and commercialization and support Hawaii-based small businesses by establishing the Hawaii High Impact Loan Program for Commercialization.

The Chamber of Commerce Hawaii, Hawaii Farm Bureau, Hawaii Venture Capital Association, Guide Star Engineering, Oceanit, and a concerned individual testified in support of this measure. The Hawaii Strategic Development Corporation and High Technology Development Corporation testified in support of the intent of this measure.

Your Committee finds that Hawaii must continue to find ways to diversify its economy to ensure long-term economic viability. Positioning itself as a leader in technology development and commercialization will allow Hawaii to find success in a Twenty-first Century global economy. Although significant progress has been made in the past years through programs supported by federal and state initiatives, such as programs administered by the High Technology Development Corporation, Hawaii Strategic Development Corporation, and the Hawaii Technology Development Venture, more is required to move Hawaii's technology industry toward achieving local technology commercialization. Technology companies have identified increased access to local capital for product development and proof of commercial concept as a key need to establish, sustain, and expand the innovation and technology industry in

Hawaii. Your Committee finds that establishment of a loan program to assist this industry will enable the State to succeed in the global marketplace and support the State's sustainable economic development goals to include a viable and vibrant technology and manufacturing labor force for the benefit of the economy of the State.

Your Committee has amended this measure by:

- (1) Renaming the program as the Hawaii Impact Loan Program for Commercialization;
- (2) Expanding the types of businesses supported by Program to include businesses in the fields of life science-technology, biomedical engineering-technology, and aerospace-technology;
- (3) Deleting manufacturing-technology as a type of business eligible for support from the Program;
- (4) Allowing for only a first investment loan of an unspecified amount to be provided from the Program for critical product development and deleting provisions allowing for a second investment loan;
- (5) Specifying that requirements for funding in accordance with the Program be established by the High Technology Development Corporation rather than the Department of Business, Economic Development and Tourism;
- (6) Simplifying the financial documentation required to be submitted to receive funding from the Program;
- (7) Requiring that a Hawaii-based business commit a fifty percent match of the loan, in cash or in-kind; sign a promissory note when the loan is made; and execute agreements as required by the HI-impact administrator to be eligible for a loan from the Program;
- (8) Authorizing the High Technology Development Corporation to establish rules pursuant to Chapter 91, Hawaii Revised Statutes, to carry out the Program; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Economic Development and Business respectfully requests that it consider establishing a cap of \$100,000 on an investment loan provided from the Program.

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. 2219, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2219, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 395-16 Economic Development & Business on H.B. No. 2229

The purpose of this measure is to strengthen and diversify Hawaii's economy through the promotion of sporting events. Specifically, this measure creates the Hawaii Sports Task Force to plan and coordinate efforts to:

- (1) Keep the Pro Bowl in Hawaii; and
- (2) Establish Aloha Stadium as a host site for a National Football League pre-season game, world-title soccer tournaments, mixed-martial arts Ultimate Fighting Championship tournaments, and other international sporting events.

The Hawaii Lodging and Tourism Association testified in support of this measure.

In 2007, sports was a \$213,000,000,000 industry in the United States alone. In addition to spectator fees, the sports industry generates revenue in advertising, endorsements, media broadcast rights, and licensing. Hawaii currently hosts at least ten major national and international sporting events each year, including the National Football League's Pro Bowl, Honolulu Marathon, Vans Triple Crown of Surfing, Sheraton Hawaii Bowl, Molokai Hoe, XTERRA World Championship, Ironman World Championship, Maui Jim Maui Invitational, and the PGA Sony Open. These events not only generate millions of dollars for Hawaii's economy but also provide Hawaii's number one industry, tourism, with millions of dollars in free advertising. Your Committee finds that there is significant room for growth in the Hawaii sports industry and that attracting more sporting events to Hawaii as a venue will increase visitor arrivals and expenditures and ultimately strengthen Hawaii's economy.

Accordingly, your Committee has amended this measure by:

- (1) Broadening the scope of the Hawaii Sports Task Force to include establishing and maintaining Hawaii as a host site for other sporting and sports entertainment events statewide including but not limited to golf tournaments, kickboxing events, professional wrestling events, motor-cross races, tennis tournaments, beach volleyball tournaments, sailboat races, marathons, triathlons, and cycling events; and
- (2) Including the Mayor of the City and County of Honolulu; the Mayors of the Counties of Kauai, Maui, and Hawaii; a representative of the economic development board of each county; and a Hawaiian cultural specialist; or their designees, as members of the Hawaii Sports Task Force.

Your Committee has also amended this measure by:

- (1) Changing its effective date to February 19, 2022, 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2229, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2229, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 396-16 Economic Development & Business on H.B. No. 2289

The purpose of this measure is to continue efforts to achieve the State's overall economic development strategy by assisting community-based economic development initiatives. Specifically, this measure, among other things:

- (1) Amends the definition of "community-based organization" to delete the requirement that the organization be membership based;
- (2) Reduces the number of Community-based Economic Development Advisory Council members from twelve to nine;
- (3) Amends the qualifications for community-based economic development grants to include technical assistance to community-based organizations;
- (4) Updates non-discrimination language applicable to a grant applicant; and
- (5) Appropriates funds to the Hawaii Community-based Economic Development Revolving Fund.

The Department of Business, Economic Development, and Tourism and Pacific Growth Associates testified in support of this measure.

The Community-based Economic Development Technical and Financial Assistance program has been in existence for nearly twenty-five years and has assisted over a thousand organizations with grants, loans, and technical assistance, creating numerous jobs in the process. Community-based organizations assisted by this program are normally in rural areas and serve to promote economic development activities in the most economically distressed areas of the State. Your Committee finds that continuing to support the Community-based Economic Development Technical and Financial Assistance program will support Hawaii's vital community-based organizations and ultimately Hawaii's economic development initiatives.

Your Committee has amended this measure by changing its effective date to February 19, 2022, to facilitate 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. 2289, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2289, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 397-16 Economic Development & Business on H.B. No. 2298

The purpose of this measure is to support the work of the Hawaii Film Office in maintaining and enhancing Hawaii's film industry by, among other things:

- (1) Renaming the Hawaii Television and Film Development Special Fund as the Creative Media and Film Infrastructure Special Fund (Special Fund);
- (2) Broadening the sources of revenue that may be deposited into the Special Fund;
- (3) Amending the purposes for which the Special Fund may be used; and
- (4) Repealing the Hawaii Film and Television Development Board.

The Department of Business, Economic Development, and Tourism (DBEDT) and Kauai County—Office of Economic Development testified in support of this measure.

According to DBEDT, Hawaii's film industry brings in an estimated \$200,000,000 to \$250,000,000 in production revenues per year, a figure that is expected to increase in 2016. The Hawaii Film Office in the Creative Industries Division of DBEDT is involved in all aspects of this industry, including fulfilling its statutory duties for film permitting, tax incentive management, and studio operations and management. With enhancements to the motion picture, digital media, and film production income tax credit program, the demands on the Hawaii Film Office, which has been operating with limited staff and resources, have exceeded its capacity.

Your Committee finds that while positions and some funding have been restored, the costs to support productions, manage the motion picture, digital media, and film production income tax credit program, and maintain the Hawaii Film Studio far exceed the existing general fund allocations for the Hawaii Film Office. Broadening the sources of revenue for the special fund that supports the Hawaii Film Office would provide a funding mechanism for the Hawaii Film Office to perform its statutory duties and support programs to maintain and enhance Hawaii's film industry.

Your Committee has amended this measure by:

- (1) Changing its effective date to February 19, 2022, 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2298, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2298, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 398-16 Economic Development & Business on H.B. No. 2299

The purpose of this measure is to continue to stimulate the creation, development, growth, and expansion of new businesses where needed in the State. Specifically, this measure makes businesses producing renewable energy from various sources within research and technology parks established by the Natural Energy Laboratory of Hawaii (NELHA) eligible for Hawaii's Enterprise Zone Program (EZ Program).

The Department of Business, Economic Development and Tourism, Department of Taxation, and NELHA testified in support of this measure.

Your Committee finds that certain areas of the State need the particular attention of government to help attract private sector investment and that Hawaii's EZ Program was established as a result of this need. The purpose of the EZ Program is to stimulate business, agricultural, and industrial growth to spur neighborhood revitalization, where needed, by means of regulatory flexibility and tax incentives.

While NELHA currently exists in an enterprise zone and businesses engaged in the production of wind energy for sale primarily to a public utility company for resale to the public already qualify for EZ Program benefits, many new businesses and projects focused on other sources of renewable energy generation do not. Allowing businesses producing renewable energy from various sources within research and technology parks established by NELHA to be eligible for enterprise zone benefits will assist NELHA in attracting new projects to their technology park and continue growth of their economic development project.

Your Committee has amended this measure by changing its effective date to February 19, 2022, to facilitate 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. 2299, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2299, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 399-16 Economic Development & Business on H.B. No. 2382

The purpose of this measure is to enhance and promote the success of the Pacific-Asia Institute for Resiliency and Sustainability (Institute) by designating the Department of Business, Economic Development and Tourism as the State's liaison for the Institute rather than the Office of the Lieutenant Governor.

The Office of the Lieutenant Governor and Department of Business, Economic Development and Tourism testified in support of this measure.

Act 229, Session Laws of Hawaii 2014, established the Institute as a center for studies on environmental sustainability, global leadership, and critical community continuity. The Institute also provides research and training opportunities for future leaders to address the risks to Hawaii and the Pacific-Asia region from natural and manmade hazards and develop solutions for sustainable economic growth.

While the Office of the Lieutenant Governor was initially tasked with acting as the State's liaison for the Institute, responsibility for this task shifted to the Office of the Governor. Currently, the liaison duties for the Institute are carried out by the Department of Business, Economic Development and Tourism. Your Committee finds that designating the Department of Business, Economic Development and Tourism as the agency for providing liaison services to the Institute will more accurately reflect the current situation and ensure that greater resources will be used to help make this endeavor successful.

Your Committee has amended this measure by changing its effective date to February 19, 2022, to facilitate 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. 2382, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2382, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 400-16 Economic Development & Business on H.B. No. 2545

The purpose of this measure is to stimulate and diversify Hawaii's economy by establishing the High-growth Grant Program to financially assist qualified businesses through the provision of grants for specific business development purposes.

The Chamber of Commerce Hawaii 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.

Diversifying the economy is critical to the future of the State. However, one barrier to economic diversification and growth is the lack of necessary capital to expand business operations and improve productivity and quality control. This includes capital to purchase equipment, provide workforce and management training, improve a business's infrastructure, and conduct consulting or feasibility studies. Your Committee finds that providing financial assistance in the form of grants to qualified businesses for their expansion and growth will not only be beneficial to the business, but will enhance the overall economy of the State.

Your Committee has amended this measure by:

- (1) Changing the appropriations into and out of the High-growth Grant Program Special Fund from \$4,000,000 to unspecified amounts; and
- (2) Changing its effective date to February 19, 2022, to facilitate further discussion.

Should your Committee on Finance deliberate on this measure further, your Committee on Economic Development and Business respectfully requests that it consider appropriating \$4,000,000 into and out of the High-growth Grant Program Special 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. 2545, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2545, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 401-16 Economic Development & Business on H.B. No. 2550

The purpose of this measure is to continue to diversify Hawaii's economy and promote Hawaii's manufacturing industry. Specifically, this measure appropriates funds to the Department of Business, Economic Development, and Tourism for promotion, regulation, and administration of the Made in Hawaii brand program.

The Department of Agriculture, Chamber of Commerce Hawaii, High Technology Development Corporation, and Hawaii Farm Bureau testified in support of this measure. The Department of Business, Economic Development and Tourism testified in support of the intent of this bill.

Food products, books, gifts, apparel and jewelry, arts and crafts, produce, and many more home-grown products are currently manufactured in the state and sold in Hawaii and abroad. Your Committee finds that the "Made in Hawaii" brand is associated with a premium, high-quality product that provides Hawaii manufacturers with an asset to compete in the global market. As such, it is critical that the management and promotion of the "Made in Hawaii" brand is appropriately funded to protect the integrity and the value of authentic Hawaii branded products both locally and abroad.

Your Committee has amended this measure by changing:

- (1) The appropriation from \$150,000 to an unspecified amount; and
- (2) Its effective date to February 19, 2022, to facilitate further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Economic Development and Business respectfully requests that it consider appropriating \$150,000 for the promotion, regulation, and administration of the Made in Hawaii brand program.

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. 2550, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2550, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 402-16 Economic Development & Business on H.B. No. 2597

The purpose of this measure is to realign and reorganize the Pacific International Space Center for Exploration Systems (PISCES) within the Office of Aerospace Development of the Department of Business, Economic Development, and Tourism. Specifically, this measure:

- (1) Allows, subject to funding, the Office of Aerospace Development to hire various positions, including an Executive Director, and establishes salaries for these positions;
- (2) Establishes PISCES as a division under the direction of the Office of Aerospace Development to be located on the Island of Hawaii;
- (3) Directs the PISCES staff to promote and market Hawaii as a research destination;
- (4) Allows PISCES, subject to funding, to hire various positions and establishes salaries for these positions;
- (5) Amends the composition of the Board of Directors of PISCES from 10 to seven members and amends their powers and duties;
- (6) Transfers various duties of the PISCES Executive Director to PISCES staff;
- (7) Simplifies PISCES' annual report to include a summary of significant accomplishments and activities, and also the status of the development of partnerships; and
- (8) Appropriates funds for the reorganization and realignment of PISCES, including the hiring of personnel.

Honeybee Robotics and two concerned individuals testified in support of this measure. The Department of Business, Economic Development, and Tourism testified in support of the intent of this bill. PISCES provided comments.

Hawaii's geographic location has long made it an ideal place for space exploration technology development. Over the years, the Hawaiian Islands have played a major role in supporting the exploration of space. With its clear skies and volcanic peaks, Hawaii is also a premier site for astronomy and astrophysics. Recognizing this, PISCES was established to serve as a catalyst for collaborative multinational programs to advance space exploration

technologies and develop Hawaii's aerospace technology industry. Your Committee finds that reorganizing and realigning PISCES with a more focused effort on the economic development of the aerospace sector will support economic diversification and strengthen Hawaii's economy.

Your Committee has amended this measure by:

- (1) Deleting the provision that allows the Office of Aerospace Development to hire an Executive Director since the measure already provides for a Director who shall be appointed by the Governor;
- (2) Deleting language requiring the Department of Business, Economic Development, and Tourism to appoint an Executive Director to PISCES, as this position would no longer be necessary under the reorganization proposed by this measure;
- (3) Deleting the powers and duties of the Executive Director of PISCES and specifying that PISCES staff identify and promote opportunities for expanding and diversifying aerospace-related industries on the Island of Hawaii and in the State;
- (4) Changing its effective date to July 1, 2018; 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2597, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2597, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 403-16 Economic Development & Business on H.B. No. 2610

The purpose of this measure is to stimulate job growth in the film and digital media industry in every county in the state by amending the qualifications for receipt of the motion picture, digital media, and film production income tax credit to require a production to:

- (1) Hire at least sixty percent of the production's talent and crew, with some exceptions, from the county in which qualified production costs eligible for the tax credit are incurred; and
- (2) Verify the county of residency of local hires.

Hawaii Studios Maui, Malama Solutions & Supplies, LLC, Brad Starks Photography LLC, and numerous concerned individuals testified in support of this measure. The Department of Business, Economic Development and Tourism testified in opposition to this bill. The Department of Taxation provided comments.

Hawaii has the status of being a dynamic and stunning film production center. Hawaii is also blessed with a vibrant and growing entertainment economy, with Hawaii's film industry bringing in an estimated \$200,000,000 to \$250,000,000 in production revenues per year, a figure which is expected to increase in 2016. However, job growth in the film industry has not been experienced equally by all counties throughout the State.

However, while your Committee understands the need to stimulate job growth in the film and media industry statewide, particularly in less populated counties, your Committee notes that establishing rigid hiring quotas for film industry productions may not be the means to achieve this goal. Accordingly, your Committee has amended this measure by specifying that a production make a reasonable effort to hire at least sixty percent of the production's talent and crew from the county in which qualified production costs eligible for the tax credit are incurred.

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. 2610, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2610, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 404-16 Economic Development & Business on H.B. No. 2668

The purpose of this measure is to continue to diversify Hawaii's economy and assist small businesses conducting innovative research with their efforts toward commercialization by appropriating funds for the continuation, and operational expenses, of the High Technology Development Corporation's Small Business Innovation Research Grant Program.

The High Technology Development Corporation and Chamber of Commerce Hawaii testified in support of this measure.

Since 1989, the High Technology Development Corporation has been assisting 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 since every dollar invested through this grant program has been leveraged to attract approximately \$20 in federal funds as well as commercialization funding. Your Committee finds that the continuation of this grant program will help more companies achieve commercialization and increase the beneficial economic impacts of this program to the State.

Your Committee has amended this measure by changing:

- (1) The appropriation from \$1,000,000 to an unspecified amount; and
- (2) Its effective date to February 19, 2022, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Economic Development and Business respectfully requests that it consider appropriating \$2,000,000 for the continuation of the small business innovation research program in 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. 2668, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2668, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ito.

SCRep. 405-16 Economic Development & Business on H.B. No. 2669

The purpose of this measure is to continue the diversification of Hawaii's economy through development of the technology industry by authorizing the issuance of \$15,000,000 in special purpose revenue bonds (SPRBs) for TruTag Technologies, Inc.

The Chamber of Commerce Hawaii, TruTag Technologies, Inc., Weeks-Levy Consulting, Eyegenix, LLC, and a concerned individual testified in support of this measure. The Department of Budget and Finance provided comments.

TruTag Technologies, Inc., is a Hawaii based company that provides product authentication and brand protection solutions for multiple industries through the use of nanotechnology. Through the creation of unique microtags which offer a powerful product security measure, TruTag Technologies, Inc., is able to assist various industries in addressing the trillion-dollar global problem of counterfeit and diverted goods. The provision of SPRBs to TruTag Technologies, Inc., is intended for the expansion of a manufacturing facility established in Kapolei to increase their manufacturing capacity. Your Committee finds that the provision of SPRBs for this purpose will create jobs, increase manufacturing in Hawaii, and improve the diversification and overall health of Hawaii's economy.

Your Committee has amended this measure by changing:

- (1) The amount of SPRBs authorized to be issued from \$15,000,000 to an unspecified amount; and
- (2) Its effective date to February 19, 2022, to facilitate 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. 2669, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2669, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 406-16 Judiciary on H.B. No. 2112

The purpose of this measure is to increase the fees a notary public is entitled to demand and receive for all documents and services falling under the notary public fee schedule established pursuant to section 456-17, Hawaii Revised Statutes.

No testimony was received 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. 2112 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 407-16 Judiciary on H.B. No. 2019

The purpose of this measure is to establish instant runoff voting procedures for elections in which no primary election is held and for special elections.

Common Cause Hawaii testified in support of this measure. The Office of Elections provided comments.

Your Committee has amended this measure to limit the application of instant runoff voting procedures to elections for any federal, state, or county election that is held on a date other than the date of a regularly scheduled primary or general election and requiring the election to be conducted by mail.

Your Committee notes that this measure specifies the ballots shall be simple and easy to understand and accompanied by instructions to the voter. Furthermore, the measure requires the Office of Elections to distribute educational materials that explain the instant runoff voting procedures prior to the election. Since the election will be conducted by mail, your Committee finds that voters will have sufficient time to examine the materials and the ballot prior to voting.

Your Committee further finds that instant run off voting more accurately expresses voters' preferences and allows many candidates to run without fear of distorting the outcome. Most importantly, it helps establish winning candidates who are elected by a majority of voters instead of a plurality.

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. 2019, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2019, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 408-16 Judiciary on H.B. No. 2279

The purpose of this measure is to appropriate moneys to satisfy claims against the State, its officers, or its employees that are comprised of claims for legislative relief, judgments against the State, settlements, and miscellaneous claims.

The Department of the Attorney General testified in support of this measure. The Attorney General's testimony corrected the settlement amount of a claim and requested the addition of six claim settlements to the measure.

Your Committee has amended this measure to:

- (1) Insert the correct amount of a claim settlement;
- (2) Include six additional claims that were requested by the Attorney General into the appropriation request;
- (3) Insert \$4,588,836.20 as the total appropriation for claims to be paid from the State's general fund;
- (4) Insert \$700,000 as the total payment for claims from departmental funds; and
- (5) Make technical, nonsubstantive amendments for clarity, style, 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. 2279, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2279, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 409-16 Judiciary on H.B. No. 1055

The purpose of this measure is to encourage voter registration by accepting, for purposes of identification for voter registration, the applicant's Hawaii driver's license number or Hawaii state identification card number or, if no license or identification card has been issued, the last four digits of the applicant's social security number.

Common Cause Hawaii and one concerned individual testified in support of this measure. The Office of Elections and the City Clerk of the City and County of Honolulu provided comments.

Your Committee finds that the State's voter registration laws should conform to federal office election law which would require the State to issue a citizen an identification number for voter registration purposes if that person does not have a social security number. This change will enable and encourage those affected citizens to register.

Your Committee has amended this measure by:

- (1) Requiring the State to issue the applicant a unique voter registration identification number if the applicant does not have a driver's license, Hawaii state identification card number, or social security number; and to enroll the applicant by the unique identification number in the State's computerized voter registration records; and
- (2) Making the measure effective on January 1, 2018.

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. 1055, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1055, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 410-16 Judiciary on H.B. No. 1590

The purpose of this measure is to establish a procedure for the arrangement of names on election ballots, which requires the Chief Election Officer to select a letter of the alphabet by lot and arrange candidate names on the ballot in alphabetical order by last name, beginning with the randomly selected letter.

The Office of Elections and The League of Women Voters of Hawaii commented on this measure.

Numerous studies have shown that the election candidate who is listed first on a ballot has an advantage. *See*, Daniel E. Ho & Kosuke Imai, *Estimating Causal Effects of Ballot Order From a Randomized Natural Experiment, The California Alphabet Lottery, 1978 – 2002*, 72 *Pub. Op. Q.* 216 (Summer 2008), Laura Miller, Note, *Election by Lottery: Ballot Order, Equal Protection, and the Irrational Voter*, 13 *N.Y.U. J. Legis. & Pub. Pol'y* 373 (2010). Currently, candidates are listed on the ballot in alphabetical order starting with the letter "A". This measure would create a process to make the advantage of being the first listed on a ballot a random event, therefore, the candidates would be listed in alphabetical order starting with a letter that is randomly selected by the Chief Election Officer.

Your Committee has amended this measure by:

- (1) Inserting a preamble that explains the purpose of the measure;
- (2) Clarifying that the Chief Election Officer shall select the letter of the alphabet by lot no later than 60 days before the first election of the election cycle or the second Tuesday in June before the first election of the election cycle, whichever comes first;
- (3) Providing that when the last names of two or more candidates begin with the same letter, the names of the candidates shall be arranged in alphabetical order, starting with the letter "A", of the second and subsequent letters of the candidates' last names, then the first and subsequent letters of the candidates' first names;
- (4) Requiring that the Chief Election Officer inform the voters and candidates of the order that the candidates will be listed on the ballot;
- (5) Defining "election cycle" for purposes of this measure;
- (6) Requiring the Chief Election Officer to implement this procedure for elections beginning on January 1, 2018;
- (7) Inserting an effective date of July 1, 2017; and
- (8) 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. 1590, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1590, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 411-16 Judiciary on H.B. No. 1046

The purpose of this measure is to ensure that persons who are wrongfully convicted and imprisoned by the State receive immediate services upon release and, when able to demonstrate damages under appropriate circumstances, compensation from the State.

Your Committee finds that compensation for wrongful imprisonment generates many viewpoints about the State's responsibility in these circumstances. Wrongful convictions and the subsequent incarcerations may be the result of many factors, including eyewitness misidentification, false confessions, improper forensic science, and government misconduct. The conundrum confronting any compensation scheme is to identify deserving individuals who are innocent of crimes from those who are not.

There are more than 15,000 persons listed on The National Registry of Exonerations, including three persons convicted in Hawaii. Innocent persons who have been wrongly convicted of crimes and subsequently imprisoned have been uniquely victimized, have distinct challenges re-entering society, and have difficulty achieving legal redress due to a variety of substantive and technical obstacles in the law. Your Committee believes that this measure will help wrongfully convicted persons transition back into society and increase their future self-sufficiency.

Your Committee heard a similar measure in the 2015 Regular Session; however, it decided to hear a revised version this session due to the significance of the underlying purpose of legislation for the State to compensate wrongfully incarcerated individuals. During the 2015 legislative interim, the American Judicature Society – Hawaii Chapter convened a special committee on redress for unlawful imprisonment to work on language with various stakeholders. As an independent, nonpartisan collection of a wide range of state and federal judicial representatives and legal, educational, and community representatives, the special committee was uniquely positioned to develop consensus language. The suggestions of the American Judicature Society – Hawaii Chapter were incorporated into H.B. No. 1046, H.D. 1, Proposed.

For purposes of facilitating public input on the proposed H.D. 1 version of this measure, your Committee posted notice of and circulated H.B. No. 1046, H.D. 1, Proposed, prior to holding a public hearing on February 2, 2016, on this measure.

Your Committee received testimony in support of H.B. No. 1046, H.D. 1, Proposed, from the following agencies, organizations, and individuals: The Department of the Attorney General; Community Alliance on Prisons; The CHOW Project; Hawaii Innocence Project; Ho'omana Pono, LLC; and several individuals.

Upon careful consideration, your Committee has amended this measure by deleting its contents and inserting the language of H.B. No. 1046, H.D. 1, Proposed, which provides compensation and expungement of conviction to persons who can demonstrate that they were wrongfully convicted and imprisoned when actually innocent.

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. 1046, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1046, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 412-16 Judiciary on H.B. No. 1688

The purpose of this measure is to appropriate funds for the Office of the Prosecuting Attorney, County of Hawaii, for its Career Criminal Prosecution Unit.

The Department of the Attorney General, Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the County of Maui, and the Hawai'i County Councilmember representing District 8 testified in support of this measure.

Your Committee finds that maintaining funding levels for the Office of the Prosecuting Attorney's Career Criminal Prosecution Unit will help to address criminal behavior in the State. Currently, a disproportionate number of serious crimes are committed against the public by a relatively small number of multiple and repeat-felony offenders, known often as "career criminals." Moving this measure forward will help to ensure the Career Criminal Prosecution Unit continues to have the resources necessary to swiftly and effectively prosecute such offenders and promote justice within the State.

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. 1688 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 413-16 Judiciary on H.B. No. 1667

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 its career criminal prosecution unit.

The Department of the Attorney General; Department of the Prosecuting Attorney of the City and County of Honolulu; and the County of Hawai'i Office of the Prosecuting Attorney testified in support of this measure.

Your Committee finds that the Career Criminals Prosecution Program was created in response to a disproportionate number of serious crimes being committed by a relatively small number of multiple and repeat felony offenders, commonly known as career criminals. By their nature, career criminal prosecution cases are often labor intensive and require experienced and well-trained prosecutors. Your Committee further finds that money spent on this unit is an efficient use of resources, as it reduces heavy caseloads and long court delays, thereby providing citizens with swift and effective justice.

Should the Committee on Finance deliberate further on this measure, your Committee respectfully requests inserting an appropriation amount of \$492,125.

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. 1667 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 414-16 Housing/Human Services on H.B. No. 1958

The purpose of this measure is to exempt rental subsidy payments for Section 8 and Housing First Programs from the state general excise tax.

The Hawaii Public Housing Authority, a Maui County councilmember, and a concerned individual supported this measure. The Governor's Coordinator on Homelessness, Department of Human Services, and Hawaii Association of Realtors supported the intent of this measure. The Department of Taxation and the Tax Foundation of Hawaii provided comments.

Your Committees note the comments raised by the Department of Taxation on this measure, which states that the fiscal implications of this measure may mean a loss of revenue of over \$4,000,000 to \$5,000,000 annually.

Your Committees have amended this measure by:

- (1) Changing the application date of this measure to gross income or gross proceeds received after December 31, 2016; and
- (2) 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 Housing and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1958, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1958, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 415-16 Education on H.B. No. 1621

The purpose of this measure is to provide after-school programs in Hawaii's public middle and intermediate schools, with high-quality, structured after-school supervision for students enrolled in grade six to grade eight, by appropriating funds for this purpose.

The Department of Education, Hawaii Afterschool Alliance, Hawaii Youth Services Network, Positive Coaching Alliance – Hawaii, After-school All-stars Hawaii, and two concerned individuals supported this measure. The Department of Human Services and State Public Charter School Commission supported the intent of the 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1621, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1621, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ito and Tupola.

SCRep. 416-16 Education on H.B. No. 2738

The purpose of this measure is to provide safe, high-quality educational activities during out-of-school hours for students attending public schools from grades kindergarten through twelve by:

- (1) Establishing the Hawaii Three-to-six Out-of-school Program and Hawaii Three-to-six Out-of-school Program Revolving Fund; and
- (2) Appropriating \$9,000,000 for this purpose.

The Department of Education, Office of Youth Services, Hawaii Afterschool Alliance, Hawaii Youth Services Network, Parents and Children Together, Moiliili Community Center, Positive Coaching Alliance – Hawaii, High Tech Youth Network, Kahoomiki, Pioneering Healthier Communities – Honolulu, Hawaii Island School Garden Network, After-school All-stars Hawaii, and numerous concerned individuals supported this measure. The Department of Human Services and State Public Charter School Commission supported the intent of the measure. The Department of Budget and Finance submitted comments.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation to an unspecified sum to facilitate further discussion;
- (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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2738, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2738, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Ito and Tupola.

SCRep. 417-16 Higher Education on H.B. No. 1529

The purpose of this measure is to allow graduate student assistants employed by the University of Hawaii to collectively bargain their wages, hours, and other terms of employment.

Among other things, this measure requires representatives from the University of Hawaii and exclusive representatives of bargaining units for employees at the University of Hawaii to meet to discuss, determine, and agree on the scope of negotiable items, and report their findings and recommendations to the Legislature for its consideration.

The University of Hawaii at Manoa Graduate Student Organization; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State AFL-CIO; and one concerned individual supported this measure. The Department of Budget and Finance, Office of Collective Bargaining, and the University of Hawaii System 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. 1529, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 418-16 Higher Education on H.B. No. 1940

The purpose of this measure is to establish a collective bargaining unit for graduate student assistants employed at the University of Hawaii.

The University of Hawaii at Manoa Graduate Student Organization; University of Hawaii Professional Assembly; ILWU Local 142; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State AFL-CIO; and numerous concerned individuals supported this measure. The Department of Budget and Finance, Office of Collective Bargaining, and the University of Hawaii System opposed this measure.

Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests that it consider the issue of why part-time graduate student assistants are excluded from a bargaining unit.

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. 1940, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 419-16 Higher Education on H.B. No. 2224

The purpose of this measure is to provide additional resources to the University of Hawaii Pamantasan Council to help the State and University of Hawaii meet strategic goals for access and diversity by appropriating funds to fund four full-time equivalent positions for the system-wide Pamantasan Council, including instructional faculty, student personnel, and graduate assistantships.

The University of Hawaii Pamantasan Council, Asian American Network for Cancer Awareness Research and Training, Filipino American Citizens League, Nursing Advocates and Mentors, Inc., and numerous concerned individuals supported this measure. The University of Hawaii at Manoa supported the intent of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2525, 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 to fund four full-time equivalent positions for the system-wide Pamantasan council.

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. 2224, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2224, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 420-16 Higher Education on H.B. No. 2410

The purpose of this measure is to enable the University of Hawaii to permanently exempt its accounting and financial management system from the general accounting requirements imposed on other state agencies by repealing the exemption's sunset date of June 30, 2016.

The University of Hawaii System and a concerned individual supported this measure.

Your Committee has amended this measure by:

- (1) Extending the sunset date to June 30, 2017, rather than permanently allowing the University of Hawaii System to maintain a separate accounting and financial management system;
- (2) Changing its effective date to July 1, 2525, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2410, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2410, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 421-16 Higher Education on H.B. No. 2414

The purpose of this measure is to establish an Innovation and Commercialization Initiative Program (Program) within the University of Hawaii to enable it to:

- (1) Promote, sponsor, and participate in transforming the products of its research and instructional activities into viable economic enterprises; and
- (2) Create, finance, and participate in organizations that contribute to economic development and workforce diversification in the State using UH research and affiliated personnel.

This measure also establishes the University Innovation and Commercialization Initiative Special Fund for the deposit of moneys to cover the costs and expenses of the Program.

The University of Hawaii, Pacific Asian Center for Entrepreneurship, Blue Planet Software, Comprendio, Entrepreneurs Foundation of Hawaii, Hagadone Media Group, Hawaii Business Roundtable, Hawaii Cattlemen's Council, Hawaii Venture Capital Association, HiBEAM, RealGreen Power, Startup Capital Ventures, Startup Weekend Honolulu, Sultan Ventures, Aloha Startups, Energy Excelsator, Impact Hub Honolulu, The Chamber of Commerce Hawaii, and two individuals testified in support of this measure. The Civil Beat Law Center for the Public Interest testified in opposition to this measure. The State Procurement Office and Office of Information Practices commented on this measure.

Your Committee has amended this measure by:

- (1) Removing provisions that would have exempted the University of Hawaii from Chapters 103 and 103D, Hawaii Revised Statutes, (HRS) when expending moneys from the University of Hawaii Innovation and Commercialization Initiative Special Fund;
- (2) Clarifying that trade secrets and confidential commercial or financial information, including confidential information regarding qualified securities purchased by UH, need not be publically disclosed;
- (3) Clarifying that UH Board of Regents, or any Board subcommittee, may hold an executive session as provided in section 92-4, HRS, to discuss trade secrets or confidential commercial or financial information that may be withheld under the Uniform Information Practices Act;
- (4) Changing its effective date to July 1, 2525, to facilitate further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it look at whether the University of Hawaii should be exempt, when expending moneys from the University of Hawaii Innovation and Commercialization Initiative Special Fund, from Chapters 76, 78, 89, and 102, HRS.

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. 2414, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2414, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 422-16 Higher Education on H.B. No. 2428

The purpose of this measure is to enhance legislative oversight of the University of Hawaii by prohibiting it from funding construction projects that were not explicitly authorized by the Legislature by transferring moneys from the University of Hawaii special or revolving funds or transferring moneys from general funds appropriated to the University of Hawaii for other purposes.

Two concerned individuals supported this measure. The University of Hawaii opposed the measure.

Your Committee finds that the University of Hawaii's construction projects are consistently completed late and over-budget. At the same time, however, the University has not requested funds for the cost overruns. Your Committee believes that student tuition dollars are being used to cover these amounts, thereby adding to the student debt crisis in this state.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2525, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2428, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2428, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 423-16 Consumer Protection & Commerce on H.B. No. 1599

The purpose of this measure is to require Medicaid and QUEST coverage for chiropractic services, up to twenty-four visits per year.

This measure also:

- (1) Requires the Department of Human Services to request the Centers for Medicare and Medicaid Services to amend the state medicaid plan to include chiropractic services;
- (2) Requires the Department of Human Services to report to the Legislature upon receiving a response from the Centers for Medicare and Medicaid Services on the requested amendment to the state medicaid plan; and
- (3) Appropriates an unspecified sum.

The Department of Human Services submitted comments on the measure.

Your Committee finds that twenty-six states provide some degree of coverage for necessary adult chiropractic care, with the duration of coverage ranging from four to twenty-six visits per year. Your Committee further finds that, for half of the 2016-2017 fiscal year, coverage for the chiropractic care visits required by the measure would necessitate an appropriation of \$7,200,000 in state and federal funds with the state portion totaling \$3,886,560.

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. 1599, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Creagan, Har and Kawakami.

SCRep. 424-16 Consumer Protection & Commerce on H.B. No. 1663

The purpose of this measure is to update the definition of a pen register in the electronic eavesdropping law to include devices that do not use a telephone land line to make phone calls, such as cellular telephones and electronic devices and services.

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

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

Your Committee is concerned that no testimony was received from the telecommunications industry as they may not have had adequate opportunity to present testimony. Amending this measure to have a defective effective date should give interested parties more time to present testimony to your Committee on Judiciary.

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. 1663, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1663, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 425-16 Consumer Protection & Commerce on H.B. No. 1013

The purpose of this measure is to authorize a manufacturer of an investigational drug, biological product, or device to make available, and an eligible patient to request, the manufacturer's investigational drug, biologic product, or device.

This measure also:

- (1) Prohibits the State from blocking access by an eligible patient to an investigational drug, biologic product, or device;
- (2) Immunizes manufacturers and other persons involved in providing experimental drugs, products, or devices to consenting patients with terminal illnesses from suit for any harm that results; and
- (3) Relieves the heirs of a patient who dies while being treated with an investigational drug, biologic product, or device of any liability for any outstanding debt for the treatment.

Your Committee received comments on this measure from the Department of the Attorney General, HMSA, the Hawaii Association for Justice, and a concerned individual.

Your Committee finds that right to try laws give terminally ill patients, with the recommendation of their treating physician, the opportunity to access investigational new drugs that have passed Phase I of the Federal Drug Administration approval process, if their doctor believes, at this stage of the disease, the drug is the patient's last and best chance. Your Committee notes that clinical trials accept only about three per cent of given patients afflicted with the condition for which the therapy is being tested.

Right to try laws are designed for patients who are ineligible or unable to access current clinical trials for the needed investigational new drugs. Your Committee believe this measure may be especially important for residents of Hawaii, who may have great difficulty in their current conditions traveling the long distances to clinical trial locations.

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. 1013, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 1013, H.D. 2.

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

SCRep. 426-16 Health on H.B. No. 1852

The purpose of this measure is to enable eligible nonprofit organizations to receive loans from the State's Water Pollution Control Revolving Fund for the planning, designing, or constructing of a wastewater treatment works.

The Department of the Attorney General and the Department of Health commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that individual members of a nonprofit corporation may be held responsible for the nonpayment or default of a loan despite section 414D-85, Hawaii Revised Statutes, which exempts members of a nonprofit corporation from obligations of the corporation;
- (2) Requiring loans from the Water Pollution Control Revolving Fund to a nonprofit organization to be made at interest rates that are at or below market interest rates;
- (3) Expanding the purposes of the Water Pollution Control Revolving Fund to include activities that are consistent with the Federal Water Pollution Control Act;
- (4) Requiring all loans to be fully amortized upon the expiration of the term of the loan;
- (5) Deleting the provision stating that loans provided to nonprofit organizations for designing, planning, or the construction of wastewater treatment works do not apply to the statutory section regarding conditions applicable to Water Pollution Control Revolving Fund projects;
- (6) Inserting an effective date of July 1, 2070, to facilitate further discussion; and
- (7) 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. 1852, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1852, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 427-16 Health on H.B. No. 2082

The purpose of this measure is to allow access to adoption records by parties to proceedings under certain circumstances, including:

- (1) Allowing a natural parent to place, change, or remove a contact preference in a sealed adoption record at any time prior to or after final disposition of a petition; and
- (2) Establishing separate procedures for accessing adoption records based on an individual's year of adoption.

Two individuals testified in support of this measure. The Adoption Circle of Hawaii and numerous individuals commented on this measure.

In its discussion, your Committee noted the testimony of individuals that cultural changes have significantly diminished the stigma surrounding adoption. As such, there is a trend toward greater openness in granting access to adoptees and other parties to adoption records.

Upon careful consideration, your Committee has amended this measure by deleting its contents and inserting the provisions of S.B. No. 2153, Regular Session of 2016, Relating to Adoption Records, which like this measure, amends requirements relating to adoption records. In particular, the inserted provisions of S.B. No. 2153 simplify the adoption records process by providing adopted individuals and natural parents access to an adopted individual's sealed adoption records as follows:

- (1) Upon order of the family court upon a showing of good cause;
- (2) After the adopted individual attains the age of eighteen and upon submission to the family court of a written request for inspection by the adopted individual, the adoptive parents, or the natural parents;
- (3) Upon request by the adopted individual or the adoptive parents for information contained in the records concerning ethnic background and necessary medical information; or
- (4) Upon request by a natural parent for a copy of the original birth certificate.

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. 2082, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2082, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 428-16 Human Services on H.B. No. 2093

The purpose of this measure is to authorize the issuance of \$20,000,000 in special purpose revenue bonds (SPRBs) to assist Goodwill Industries of Hawaii, Inc., and its affiliates to renovate its processing and production facility.

Goodwill Industries of Hawaii, Inc. supported this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Authorizing the Department of Budget and Finance to issue special purpose revenue bonds subsequent to June 30, 2021, rather than June 30, 2012;
- (2) Changing the amount of SPRBs authorized to be issued from \$20,000,000 to an unspecified amount; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee on Human Services respectfully requests that it consider authorizing the issuance of \$20,000,000 in SPRBs to assist Goodwill Industries of Hawaii, Inc and its affiliates.

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. 2093, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2093, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 429-16 Human Services on H.B. No. 2639

The purpose of this measure is to:

- (1) Require a wireless telecommunications provider that has received a written request from a domestic abuse victim to:
 - (A) Transfer the billing authority and all rights to a wireless telephone number to the victim; or
 - (B) Remove or release the victim from a shared wireless plan and assign the victim a substitute telephone number,
 to fulfill that request within 48 hours of submittal of the request without charge, penalty, or fee; and

- (2) Provide protection from liability for wireless telecommunications service providers, and their officers, employees, or agents for transferring billing authority and all rights to a wireless telephone number to a domestic abuse victim pursuant to section 269-16.93, Hawaii Revised Statutes.

Verizon, Sprint, Hawaii Women's Coalition, and a concerned 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 is in accord with the intent and purpose of H.B. No. 2639 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 430-16 Water & Land on H.B. No. 2059

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to provide financing to assist RCFC Kehalani, LLC, with Kehalani offsite retention basin improvement work.

The Department of Land and Natural Resources and RCFC Kehalani, LLC provided testimony in support of this measure. The Department of the Attorney General and Department of Budget and Finance provided comments.

Your Committee has amended this measure by clarifying that the statutory authorization to issue the special purpose revenue bonds is pursuant to House Bill No. 2058 (2016), Relating to Special Purpose Revenue Bonds.

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. 2059, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2059, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 431-16 Water & Land on H.B. No. 2680

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to provide financing to assist Mary N. Lucas Estate with Kaloko reservoir.

The Department of Land and Natural Resources and a Trustee of the Mary N. Lucas Estate provided testimony in support of this measure. An individual provided testimony in opposition. The Department of the Attorney General and Department of Budget and Finance provided comments.

Your Committee has amended this measure by clarifying that the authorization of the issuance of the special purpose revenue bonds is pursuant to House Bill No. 2058 (2016).

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. 2680, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2680, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 432-16 Water & Land on H.B. No. 2681

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to provide financing to assist Spencer Homes, Inc. with Wailuku Water Reservoir 6.

The Department of Land and Natural Resources and Waikapu Gardens Association provided testimony in support of this measure. The Department of the Attorney General and Department of Budget and Finance provided comments.

Your Committee has amended this measure by clarifying that the statutory authorization for the issuance of the special purpose revenue bonds is pursuant to House Bill No. 2058, Relating to Special Purpose Revenue Bonds (2016).

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. 2681, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2681, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 433-16 Water & Land on H.B. No. 1843

The purpose of this measure is to require the Department of Land and Natural Resources to collaborate with the Department of Agriculture, as may be necessary, to identify, purchase, rehabilitate, and report on freshwater reservoirs in central Maui suitable for fishing, agriculture, and aquaponics.

The Maui County Farm Bureau and an individual testified in support of this measure. An individual testified in opposition. The Department of Land and Natural Resources and Department of Agriculture provided comments.

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. 1843, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1843, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 434-16 Water & Land on H.B. No. 2069

The purpose of this measure is to:

- (1) Establish community improvement districts as an innovative means of accelerating appropriate development in certain areas of the State; and
- (2) Establish a Kapalama Community Improvement District Pilot Project.

An individual testified in support of this measure. The Department of Planning and Permitting of the City and County of Honolulu testified in support of the intent of this measure. The Department of Budget and Finance provided comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Department of Accounting and General Services, in cooperation with the City and County of Honolulu, to submit an annual report to the Legislature relating to the Kapalama Community Improvement District Pilot Project; 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. 2069, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2069, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 435-16 Water & Land on H.B. No. 2090

The purpose of this measure is to streamline the operations of the Office of the Assistant Registrar of the Land Court by removing the requirement that the assistant registrar certify pending certificates of title for fee time share interests, all of which were removed from the land court system as of July 1, 2012.

The Department of Land and Natural Resources, American Resort Development Association Hawaii, and Wyndham Vacation Ownership provided testimony in support of this measure. The Judiciary provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the assistant registrar is authorized, instead of required, to certify pending certificates of titles for time share interests;
- (2) Amending the definitions of "certified fee time share interest certificate of title" and "pending fee time share interest certificate of title"; and
- (3) Changing its effective date to July 1, 2016.

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. 2090, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2090, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 436-16 Water & Land on H.B. No. 1839

The purpose of this measure is to expand the sources of funds for the Diamond Head State Monument sub-account and to authorize additional uses of money from the sub-account. This measure also authorizes the issuance of general obligation bonds for the planning, design, and construction of a visitor and interpretive center.

The Department of Land and Natural Resources and Historic Hawaii Foundation support the intent of this measure.

Your Committee has amended this measure by:

- (1) Deleting statutory changes to the State Parks Special Fund and Diamond Head State Monument sub-account;
- (2) Deleting the appropriation from the sub-account for the construction of the Diamond Head State Monument Visitor and Interpretive Center accordingly; and

- (3) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1839, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1839, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 437-16 Water & Land on H.B. No. 2378

The purpose of this measure is to enable the Department of Land and Natural Resources to more consistently and effectively address conservation and resource violations by:

- (1) Making any violation of Part II of Chapter 183, Hawaii Revised Statutes, or any rules adopted pursuant thereto, a criminal offense; and
- (2) Repealing section 183-4, Hawaii Revised Statutes.

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

Your Committee finds that the law only warrants a fine up to \$10,000 per Koa tree and \$2,000 for all other forest products. This fine does not discourage theft since the value of Koa and other forest products far exceeds this dollar amount. Accordingly, your Committee has amended this measure by giving the Board of Land and Natural Resources greater discretionary authority to set, charge, and collect fines for violations of section 183-17, Hawaii Revised Statutes.

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. 2378, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2378, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 438-16 Water & Land on H.B. No. 1525

The purpose of this measure is to establish a criminal offense for sitting or lying on State property or for possessing camping equipment on State property for the purpose of camping on the property.

The Department of Transportation and two individuals provided testimony in support of the measure. The Office of Hawaiian Affairs and several individuals provided testimony in opposition. The Department of Land and Natural Resources and Corporation Counsel of the City and County of Honolulu provided comments.

Your Committee has amended this measure by deleting its contents and inserting the following:

- (1) A new section in chapter 708, Hawaii Revised Statutes, that establishes an offense for remaining unlawfully in or upon state property after a request to leave is made by any law enforcement officer under certain conditions;
- (2) A new section requiring the departments with jurisdiction over state property to develop, implement, and report on a policy for coordinated enforcement of the new section in chapter 708, Hawaii Revised Statutes, in order to ensure public order; and
- (3) An effective date of 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. 1525, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1525, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 439-16 Water & Land on H.B. No. 2604

The purpose of this measure is to clarify that acceptance by the Territorial Legislature or the Legislature of a dedication of land by a private owner is sufficient to convey title to the State.

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

Your Committee has amended this measure by:

- (1) Specifying that the dedication of land be in the Kakaako Community Development District; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2604, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2604, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 440-16 Consumer Protection & Commerce on H.B. No. 2650

The purpose of this measure is to establish a working group within the Department of Business, Economic Development and Tourism to address the installation of electrical-submeters in condominiums.

The Public Utilities Commission and an individual testified in opposition to this measure. The Department of Business, Economic Development, and Tourism, and an individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the Chairperson of the Public Utilities Commission from the working group and adding the Director of the Department of Planning and Permitting of the City and County of Honolulu;
- (2) Adding the Local 1186 IBEW to the list of members that shall be invited to serve as members of the working group;
- (3) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee respectfully requests that your Committee on Finance further examine the issue of appropriating funds for the establishment and operation of the working group.

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. 2650, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2650, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 441-16 Energy & Environmental Protection on H.B. No. 2237

The purpose of this measure is to support the revision of the State Integrated Solid Waste Management Plan by the Office of Solid Waste Management of the Department of Health by appropriating \$350,000 for this purpose.

The State Auditor, Ulupono Initiative, Zero Waste Kauai, and a few concerned individuals supported this measure. The Department of Health supported the intent of the measure.

Your Committee has amended this measure by requiring that the revision of the State Integrated Solid Waste Management Plan must be based on the ultimate goal of achieving zero waste.

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. 2237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2237, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 442-16 Energy & Environmental Protection on H.B. No. 1730

The purpose of this measure is to ensure fair compensation to electrical customers and create an incentive for more investment in storage for distributed energy, thereby moving Hawaii closer to achieving its clean energy goals, by requiring electric utilities that use a time-of-use feature in their rate structure to include a credit to the eligible customer-generator for any net electricity produced during peak hours of usage.

The Alliance for Solar Choice, Hawaii Solar Energy Association, Blue Planet Foundation, Sierra Club of Hawaii, and a concerned individual supported this measure. Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, and a concerned individual opposed the measure. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that the Public Utilities Commission shall make the determination regarding electric utilities' use of a time-of-use feature in their rate structure and the credit to be given to eligible customer-generators for any net electricity produced during peak hours of usage; and
- (2) Expressly requiring the Public Utilities Commission to effectuate the intent of this provision.

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. 1730, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1730, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 443-16 Energy & Environmental Protection on H.B. No. 2291

The purpose of this measure is to more accurately reflect the percentage of renewable energy penetration in Hawaii by amending the definition of "renewable portfolio standard" to base the calculation of the standard on electrical energy generation rather than electrical energy sales.

The Department of Business, Economic Development, and Tourism, Blue Planet Foundation, Distributed Energy Resource Council of Hawaii, and two concerned individuals testified in support of this measure. The Alliance for Solar Choice testified in opposition to this measure. The Public Utilities Commission, Hawaiian Electric Company, Inc., Maui Electric Company, and Hawaii Electric Light Company, and Land Use Research Foundation of Hawaii provided comments.

Your Committee has amended this measure by amending the definition of "renewable portfolio standard" and establishing a new definition for the term "grid-connected" to more accurately reflect the sum total of renewable energy penetration in the State. Specifically, the amended definition of renewable portfolio standard, when analyzed in the context of grid-connection, bases the calculation of renewable portfolio standards on the ratio of total renewable electrical energy generated from grid-connected renewable energy systems to the total electrical energy generated from grid-connected energy systems.

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. 2291, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2291, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Nishimoto.

SCRep. 444-16 Energy & Environmental Protection on H.B. No. 2238

The purpose of this measure is to support the development of local, sustainable food production and the use and development of renewable energy systems by authorizing the issuance of special purpose revenue bonds for Hawaii Renewable Resources, LLC.

The Renewable Energy Action Coalition of Hawaii and Ponoholo Ranch Limited supported this measure. The Department of Budget and Finance submitted comments.

Your Committee has amended this measure by changing the amount of the special purpose revenue bonds authorized to be issued from \$30,000,000 to an unspecified sum to facilitate 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. 2238, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2238, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 445-16 Energy & Environmental Protection on H.B. No. 2607

The purpose of this measure is to support the development of renewable and efficient energy systems in the State by authorizing the issuance of \$63,000,000 in Special Purpose Revenue Bonds (SPRBs) for PQ Energy LLC to develop renewable energy plants in Hawaii.

PVT Land Company and Pelatron Power Evolution/PQ Energy LLC testified in support of this measure. Life of the Land testified in opposition to this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Changing the amount of SPRBs authorized to be issued from \$63,000,000 to an unspecified sum; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Energy and Environmental Protection respectfully request that it consider authorizing the issuance of \$63,000,000 in SPRBs for PQ Energy LLC to develop renewable energy plants in Hawaii.

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. 2607, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2607, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 446-16 Energy & Environmental Protection on H.B. No. 2567

The purpose of this measure is to establish consistency in the review of utility mergers by establishing substantial net benefit as the Public Utility Commission's standard of review for a transfer or assignment of a public utility franchise.

The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Alliance for Solar Choice, and a concerned individual testified in support of this measure. Hawaiian Electric Company, Inc.; Maui Electric Company; and Hawaii Electric Light Company testified in opposition to 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. 2567 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 447-16 Judiciary on H.B. No. 1550

The purpose of this measure is to increase the effectiveness of the Campaign Spending Commission's (Commission) enforcement authority by:

- (1) Making a person, other than an individual, subject to an administrative fine not to exceed \$5,000 or an amount equivalent to three times the amount of the unlawful contribution or expenditure;
- (2) Allowing the Commission to recover its costs, including the cost of investigation; and
- (3) Directing the costs recovered by the Commission to be deposited into the Hawaii Election Campaign Fund.

The Campaign Spending Commission, The League of Women Voters of Hawaii, and Common Cause Hawaii testified in support of this measure. One concerned individual testified in opposition.

Your Committee has amended this measure by:

- (1) Specifying that noncandidate committees that make only independent expenditures are subject to the increased administrative fines;
- (2) Deleting the reference to political activities of liquor commission employees, (section 281-22, Hawaii Revised Statutes); and
- (3) Permitting the Commission's recovery from the violator of the Commission's cost of investigation and bank fees for the production of subpoenaed documents.

The increase in the amount of fine is necessary in enforcement cases against independent expenditure committees. Often these committees are not deterred by small fines of \$1,000. Increasing the fine to \$5,000 or an amount equal to three times the amount of the unlawful contribution or expenditure provides a sufficient deterrent to ensure compliance with campaign finance laws.

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. 1550, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1550, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 448-16 Judiciary on H.B. No. 1551

The purpose of this measure is to conform state law to federal law regarding coordinated election campaign activity by specifying that certain activities that disseminate, distribute, or republish a candidate's campaign material are not coordinated activities and are not contributions to the candidate.

The Campaign Spending Commission 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. 1551 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 449-16 Judiciary on H.B. No. 1651

The purpose of this measure is to increase the maximum fine from \$1,000 to \$10,000 for providing false information when registering to vote late or at an absentee polling place.

The Office of Elections, Common Cause Hawaii, and one concerned individual testified in support of this measure.

Your Committee has amended this measure to:

- (1) Remove the language describing the punishment range for class C felonies;

- (2) Insert a savings clause to preserve the rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date; and
- (3) Make technical, nonsubstantive amendments for clarity and style.

Your Committee notes that making a false statement in a signed voter registration affidavit is a class C felony. Your Committee further notes that the generally applicable penalty for a class C felony is a fine not exceeding \$10,000, or imprisonment not exceeding 5 years, or both.

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. 1651, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1651, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 450-16 Judiciary on H.B. No. 1653

The purpose of this measure is to adopt elections by mail for the entire State by expanding the procedures used for absentee voting to transition all voters to permanent absentee status by 2022. The transition to all mail elections will occur incrementally as follows: the County of Kauai in 2018; the County of Hawaii and County of Maui in 2020; and all counties in 2022.

The Office of Elections, Maui Office of the County Clerk, Kauai Office of the County Clerk, Office of Hawaiian Affairs, Common Cause Hawaii, The League of Women Voters of Hawaii, and two concerned individuals testified in support of this measure. The Honolulu Office of the City Clerk provided comments.

Your Committee has amended this measure by:

- (1) Providing a means for the voter to correct an error or discrepancy with the signature on the return envelope of the ballot;
- (2) Requiring a person who registers to vote to acknowledge that providing false information is a class C felony;
- (3) Repealing the Election Day state holiday, effective January 1, 2022; and
- (4) Making technical, nonsubstantive amendments for clarity, style, and consistency.

Your Committee finds that increased citizen participation in the electoral process is a crucial component of maintaining a successful democracy. This measure would reduce hurdles for voter participation by allowing the convenience of voting by mail.

The elimination of the Election Day state holiday is not intended to impact any collective bargaining agreements.

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. 1653, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1653, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 451-16 Judiciary on H.B. No. 1954

The purpose of this measure is to prohibit all anonymous campaign contributions by repealing the exemption for anonymous amounts that aggregate to less than \$100 that are received from ten or more persons at the same political function.

The Campaign Spending Commission testified in support of this measure. The Department of the Attorney General provided comments.

Hawaii's contribution and expenditure reporting and disclosure regulations serve important interests in the context of reporting and disclosure requirements: providing the electorate with information, deterring actual corruption and avoiding any appearance thereof, and gathering the data necessary to enforce more substantive electioneering restrictions. Eliminating anonymous contributions and expenditures is an important step in ensuring accurate calculations and proper enforcement of reporting and disclosure requirements. Many reporting and disclosure requirements rely on aggregate monetary totals of contributions and expenditures. It is impossible to accurately calculate aggregate monetary totals of contributions and expenditures if anonymous contributions and expenditures are allowed.

Accurately calculating aggregate monetary totals of contributions and expenditures is necessary for compliance with reporting and disclosure obligations that in turn provide information to the electorate about who is speaking, information that "is vital to the efficient functioning of the marketplace of ideas, and thus to advancing the democratic objectives underlying the First Amendment." *See, McCutcheon v. Federal Election Comm'n* 134 S. Ct. 1434, 1459-60 (2014). "This transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages." *See, Citizens United v. Federal Election Comm'n* 558 U.S. 310, 371, 130 S. Ct. 876, 916, 175 L. Ed. 2d 753 (2010).

Hawaii's contribution and expenditure reporting and disclosure obligations deter actual corruption and avoid the appearance of corruption by exposing the source of contributions and expenditures to the public. Anonymous cash contributions and expenditures create the appearance of corruption. Eliminating anonymous contributions and expenditures is an important step in deterring actual corruption by individuals attempting to circumvent contribution limitations.

The registration, record keeping, reporting, and disclosure requirements provide a means of detecting violations of valid contribution limitations preventing circumvention of Hawaii's campaign spending limitations, including rules that bar contributions by foreign corporations or individuals. Eliminating anonymous contributions and expenditures is an important step in ensuring compliance with reporting and disclosure requirements.

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. 1954 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 452-16 Judiciary on H.B. No. 2473

The purpose of this measure is to amend the penalty calculations for first and second violations of wage and hour laws applicable to government contractors. Specifically, this measure sets, in addition to owed back wages, a \$1,000 cap on first offense penalties and a \$10,000 cap on second offense penalties.

The Department of Labor and Industrial Relations, Hawaii Construction Alliance, Pacific Resource Partnership, and Hawaii Regional Council of Carpenters testified in support of this measure. The Building Industry Association of Hawaii testified in opposition to this measure. 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. 2473, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 453-16 Judiciary on H.B. No. 2554

The purpose of this measure is to establish and designate American Sign Language (ASL) as an official foreign language of the State.

Disability and Communication Access Board, the Aloha State Association of the Deaf, Maui Deaf Friends, Hawaii Deaf Surfriders Association, and numerous individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Deleting the reference to ASL as an official language and instead clarifying ASL as an established and designated language distinct from English and Hawaiian, which are the official languages of the State; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee finds that ASL is one of the most popular foreign languages at institutions of higher education in the United States. Your Committee also finds there are many benefits in recognizing ASL as an established and designated language including:

- (1) Allowing deaf children to become more self-confident in their identity, gain language fluency at an earlier age, and improve their critical-thinking skills; and
- (2) Enriching the language development of hearing children.

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. 2554, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2554, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 454-16 Judiciary on H.B. No. 2671

The purpose of this measure is to require the Chiefs of Police of the counties and law enforcement agencies of the State to provide the Department of the Attorney General with crime incident reports and other information regarding crimes that are necessary for the Attorney General to operate a statewide crime reporting program and to cooperate with the Federal Bureau of Investigation's Uniform Crime Reporting Program.

The Department of the Attorney General provided comments on this measure.

Your Committee finds that accurate, timely, and comprehensive reporting of crime data is vital to the administration of justice. It also enables law enforcement agencies to better monitor the allocation of the agencies' scarce resources and keeps the public informed.

Crime data, however, has not been consistently or timely reported. Reliance on the voluntary participation of law enforcement agencies to undertake data reporting has not been effective.

This measure ensures state and county agency participation in reporting crime data by assessing penalties for noncompliance with data reporting requirements. Furthermore, this measure insures more efficient compliance with these requirements by giving the Attorney General the discretion and flexibility to tailor the content of the reported information and the manner and format of the reports.

Your Committee has amended this measure to provide for penalties applicable to state law enforcement agencies and other county agencies that have the power of arrest and that do not comply with the Attorney General's reporting requirements.

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. 2671, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2671, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 455-16 Judiciary on H.B. No. 2357

The purpose of this measure is to reduce barriers for adolescents in accessing mental health care that may otherwise be unobtainable due to family dynamics or other circumstances by permitting minors fourteen years of age or older to consent to receive mental health treatment or counseling services provided by a licensed mental health professional if the licensed mental health professional deems the minor is mature enough to participate intelligently in the treatment or counseling services.

The Department of Health, Hawaii Youth Services Network, IMUAlliance, and two individuals testified in support of this measure. An individual opposed this measure. The Department of Education commented 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. 2357, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Creagan and Woodson.
(Representatives McDermott and Thielen voted no.)

SCRep. 456-16 Housing on H.B. No. 2638

The purpose of this measure is to:

- (1) Require the Hawaii Public Housing Authority (Authority) to impose a maximum rental period of seven years for state low-income housing projects that receive state funds for repair and maintenance or for capital improvement;
- (2) Require the Authority to fix the rates for the seven-year rentals for the entire term of the lease;
- (3) Establish savings accounts within the Authority to provide matching funds for tenants who participate in the seven-year rentals;
- (4) Authorize the issuance of general obligation bonds to fund the repair and maintenance of state low-income housing; and
- (5) Appropriate funds for the repair and maintenance of state low-income housing projects and to fund the savings accounts established by the Authority.

The General Contractors Association of Hawaii supported this measure. Black Lives Matter opposed this measure. The Hawaii Public Housing Authority, Governor's Coordinator on Homelessness, and Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Changing the maximum rental period for dwelling units in state low-income housing projects that receive state funding for repair and maintenance or for capital improvement from seven years to five years;
- (2) Requiring the Authority to not impose a maximum rental period of five years on individuals who are disabled or 65 years of age or older;
- (3) Replacing references to "savings accounts" with "trust accounts";
- (4) Requiring applicants who choose to rent dwelling units in a state low-income housing project to:
 - (A) Establish and maintain a trust account managed by the Authority, rather than a savings account at certain financial institutions; and
 - (B) Participate in the Family Self-Sufficiency Program under Title 42 United States Code Section 1437u;
- (5) Requiring tenants to pay an unspecified percent of their income as payment for rent to the Authority, and the Authority to take the difference between the tenant's payment and the fixed rate established by the Authority and deposit the moneys into the tenant's trust account;
- (6) Removing the requirement that the Authority shall not renovate a vacant dwelling unit if no applicant agrees to the conditions to rent the dwelling unit;
- (7) Appropriating funds for:
 - (A) Matching funds that will be placed in the trust accounts of the tenants; and
 - (B) An unspecified number of positions to manage the funds of the trust accounts of the tenants;
- (8) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee on Housing respectfully requests that it consider the questions and concerns raised by the Hawaii Public Housing Authority in its testimony.

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. 2638, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2638, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 457-16 Economic Development & Business on H.B. No. 2259

The purpose of this measure is to ensure that the State receives the maximum benefits from its tourism industry by requiring the Department of Business, Economic Development, and Tourism to prepare a report that examines the severity of economic leakage, which is the revenue lost to foreign economies, in the State's tourism industry.

A concerned individual testified in support of this measure. The Department of Business, Economic Development, and Tourism provided comments.

Tourism is Hawaii's number one industry and the economic engine that drives the State's economy. Due to the importance of tourism to the State's economy, it is crucial for policy makers to have access to a breadth of information relating to the tourism monies that enter, and potentially leave, the State. Your Committee finds that information regarding tourism industry money entering and leaving the State is currently unknown and that access to this information is critical to the development of strategies to strengthen and diversify the State's economy.

However, your Committee also notes that simply reporting on the severity of economic leakage in the tourism industry, while helpful, does not present an entire picture of the situation and its effect on other non-tourism industries statewide. Accordingly, your Committee has amended this measure by amending the scope of the report to require that the report examine the linkages between the State's tourism industry and other local industries of the State for the purpose of reducing economic leakage and improving the State's economic input-output model.

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

Should your Committee on Finance deliberate on this measure further, your Committee on Economic Development and Business respectfully requests that it consider appropriating \$200,000 for preparation of the report.

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. 2259, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2259, H.D. 2.

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

SCRep. 458-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.B. No. 2034

The purpose of this measure is to appropriate funds to the Kaho'olawe Island Reserve Commission for projects, including restoration and preservation projects. Specifically, this measure requires submission of a financial self-sufficiency and sustainability plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017.

Kaho'olawe Island Reserve Commission, a Maui Councilmember representing Molokai, the Conservation Council for Hawai'i, the County of Maui Department of Planning, Protect Kaho'olawe 'Ohana, the Aha Moku Advisory Committee, and numerous individuals testified in support of this measure. The Center for Hawaiian Sovereignty Studies and one individual testified in opposition of this measure.

Your Committees have amended this measure by:

- (1) Changing the appropriation amount from \$600,000 to an unspecified amount; and
- (2) Changing the effective date to December 24, 2018, to encourage further discussion.

Should the Committee on Finance deliberate this measure further, your Committee on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land respectfully request that it consider appropriating \$600,000 for projects undertaken by the Kaho'olawe island reserve commission.

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. 2034, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2034, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Evans, Nishimoto and Say.

SCRep. 459-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2179

The purpose of this measure is to appropriate funds for the administration and operation of the Aha Moku Advisory Committee and for community outreach.

The Aha Moku Advisory Committee, the Association of Hawaiian Civic Clubs, Kauai Wildlife Reserve, Marine and Coastal Zone Advocacy Council, Ko'olaupoko Hawaiian Civic Club, and numerous individuals testified in support of this measure. The Department of Land and Natural Resources supported this measure with comments.

Your Committee amended the measure by:

- (1) Changing the appropriation amount for administrative and operational expenses of the Aha Moku Advisory Committee from \$250,000 to an unspecified amount;
- (2) Changing the appropriation amount for community outreach efforts of the Aha Moku Advisory Committee from \$250,000 to an unspecified amount; and
- (3) Changing the effective date of the measure to December 24, 2088 to encourage further discussion.
- (4) Making a technical amendment.

Should the Committee on Finance deliberate this measure further, your Committee on Ocean, Marine Resources, & Hawaiian Affairs respectfully requests that it consider appropriating \$250,000 for the purpose administrative and operational expenses and \$250,000 for community outreach.

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. 2179, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2179, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Evans, Nishimoto and Say.

SCRep. 460-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2180

The purpose of this measure is to appropriate funds for the Judiciary, in collaboration with the University of Hawaii to establish Hawaiian language resources for the Judiciary.

The Judiciary, the Hawaiʻiniuiākea School of Hawaiian Knowledge at the University of Hawaiʻi at Mānoa, Ka Haka ʻUla O Keʻelikōlani College of Hawaiian Language at the University of Hawaii at Hilo, University of Hawaii Institute of Hawaiian Language Research and Translation, the University of Hawaiʻi Maui College, the Association of Hawaiian Civic Clubs, Kamehameha Schools, members of the Hawaiian Language Task Force, Hale Kuamoʻo Language Center, Department of Land and Natural Resources Aha Moku Advisory Committee, Hoʻomana Pono, LLC, and numerous individuals testified in support of this measure. Kalihi Palama Hawaiian Civic Club supported this measure with comments. Center for Hawaiian Sovereignty Studies testified in opposition of this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$500,000 to an unspecified amount to facilitate further discussion; and
- (2) Adding an effective date of December 24, 2088.

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. 2180, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2180, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Evans, Nishimoto and Say.

SCRep. 461-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2750

The purpose of this measure is to create a Native Hawaiian Housing Task Force, administratively attached to the Office of Hawaiian Affairs, to identify duplicative housing-related services among state agencies that serve Native Hawaiians to improve efficiency in the delivery of those services.

The Association of Hawaiian Civic Clubs submitted testimony in support of this measure. The Department of Hawaiian Home Lands, Office of Hawaiian Affairs, and Hoʻomana Pono, LLC submitted testimony in opposition. An individual submitted comments.

Your Committee has amended this measure by:

- (1) Amending its purpose section; 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. 2750, as amended herein, and

recommends that it pass Second Reading in the form attached hereto as H.B. No. 2750, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 462-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2458

The purpose of this measure is to encourage the cultivation of loko iʻa, Hawaiian fishponds, by applying a favorable wholesale general excise tax rate to aquacultural products produced in loko iʻa.

The Office of Hawaiian Affairs and Koʻolaupoko Hawaiian Civic Club and one concerned individual submitted testimony in support of this measure. Hoʻomana Pono, LLC submitted testimony in opposition. The Department of the Attorney General, Department of Taxation, and Tax Foundation of Hawaii submitted comments.

Your Committee notes that the Department of the Attorney General raised concerns in testimony that the favorable tax rate applied by this measure to products which, by definition, are only able to be produced in Hawaii may invite scrutiny under the Commerce Clause of the United States Constitution. The Attorney General opined that this measure, when read in conjunction with the state-specific definition of a Hawaiian fishpond, may provide a distinct advantage to products produced within the State over those produced elsewhere in interstate commerce.

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. 2458, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2458, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 463-16 Labor & Public Employment on H.B. No. 1807

The purpose of this measure is to provide service members of the United States Army Reserve and the National Guard with paid military leave while on inactive-duty training.

The State Adjutant General; Hawaii Emergency Management Agency; and two concerned individuals 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 H.B. No. 1807, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 464-16 Labor & Public Employment on H.B. No. 2226

The purpose of this measure is to appropriate funds to the Office of Language Access to establish three full-time equivalent permanent positions to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

The Office of Language Access; Catholic Charities Hawaii; Hawaii Filipino Lawyers Association; and several concerned individuals supported this measure.

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

Should the Committee on Finance deliberate on this measure further, your Committee respectfully requests that it consider appropriating \$200,000 for the purpose of establishing three full-time equivalent permanent positions within the Office of Language Access.

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. 2226, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2226, H.D. 2.

Signed by all members of the Committee.

SCRep. 465-16 Labor & Public Employment on H.B. No. 2227

The purpose of this measure is to support ongoing efforts to improve access to government services and programs for limited English proficient individuals by appropriating funds to operate the Statewide Language Access Resource Center and the Multilingual Website Pilot Project.

The Office of Language Access; Hawaii Filipino Lawyers Association; and several concerned individuals supported this measure. A concerned individual submitted comments.

Your Committee has amended this measure by 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:

- (1) \$300,000 for fiscal year 2016-2017 to operate the Statewide Language Access Resource Center; and
- (2) \$150,000 for fiscal year 2016-2017 to operate the Multilingual Website Pilot Project.

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. 2227, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2227, H.D. 2.

Signed by all members of the Committee.

SCRep. 466-16 Labor & Public Employment on H.B. No. 2693

The purpose of this measure is to enhance the capabilities of the State Historic Preservation Division of the Department of Land and Natural Resources to expeditiously review Department of Transportation project proposals by creating and funding two additional positions in the State Historic Preservation Division.

The Department of Land and Natural Resources and an individual testified in support of this measure. The Society for Hawaiian Archaeology 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 is in accord with the intent and purpose of H.B. No. 2693, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 467-16 Labor & Public Employment on H.B. No. 2009

The purpose of this measure is to:

- (1) Repeal the Hoisting Machine Operators' Certification Revolving Fund and the position of the executive director for the Hoisting Machine Operators Advisory Board (Board);
- (2) Require that the Department of Labor and Industrial Relations provide administrative support and staff for the Board; and
- (3) Authorize the Board to establish fees for the issuance of permits or certificates by administrative rule.

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

Your Committee has amended this measure by changing its effective date to July 1, 2091, to facilitate 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. 2009, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2009, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 468-16 Labor & Public Employment on H.B. No. 2647

The purpose of this measure is to assist homeless individuals in finding jobs by:

- (1) Requiring the City and County of Honolulu to establish a pilot program that connects homeless individuals willing to work with job opportunities; and
- (2) Appropriating funds to the City and County of Honolulu to establish the pilot program.

IMUAlliance and several individuals testified in support of this measure. The Governor's Coordinator on Homelessness and United Public Workers, AFSCME, Local 646, AFL-CIO, provided comments.

Your Committee notes that concerns were raised regarding the homeless population on the island of Hawaii. Specifically, questions were raised regarding the limitation of this measure to the City and County of Honolulu. Should the Committee on Finance choose to deliberate on this measure, your Committee respectfully requests that it consider expanding the program statewide.

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. 2647, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 469-16 Labor & Public Employment on H.B. No. 2122

The purpose of this measure is to enhance employment security by doubling the maximum potential unemployment benefits for employees separated from service on or after a particular date.

The ILWU Local 142 testified in support of this measure. The Department of Labor and Industrial Relations, the Chamber of Commerce Hawaii, the Building Industry Association of Hawaii, and the Hawaii Restaurant Association testified in opposition.

Your Committee has amended this measure by:

- (1) Decreasing the maximum potential period of eligibility for unemployment benefits from fifty-two to thirty-nine weeks;
- (2) Requiring that eligible individuals terminated or laid off by Hawaiian Commercial and Sugar Company complete a training or retraining program to receive the maximum potential unemployment benefits; and
- (3) Specifying a separation date of on or after March 7, 2016 as a condition of eligibility for the increased benefit period.

Your Committee notes that concerns were raised regarding the specific inclusion of employment training or retraining requirements applicable only to Hawaiian Commercial and Sugar Company workers.

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. 2122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2122, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives LoPresti and San Buenaventura.

SCRep. 470-16 Labor & Public Employment on H.B. No. 2446

The purpose of this measure is to provide options to assist public employees who may be displaced through the privatization or closure of a state or county facility and to reduce the need for layoffs. Specifically, this measure authorizes public employers to offer a voluntary severance or special retirement benefit to employees who elect to separate from service when their positions are identified for abolishment, reduction-in-force, or workforce restructuring.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, the United Public Workers, AFSCME Local 626, AFL-CIO, and several individuals testified in support. The Department of Budget and Finance testified in opposition. The Employees' Retirement System provided comments.

Your Committee has amended this measure by:

- (1) Defining "vested member" as a member of the State Employees' Retirement System who has sufficient credited service to be eligible to receive the service retirement benefit;
- (2) Specifically offering voluntary severance in lieu of exercising any reduction-in-force rights to employees affected by the privatization of services within the Maui regional system;
- (3) Removing the credited service criteria for the special retirement benefit and replacing it with the requirement that the employee is within five years of the employee's qualified retirement age;
- (4) Removing the exception to the requirement that employees who return to public service within two years must repay the voluntary severance benefit or special retirement benefit to the public employer or the Employees' Retirement System; and
- (5) Requiring that any employee who received a special retirement benefit and returns to work shall meet the age and service requirements in effect when the individual first entered state employment.

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. 2446, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2446, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 471-16 Labor & Public Employment on H.B. No. 1727

The purpose of this measure is to raise awareness of possible eligibility for the federal Earned Income Tax Credit by requiring employers to notify employees that they may be eligible for the credit when providing annual wage summary statements.

The Office of Hawaiian Affairs and Hawaii Appleseed Center for Law and Economic Justice supported this measure. Hawaii Restaurant Association and a concerned individual opposed this measure. Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2091, 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. 1727, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1727, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 472-16 Labor & Public Employment on H.B. No. 1997

The purpose of this measure is to promote the expansion and development of the State's agricultural industry by:

- (1) Establishing the K-12 Agriculture Workforce Development Pipeline Initiative Program (Program) in the Department of Labor and Industrial Relations to conduct training sessions in agricultural self-sufficiency for teachers and school administrators on the islands of Oahu, Hawaii, Maui, Molokai, Lanai, and Kauai; and
- (2) Making an appropriation for the Program.

The Department of Education, Department of Labor and Industrial Relations, Department of Agriculture, College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa, Hawaii Farm Bureau, and Land Use Research Foundation of Hawaii 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. 1997 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 473-16 Labor & Public Employment on S.B. No. 2289

The purpose of this measure is to assist the Department of Labor and Industrial Relations (DLIR) in gathering information necessary for preparing accurate summaries of economic conditions in Hawaii. Specifically this measure requires employers to keep a record of the former physical addresses and current physical address of the employer and the North American Industry Classification System code applicable to the employer and deletes insurance reporting requirements made obsolete by federal law.

DLIR testified in support of this measure. ALTRES, Inc. provided comments.

Your Committee has amended this measure by specifying that every employer, including those using professional employer organizations or third-party administrators, must keep records of their former and current physical addresses and their North American Industry Classification System code.

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. 2289, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2289, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 474-16 Labor & Public Employment on H.B. No. 2348

The purpose of this measure is to assist the Department of Human Services by:

- (1) Restoring the second Deputy Director position;
- (2) Establishing the positions of Community/Project Development Director and Policy Director within the Office of the Director of Human Services;
- (3) Converting six management positions within the Med-QUEST Division to temporary civil service exempt status; and
- (4) Funding the Deputy Director, Community/Project Development Director, and Policy Director positions and one private secretary position for the second Deputy Director.

The Department of Human Services supported this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposed this measure.

Your Committee has amended this measure by:

- (1) Making the civil service exempt status permanent for the Community/Project Development Director and the Policy Director; and
- (2) Removing the provisions that converted six identified positions in the Med-QUEST division to temporary civil service exempt status.

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. 2348, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2348, H.D. 2.

Signed by all members of the Committee except Representative Har.

SCRep. 475-16 Labor & Public Employment on H.B. No. 2351

The purpose of this measure is to:

- (1) Comply with *Konno v. County of Hawaii*, 85 Hawaii 61, 937P.2d 397 (1997), whereby the Hawaii Supreme Court held that the County violated civil service law and merit principles when it hired private contractors to perform work that is historically and customarily performed by civil service employees;
- (2) Comply with the court-ordered mediation agreement between the State Executive Branch and the United Public Workers regarding services historically and customarily performed by civil service employees; and
- (3) Authorize and fund positions needed to perform services that are currently being contracted by the Executive Branch departments.

The Department of Human Resources Development; Department of Land and Natural Resources; Department of Public Safety; and the Department of Accounting and General Services supported this measure. The United Public Workers, AFSCME, Local 646, AFL-CIO, provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriations for the various positions to unspecified amounts;
- (2) Changing its effective date to July 1, 2091, to encourage further discussion.

Should the Committee on Finance deliberate on this measure further, your Committee respectfully requests inserting the following appropriations amounts:

- (1) \$224,520, for the positions with the Department of Public Safety;
- (2) \$1,287,016, for the positions with the Department of Land and Natural Resources;
- (3) \$678,480, for the positions with the Department of Defense; and
- (4) \$972,866, for the positions with the Department of Accounting and General Services.

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. 2351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2351, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 476-16 Labor & Public Employment on H.B. No. 2489

The purpose of this measure is to address the needs of all veterans, with a focus on female veterans who served on active duty for the full period they were activated, by appropriating funds for the establishment of one full-time permanent Veterans Services Counselor IV position in the Office of Veterans' Services.

The State Adjutant General and Director of the Hawaii Emergency Management Agency; Office of Veterans' Services; State Veterans Advisory Board; Women's Military Task Force Committee; Planned Parenthood Votes Northwest and Hawaii; the Sex Abuse Treatment Center; and a concerned individual 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 H.B. No. 2489 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 477-16 Public Safety on H.R. No. 8

The purpose of this measure is to request Hawaii's congressional delegation to assist the State in negotiating with the federal government for the acquisition of the Federal Detention Center in Honolulu.

The Department of Public Safety and Hawaii Paroling Authority supported this measure. A concerned individual opposed 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 concurs with the intent and purpose of H.R. No. 8 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 478-16 Public Safety on H.C.R. No. 31

The purpose of this measure is to request Hawaii's congressional delegation to assist the State in negotiating with the federal government for the acquisition of the Federal Detention Center in Honolulu.

The Department of Public Safety and Hawaii Paroling Authority supported this measure. A concerned individual opposed 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 concurs with the intent and purpose of H.C.R. No. 31 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Aquino.

SCRep. 479-16 Housing on H.B. No. 2744

The purpose of this measure is to amend certain statutes relating to the low-income housing tax credit provided by the State. Among other things, this measure:

- (1) Increases the aggregate state housing credit dollar amount available for award annually;
- (2) Removes provisions establishing eligibility and credit rates for taxpayers issued subawards under Section 1602 of the American Recovery and Reinvestment Act of 2009;
- (3) Clarifies the allocation of tax credits for pass-through entities;
- (4) Bases the amount of tax credit for a building on whether or not the building is financed by tax-exempt bonds; and

- (5) Removes requirements for applying Internal Revenue Code sections regarding at-risk rules and limitation of passive activity losses and credits.

InState Partners supported this measure. The Hawaii Housing Finance and Development Corporation and Department of Taxation provided comments.

Your Committee has amended this measure by:

- (1) Reinstating certain language that was to be repealed by this measure, including:
- (A) Provisions related to eligibility and credit rate for recipients of subawards issued under Section 1602 of the American Recovery and Reinvestment Act of 2009; and
 - (B) Requirements for application of Internal Revenue Code sections regarding at-risk rules and limitation of passive activity losses and credits;
- (2) Removing language that:
- (A) Would have qualified taxpayers who own an interest in a qualified low-income housing building or qualified low-income housing project located in the State as eligible to claim a low-income housing tax credit against the taxpayer's net income tax liability; and
 - (B) Would have required tax credits of a partnership, S corporation, estate, or trust to be determined at the entity level;
- (3) Increasing the value of the State Low-Income Housing Tax Credits by shortening the term over which the credits are taken to five years; and
- (4) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2744, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2744, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 480-16 Labor & Public Employment on H.B. No. 2486

The purpose of this measure is to stimulate economic development and job growth on the western end of the Island of Oahu by establishing the Kapolei Jobs Initiative program that offers an income tax credit as a tax incentive to increase the number of businesses willing to establish or relocate themselves in the Kapolei region.

The Chamber of Commerce Hawaii; Kapolei Chamber of Commerce; Avalon Group; Land Use Research Foundation of Hawaii; Palehua Townhouse Association; and a few concerned individuals supported this measure. The Department of Business, Economic Development, and Tourism; Department of Taxation; and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Specifying that qualified businesses must establish or relocate within the designated geographic area by December 31, 2020;
- (2) Requiring that for a business to be a qualified business, it must participate in the State Enterprise Zone Program;
- (3) Specifying that businesses must remain in the designated geographic region for the duration of the program to be a qualified business;
- (4) Clarifying that the tax credit shall only apply to taxable income of a qualified business attributable to the conduct of the business within the designated geographic area;
- (5) Changing the repeal date to December 31, 2027; and
- (6) Making technical nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes the concerns raised by the Department of Taxation (Department) regarding the ability of the tax credit to be carried forward. Should the Committee on Finance deliberate on this measure further, your Committee respectfully requests that the Committee on Finance address the concerns raised by the Department.

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. 2486, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2486, H.D. 2.

Signed by all members of the Committee.

SCRep. 481-16 Human Services/Health on H.B. No. 2540

The purpose of this measure is to encourage individuals with disabilities to gain employment and improve their employment opportunities by removing structural disincentives for employment from state medical benefits programs. Specifically, this measure:

- (1) Establishes a Working Disabled Adults Pilot Program (Pilot Program) to create a new Medicaid eligibility group for workers with disabilities and appropriates funds to the Department of Human Services (Department) for the Pilot Program;
- (2) Establishes a Medicaid Buy-in Program for Workers with Disabilities to support the employment of individuals with disabilities through expanding their access to Medicaid, to be implemented once the Pilot Program is completed; and
- (3) Requires the Department to report to the Legislature with an update on the Pilot Program and recommendations on the possible implementation of the Medicaid Buy-in Program.

The State Council on Developmental Disabilities, Lanakila Workforce Resources, Ohana Health Plan, and a few concerned individuals supported this measure. The Department of Human Services and Hawaii Disability Rights Center provided comments.

Your Committees have amended this measure by:

- (1) Removing language requiring the Department of Human Services to establish the Pilot Program and appropriating funds for the Pilot Program;
- (2) Removing language requiring the Department to report to the Legislature on the Pilot Program and recommendations on the possible implementation of the Medicaid Buy-in Program;
- (3) Requiring that the Department seek approval from the federal government before implementing the Medicaid Buy-in Program for Workers with Disabilities;
- (4) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2540, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2540, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 482-16 Human Services/Health on H.B. No. 2343

The purpose of this measure is to bring state law into alignment with changes to the Federal Child Care and Development Block Grant, Public Law 113-186. The Child Care and Development Block Grant requirements ensure the health, safety, and well-being of children served under the grant, including requiring the Department of Human Services (Department) to establish minimum health and safety requirements for child care providers as well as persons exempt pursuant to Section 346-152, Hawaii Revised Statutes, to be eligible to provide care to a child whose family receives a child care subsidy from the Department.

The Department, Civil Beat Law Center for the Public Interest, Hawaii Association for the Education of Young Children, Hawaii Children's Action Network, and a concerned individual supported this measure.

Your Committees have amended this measure by:

- (1) Clarifying that the intent of this measure is not to restrict public access to Department inspection records by requiring that the records be available for inspection in a manner that is set forth by Chapter 92F, Hawaii Revised Statutes; 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 Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2343, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2343, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 483-16 Human Services/Health on H.B. No. 2345

The purpose of this measure is to delete certain statutory provisions that are no longer applicable to the Department of Human Services as it no longer licenses or certifies health care settings. Specifically, this measure:

- (1) Deletes references to the Department of Human Services with regard to:
 - (A) Licensing or certifying health care settings;
 - (B) Disciplining certified nurse aides employed in health care settings; and

- (C) Reporting substantiated findings as required by 42 U.S.C. §§1395:3 and 1396r; and
- (2) Repeals section 346-47, Hawaii Revised Statutes, which relates to the investigation of certified nurse aides by the Department.

The Department of Human Services and Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs supported 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 are in accord with the intent and purpose of H.B. No. 2345 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 484-16 Legislative Management on H.B. No. 1787

The purpose of this measure is to establish the Erin's Law Task Force (Task Force) to guide the establishment of a program to educate public school students on sexual abuse prevention through the use of age-appropriate curricula. Specifically, the Task Force shall review current policies, programs, and curricula for educating students in the public school system about sexual abuse prevention and make recommendations for the establishment of the program.

The Executive Office on Early Learning; State Public Charter School Commission; Department of Education; Sex Abuse Treatment Center; IMUAlliance; Parents and Children Together; Planned Parenthood Votes Northwest and Hawaii; Hawaii Association for Infant Mental Health; NuWayve Unlimited; and a concerned individual supported this measure. The Department of Human Services commented on this measure.

Your Committee has amended this measure by:

- (1) Removing the following members of the Task Force:
 - (A) A non-legislative member of the Keiki Caucus of the Legislature, designated by the Caucus;
 - (B) A member of the Board of Education, designated by the Chair of the Board of Education; and
 - (C) The four executive directors, or their designees, of community organizations involved in providing direct services addressing sexual abuse in children and youth in the State;
- (2) Removing the requirement of at least four sessions of instruction in regard to the required elements of an instructional program; and
- (3) Making the meetings of the Task Force exempt from the public agency meetings and records requirements of chapter 92, Hawaii Revised Statutes.

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. 1787, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1787, H.D. 2.

Signed by all members of the Committee.

SCRep. 485-16 Legislative Management on H.B. No. 1595

The purpose of this measure is to increase participation and accessibility to legislative proceedings by establishing the Remote Testimony Task Force to develop procedures for the public to testify remotely via the Internet during legislative proceedings.

The Office of Enterprise Technology Services; Office of Hawaiian Affairs; two Hawaii County Council members; League of Women Voters of Hawaii; Democratic Party of Hawaii; Aloha State Association of the Deaf; Common Cause Hawaii; and numerous concerned individuals supported this measure. A concerned individual provided comments.

Your Committee has amended this measure by adding an additional member of the task force that has knowledge and experience with the barriers faced by hearing or vision impaired people.

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. 1595, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1595, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 486-16 Legislative Management on H.B. No. 2542

The purpose of this measure is to enhance the State's efforts to ensure biosecurity and reduce the introduction of invasive species to Hawaii by requiring the Auditor to conduct a financial and performance audit of the duties and facilities of the Plant Quarantine Branch of the Department of Agriculture, including the Branch's Biosecurity Program and related programs.

The Hawaii Floriculture and Nursery Association testified in support of this measure. The Department of Agriculture and the Oahu Invasive Species Committee provided comments.

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. 2542, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 487-16 Judiciary on H.B. No. 1516

The purpose of this measure is to clarify that the internet crimes against children fee shall be assessed against every defendant who is convicted of a misdemeanor or felony regardless of the nature of the offense, except when the court determines the defendant is unable to pay the fee.

The Department of the Attorney General testified in support of this measure.

Your Committee finds that "Alicia's Law," originally enacted as Chapter 846F, Hawaii Revised Statutes, by Act 115, Session Laws of Hawaii 2014, was intended to assess a crimes against children fee on every person convicted of a misdemeanor or a felony, unless that person was unable to pay the fee. To better clarify the intended scope of the assessed fee, this measure moves the content of Alicia's law to chapter 706, Hawaii Revised Statutes, which covers the disposition of all convicted defendants. Your Committee hopes that this statutory change, as well as the maintenance of the internet crimes against children special fund, will better enhance the effectiveness of Alicia's Law.

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. 1516 and recommends that it be referred to your Committee on Finance.

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

SCRep. 488-16 Judiciary on H.B. No. 2359

The purpose of this measure is to ensure the timely and relevant administration of mental health examinations to support the expedient administration of justice and due process for defendants who may have mental health issues. Specifically, this measure reduces the time defendants spend in state custody awaiting forensic mental health examinations and the resultant rulings on fitness to proceed and penal responsibility by separating the two evaluations.

The Department of Health and two individuals testified in support of this measure. The City and County of Honolulu Department of the Prosecuting Attorney opposed this measure. The Office of the Public Defender and an individual commented 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. 2359, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 489-16 Judiciary on H.B. No. 2468

The purpose of this measure is to authorize and require the Employees' Retirement System to make direct payment to a spouse or former spouse of a system member or retiree of all or a portion of the member's or retiree's benefits pursuant to a Hawaii domestic relations order. This measure also appropriates funds to the Employees' Retirement System for fiscal year 2016–2017 for:

- (1) One full-time equivalent (1.00 FTE) claims examiner position; and
- (2) Planning and expenditures necessary for the implementation of this measure.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME, Local 646, AFL-CIO; Farrell & Associates; and a concerned individual supported this measure. The Employees' Retirement System provided comments.

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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2468, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2468, H.D. 2.

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

SCRep. 490-16 Judiciary on H.B. No. 1111

The purpose of this measure is to:

- (1) Authorize the Hawaii Health Systems Corporation to set rates for copies of records that are protected from certain disclosure requirements; and
- (2) Establish minimum and maximum rates for copies of medical records.

The Office of Information Practices 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. 1111, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 491-16 Judiciary on H.B. No. 1662

The purpose of this measure is to support and encourage victims and other witnesses to report and pursue charges relating to criminal offenses that occur in Hawaii by:

- (1) Increasing the per diem payments for out-of-state witnesses from \$145 to \$200 per 24-hour day; and
- (2) Increasing the overnight supplement for inter-island witnesses who are required to stay overnight from \$90 to \$145 per 24-hour day, in addition to the \$55 per diem payment.

The Honolulu Department of the Prosecuting Attorney, Hawaii Office of the Prosecuting Attorney, Kauai Office of the Prosecuting Attorney, and Maui Office of the Prosecuting Attorney testified in support of this measure.

Your Committee finds per diem stipends to witnesses who travel from out-of-state or interisland have increased by only a small amount in the most recent 27 years. This small increase has not kept pace with inflation. The current per diem amount is insufficient to cover the witnesses' personal expenses for lodging and food. Witnesses must use their own money to pay for these expenses. This has reduced witness participation and the pursuit of charges against offenders, thus presenting an economic barrier to successful prosecution.

This measure alleviates the economic barrier at minimal cost. For example, based on the per diem amounts specified by this measure, Honolulu's Department of the Prosecuting Attorney's 2016 expenses would increase by only approximately \$12,500.

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. 1662 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Woodson and McDermott.

SCRep. 492-16 Judiciary on H.B. No. 2115

The purpose of this measure is to modernize fiduciary law for the Internet age by providing internet users with the authority to plan for the management and disposition of their digital assets and to authorize procedures for management and disposition of digital assets in the absence of any specific directive.

The State Privacy and Security Coalition, Commission to Promote Uniform Legislation, Google, and Facebook, Inc. 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. 2115, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 493-16 Judiciary on H.B. No. 2135

The purpose of this measure is to support the education of home schooled students by allowing them, subject to certain health and academic requirements and the payment of appropriate fees, to participate in extracurricular activities offered at the public school that they would otherwise be required to attend.

The Kailua High School Student Board of Affairs and many individuals testified 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2135, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 494-16 Judiciary on H.B. No. 2395

The purpose of this measure is to exempt the following from current prohibitions regarding the disclosure of tax return information:

- (1) The restricted disclosure of tax return information to federal or state officials where such information is essential to the investigation or prosecution of a crime or to various judicial or quasi-judicial proceedings; and
- (2) The disclosure of tax return information for a limited set of circumstances relating to the administration, management, carrying out, direction, or supervision of the execution and application of federal or state tax laws.

The Department of the Attorney General and Department of Taxation testified 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2395 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 495-16 Judiciary on H.B. No. 1144

The purpose of this measure, as received by your Committee, is to propose an amendment to the Hawaii State Constitution that guarantees specific rights to victims of crime and their surviving immediate family including rights to receive information, participate in the criminal justice process, and to financial reimbursement from the offender, to be known as "Marsy's Law".

For purposes of the public hearing on February 9, 2016, your Committee posted notice of and circulated a proposed draft, that deletes the provisions of the measure as it was received by your Committee and inserts new language that:

- (1) Specifies the victims of crime, crime victims, or victims that are the subject of the proposed constitutional rights;
- (2) Clarifies the rights to be afforded the victim of crime;
- (3) Deletes the provision relating to the expeditious return of property that is used for evidence; and
- (4) Deletes the provision that permitted the State to assert the court's denial of a crime victim's right as an error to sustain an appeal of a criminal case.

The Department of the Attorney General, Department of Public Safety, Hawaii State Commission on the Status of Women, Crime Victim Compensation Commission, Kauai County Prosecuting Attorney, Parents and Children Together, The Pacific Alliance to Stop Slavery, Catholic Charities Hawaii, American Association of University Women - Hawaii, Mothers Against Drunk Driving National Office, Mothers Against Drunk Driving HAWAII, Domestic Violence Action Center, Visitor Aloha Society of Hawaii, The Children's Alliance of Hawaii, National Organization of Parents of Murdered Children, Parents of Murdered Children, Missing Child Center Hawaii, The Sex Abuse Treatment Center, Marsy's Law Hawaii, National Crime Victim Law Institute, Child & Family Service, YMCA of Hawaii Island, Louis Pohl Gallery, and many concerned individuals testified in support of H.B. No. 1144, H.D. 1, Proposed. The American Civil Liberties Union of Hawaii testified in opposition. The Honolulu Department of the Prosecuting Attorney provided comments.

Your Committee finds that constitutionally protected rights will better ensure that crime victims are not overlooked by the criminal justice system. The existing statutory rights for crime victims simply do not work and have not been implemented in a consistently meaningful way.

Due to the regard with which constitutional rights are viewed, the committee notes that proposals to amend the State's Constitution are not to be done casually and consequently did not pass this measure last session. Instead it used the interim to research and reflect upon the scope of the rights, ultimately providing a proposal for an amended measure in advance of the hearing so that various stakeholders could comment on it.

The proposed amended bill is intended to reflect a terse yet flexible group of rights for crime victims. These rights are based on the well-tested federal statute for crimes that fall under federal jurisdiction. It should be noted that these rights are not written in such a detailed manner as to constrain the criminal justice process or require repeated amendments.

It is the committee's strong intent that the rights apply to all proceedings related to the criminal conduct including proceedings handled by the Department of Public Safety and the Paroling Authority.

The time period for which these rights exist is intentionally broad and intended to mean all stages of the criminal justice process. This means from the time an injury was inflicted on the victim and continuing until the offender is no longer in the criminal justice system including parole, probation, release from a mental institution, and no longer subject to registration on the sex offender registry.

Your Committee considered both H.B. No. 1144 as it was received by your Committee and the proposed draft. Upon careful consideration, your Committee voted to accept the proposed draft, with amendments to clarify that the victim's rights apply to all proceedings related to the criminal conduct.

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. 1144, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1144, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Woodson and McDermott.

SCRep. 496-16 Consumer Protection & Commerce on H.B. No. 1669

The purpose of this measure is to improve the peer review process for public accountancy by:

- (1) Allowing peer reviews to be conducted by individuals licensed to practice public accountancy in any state; and
- (2) Extending the deadline for the filing of peer review compliance reporting forms and the appeal of certain peer review ratings from ten days to thirty calendar days.

The Board of Public Accountancy testified in support of this measure.

Your Committee has amended this measure by:

- (1) Incorporating the contents of H.B. No. 1670, Regular Session 2016, which:

- (A) Allows members of the Public Accountancy Peer Review Oversight Committee (Committee) to be reimbursed for expenses; and
 - (B) Protects the members of the Committee from civil liability for actions done in furtherance of the purposes of the Committee;
- (2) Incorporating section 1 of H.B. No. 2651, Regular Session 2016, which defines the term "Hawaii attest work"; 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. 1669, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1669, H.D. 1.

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

SCRep. 497-16 Consumer Protection & Commerce on H.B. No. 1955

The purpose of this measure is to improve the level of care of animals in the State by:

- (1) Establishing requirements for the regulation of veterinary technicians and the practice of veterinary technology;
- (2) Establishing registration requirements; educational requirements; limitations on use of titles; grounds for refusal to grant, revoke, or suspend registration; hearing requirements; and criminal penalties for veterinary technicians; and
- (3) Requiring the Board of Veterinary Examiners to issue certificates of registration to applicants beginning on July 1, 2018.

Windward Community College, Hawaii Veterinary Technician Association, and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs, Office of the Auditor, and Board of Veterinary Examiners provided comments on this measure.

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

- (1) A new chapter within the Hawaii Revised Statutes that requires a person to meet certain qualifications and register with the Department of Commerce and Consumer Affairs before representing, announcing, or advertising oneself, publicly or privately, as a veterinary technician or registered veterinary technician, or appending the letters "RVT" or "VT" or affix any other words, letters, abbreviations, or insignia to the person's name indicating or implying that the person is a practitioner of veterinary technology;
- (2) A \$100 surcharge in addition to the registration and renewal fee for veterinary technicians under certain conditions;
- (3) An unspecified appropriation for the implementation of registration requirements for veterinary technicians; and
- (4) An effective date of 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. 1955, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1955, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 498-16 Consumer Protection & Commerce on H.B. No. 2301

The purpose of this measure is to strengthen the membership of the Hawaii Green Infrastructure Authority by:

- (1) Replacing the energy program administrator of the Department of Business, Economic Development, and Tourism with the Director of Commerce and Consumer Affairs as a member; and
- (2) Adding two additional gubernatorially-appointed members and specifying that of the four members appointed by the Governor, two of these members must have a demonstrated expertise in public finance or economics and two of these members must have a demonstrated expertise in clean energy.

The Department of Commerce and Consumer Affairs and the Department of Business, Economic Development, and Tourism supported this measure.

Your Committee has amended this measure by:

- (1) Including a preamble to show the original intent of the Hawaii Green Infrastructure Authority, which is to provide public utilities financing to persons with lower income; and
- (2) 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 H.B. No. 2301, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2301, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 499-16 Consumer Protection & Commerce on H.B. No. 1756

The purpose of this measure is to ensure safe and quality nursing services for patients statewide by:

- (1) Requiring all nurse licensure applicants and nurse license renewal applicants to comply with state and federal criminal history record checks; and
- (2) Authorizing the Board of Nursing to develop and adopt rules to implement the required criminal history record checks.

The University of Hawai‘i at Mānoa School of Nursing and Dental Hygiene, Hawai‘i Pacific Health, the Hawai‘i State Center for Nursing, Prime Care Services Hawaii, Inc., the American Organization of Nurse Executives, Hawaii Chapter, and one individual testified in support of this measure. The Board of Nursing testified in support of the intent of this measure. One individual testified in opposition.

Your Committee has amended this measure by requiring that:

- (1) The Board of Nursing conduct an investigation of the applicant's background, character, competency, and integrity and request criminal history records of the applicant or licensee; and
- (2) The Hawaii Criminal Justice Data Center provide criminal history records to the Director of Commerce and Consumer Affairs on request.

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. 1756, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 1756, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 500-16 Consumer Protection & Commerce on H.B. No. 2324

The purpose of this measure is to:

- (1) Adopt the National Association of Insurance Commissioners' Risk Management and Own Risk and Solvency Assessment Model Act;
- (2) Apply risk-based capital supplemental provisions, severability, and notice provisions to risk retention captive insurance companies; and
- (3) Adopt the National Association of Insurance Commissioners Model Risk Retention Act.

The Department of Commerce and Consumer Affairs, National Association of Mutual Insurance Companies, American Council of Life Insurers, and Property Casualty Insurers Association of America testified in support of this measure. The Hawaii Medical Association testified in support of the intent of this measure. The Office of Information Practices provided comments 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2324, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2324, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 501-16 Consumer Protection & Commerce on H.B. No. 2570

The purpose of this measure is to encourage and facilitate the development of electrical power microgrids in the State.

Specifically, the measure promotes the development of microgrids by:

- (1) Prohibiting counties from requiring buildings that are served by a microgrid to be connected to an otherwise available source of electrical power; and
- (2) Exempting certain microgrids from being regulated as a public utility.

Your Committee received testimony in support of this measure from the Alliance for Solar Choice. Written comments were received from the Public Utilities Commission.

Your Committee finds that a microgrid is a localized electrical system composed of interconnected loads and distributed energy resources within clearly defined electrical boundaries. Your Committee further finds that this measure will remove regulatory hurdles to alternative energy development and enable customers to explore the development of microgrids and ensure that Hawaii continues to be on the forefront of clean energy initiatives.

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. 2570, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 502-16 Consumer Protection & Commerce on H.B. No. 2333

The purpose of this measure is to allow of the Board of Nursing to share nurse license information with the Nursys coordinated nurse licensure information system.

Testimony in support of this measure was submitted by the Board of Nursing, Hawaii State Center for Nursing at the University of Hawaii at Manoa, Hawaii Pacific Health, and one individual.

Your Committee finds that Nursys is the only national verification database for nurse licensure, discipline, and practice privileges for registered nurses and licensed practical nurses. Boards of nursing in participating states may utilize Nursys to verify a nurse's licensure details, enter and review disciplinary actions, enhance communication between other participating boards, and retrieve disciplinary and other reports. Your Committee finds that Hawaii is one of only four states that does not fully participate in Nursys.

Your Committee finds that this measure will allow Hawaii's Board of Nursing to fully participate in Nursys by sharing license information so that Hawaii may also be notified in a timely manner of disciplinary actions taken in other states against an applicant for a nursing license or a current licensee. Your Committee further finds that Hawaii licensees endorsing to another state will be able to streamline the licensure process by ordering a verification through Nursys.

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. 2333 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 503-16 Consumer Protection & Commerce on H.B. No. 1705

The purpose of this measure is to allow proof of motor vehicle insurance to be displayed in electronic format on a mobile electronic device.

Your Committee received testimony in support of this measure from the Hawaii Insurers Council, GEICO, Property Casualty Insurers Association of America, State Farm Mutual Automobile Insurance Company, and the National Association of Mutual Insurance Companies. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that many insurance companies provide access to proof of motor vehicle insurance on electronic mobile devices. Your Committee further finds that thirty-seven states permit drivers to provide proof of motor vehicle insurance by using an electronic mobile device. Accordingly, your Committee finds that Hawaii drivers and owners of motor vehicles should be allowed to use electronic mobile devices to prove motor vehicle insurance.

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. 1705 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 504-16 Consumer Protection & Commerce on H.B. No. 370

The purpose of this measure is to enhance insurance protections for properties falling in geographical areas eligible for and under coverage by member insurers of the Hawaii Property Insurance Association (HPIA). Specifically, this measure:

- (1) Prevents the nonrenewal of an existing policy in effect as of January 1, 2014, where the sole criterion for nonrenewal is a pending natural disaster; and
- (2) Provides for continued coverage under an existing policy upon a transfer in ownership of the property.

The Hawaiian Shores Community Association and two individuals testified in support of this measure. The National Association of Mutual Insurance Companies, Hawaii Insurers Council, and State Farm Mutual Automobile Insurance Company testified in opposition to this measure. The Department of Commerce and Consumer Affairs provided comments.

Upon careful consideration, your Committee has amended this measure by deleting its contents and inserting the provisions of H.B. No. 2322, which also amends HPIA coverage requirements in the context of a looming or past natural disaster such as a lava flow. As amended, this measure grants the Insurance Commissioner the discretion, subject to certain conditions, to lift an existing moratorium on the issuance of policies for properties situated in a lava zone.

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. 370, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 370, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 505-16 Consumer Protection & Commerce on H.B. No. 1897

The purpose of this measure is to ensure that annual screenings for sexually transmitted diseases, including human immunodeficiency virus and acquired immunodeficiency syndrome, are included in insurance coverage.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Hawaii Medical Service Association, Planned Parenthood Votes Northwest and Hawaii, and the Hawaii Section of the American Congress of Obstetricians and Gynecologists. The Department of Commerce and Consumer Affairs offered comments on this measure.

Your Committee finds that, despite recent national health care reforms, some individuals continue to have limited access to screening for sexually transmitted diseases. Recent estimates suggest that almost one in eight persons carrying the human immunodeficiency virus is unaware that they are infected. Preventative health measures, including sexually transmitted disease screening, allow for the early identification, management, and treatment of illnesses. Your Committee notes that health plans that are compliant with the Patient and Affordable Care Act (2010) presently provide coverage for many preventive services for adults, including screening for many sexually transmitted diseases. Ensuring that Hawaii's citizens have insurance coverage for annual screenings for sexually transmitted diseases will result in earlier detection and treatment, as well as reduced transmission.

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. 1897, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 506-16 Consumer Protection & Commerce on H.B. No. 2364

The purpose of this measure is to extend the sunset date of Act 25, Session Laws of Hawaii 2014, from June 30, 2016, to June 30, 2017.

Act 25 allows workers' compensation claim settlements resulting from claims or actions against third parties to be finalized without the approval of the Director of Labor and Industrial Relations.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, the National Association of Mutual Insurance Companies, the Hawaii Restaurant Association, and the Hawaii Association for Justice.

Your Committee finds that Act 25 exempts from the approval of the Director of Labor and Industrial Relations workers' compensation compromises that relate to work-related injury that is caused by a third party. Your Committee further finds that this measure will reduce the overall backlog of workers' compensation cases by accelerating the processing of compromises involving third party liability.

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. 2364 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 507-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2277

The purpose of this measure is to assist the King Kamehameha Celebration Commission (Commission) in performing its duties by:

- (1) Amending its purpose and mission to include support for other events to commemorate King Kamehameha I;
- (2) Amending its membership and the appointment process for Commission members;
- (3) Authorizing the appointment of an advisory committee; and
- (4) Authorizing the appointment of an Executive Director.

The Department of Accounting and General Services, Association of Hawaiian Civic Clubs, Royal Order of Kamehameha, and a concerned individual supported this measure.

Your Committee finds that the King Kamehameha Celebration is a major tourism event and the Commission presently receives significant funding from the Hawaii Tourism Authority. Should the Committee on Finance deliberate on this measure further, your Committee on Veterans, Military, & International Affairs, & Culture and the Arts respectfully requests that it consider detaching the Commission from the Department of Accounting and General Services and administratively attaching the Commission to the Hawaii Tourism 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. 2277, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 508-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.B. No. 2755

The purpose of this measure is to address the constant threat of security breaches and cyber-attacks on the executive departments' computer network system by requiring the Cybersecurity, Economic, Education, and Infrastructure Security Coordinator (Coordinator), in partnership with the Chief Information Officer, to develop and maintain an incident report plan for each executive branch department.

Two concerned individuals supported this measure. The High Technology Development Corporation supported the intent of this measure. The Department of Defense and the Office of Enterprise Technology Services submitted comments on this measure.

Your Committee finds that, because of the scope of duties, functions, and responsibilities statutorily assigned to the Office of the Chief Information Officer, the Chief Information Officer is better suited to the task of protecting the executive branch's information and communications network from security breaches and cyber-attack than the Coordinator is. Accordingly, your Committee has amended this measure by:

- (1) Requiring the Chief Information Officer, rather than the Coordinator, to develop and maintain an incident response plan for each executive branch department;
- (2) Defining "incident response plan" to mean a plan that provides for practices and activities that do not compromise the security of the systems and provides for the ability to:
 - (A) Complete vulnerability assessments;
 - (B) Identify potential cyber-attacks;
 - (C) Mitigate losses from cyber-attacks; and
 - (D) Recover quickly and efficiently from cyber-attacks;
- (3) Authorizing the Chief Information Officer to request the assistance of other departments, agencies, and private companies, both inside and outside the State, to carry out the Chief Information Officer's duties; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Further, to fortify the security of the executive branch departments' computer network system, your Committee strongly urges the Chief Information Officer to consider the establishment of a cyber-attack committee, to include the Department of Defense, University of Hawaii, and Department of Education, to recommend security measures and any proposed legislation.

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. 2755, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2755, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 509-16 Judiciary on H.B. No. 1649

The purpose of this measure is to appropriate supplemental funds for the operating and capital improvement costs of the Judiciary for fiscal year (FY) 2016-2017.

The Judiciary, Legal Aid Society of Hawaii, Hawaii Chapter of Mothers Against Drunk Driving, and two concerned individuals supported this measure.

Your Committee supports the Judiciary's modest supplemental budget request for 24 new permanent positions and \$2,200,000 in additional funding to support essential staffing needs for the courts and administrative operations. The capital improvement program funding request totaling \$13,700,000 to address the Judiciary's infrastructure is reasonable.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount for the operating costs of the administration of the Judiciary (JUD601) to \$28,237,653 for FY2016-2017;
- (2) Requiring that of the general funds appropriated for administration (JUD601), the sum of \$2,159,632 for FY2016-2017 shall be used for the purchase of service contracts for civil legal services for low- and moderate income persons; and
- (3) Requiring the Administrative Director of the courts to submit to the Legislature by February 1, 2017, a report listing:
 - (A) The purchase of service contracts entered into from July 1, 2016, to December 31, 2016;
 - (B) The purpose of the contracts;
 - (C) Contract award amounts; and
 - (D) Expenditures and encumbrances under the contracts.

Your Committee added additional funds in the amount of \$2,159,632 for the Judiciary to contract with civil legal services providers to deliver civil legal services for low- and moderate-income individuals. The funding amount and selection of the Judiciary to administer legal service funding was

recommended by a working group established by House Resolution No. 12, H.D.1 (2015). The working group, convened by the Hawaii Access to Justice Commission, determined that the Judiciary is the best agency to house the administration of legal services funding for low- and moderate-income individuals. The funding amount would restore civil legal services to prerecession levels. The legal services funding is in addition to the Judiciary's supplemental budget request; it is not the Committee's intent that it be used to supplant these requests.

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. 1649, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1649, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 510-16 Judiciary on H.B. No. 2066

The purpose of this measure is to amend the Hawaii Campaign Finance Law by allowing for campaign funds to be spent on expenses for membership in civic or community groups or for protocol gifts, provided that expenses incurred do not exceed twice the allowable individual contribution amount.

The Chamber of Commerce Hawaii and a concerned individual supported this measure. The Campaign Spending Commission opposed this measure.

Your Committee has amended this measure by changing the effective date to March 15, 2037, 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. 2066, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2066, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 511-16 Judiciary on H.B. No. 2252

The purpose of this measure is to require hospitals to adopt and maintain written discharge policies that include patient designation of a caregiver who may participate in planning for and carrying out after-care following a patient's discharge from a hospital, consistent with recent updates to federal requirements.

The Department of Health, State Council on Developmental Disabilities, Maui County Office on Aging, Hawaii Pacific Health, Healthcare Association of Hawaii, The Queen's Health Systems, AARP Hawaii, ILWU Local 142, Hawaii Family Caregiver Coalition, and numerous individuals testified in support of this measure. The Hawaii Government Employees Association, Policy Advisory Board for Elder Affairs, and numerous individuals commented on this measure.

In 2012, Hawaii had the highest percentage of residents over the age of eighty-five in the United States. This population is projected to grow sixty-five percent in the next twenty years. Your Committee recognizes that this growth has led to an increase in the number of elderly persons needing care, as well as expanded the role of caregivers. Besides assisting with routine daily activities, such as bathing, dressing, eating, and other similar tasks, it is now common for caregivers to perform complex medical and nursing tasks that historically were only provided in hospitals and nursing homes, such as medication management, preparation of special diets, and wound care.

Your Committee finds that despite the critical and expanding role of caregivers serving Hawaii's aging population, caregivers are often left out of hospital discussions involving patient care and are expected to perform post hospital care, including medical and nursing tasks, without training or support from professionals.

The dramatic expansion of caregivers' responsibilities and the need for post-hospital care for older adults and others require strong State and community support to help caregivers support their loved ones at home.

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. 2252, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 512-16 Judiciary on H.B. No. 2555

The purpose of this measure is to authorize industrial hemp to be grown as part of research conducted under an agricultural pilot program or other agricultural research to study the growth, cultivation, or marketing of industrial hemp under specific agreement with and under the authority of the Department of Agriculture.

The Department of Agriculture; ILWU Local 142; Babes Against Biotech; Hawaii Farmers Union United; Ho'omana Pono, LLC; Maui Hemp Institute for Research and Innovation; www.WeAreOne.cc; The Libertarian Party of Hawaii; Hawaii Center for Food Safety; The Optimum Living Alliance; and many concerned individuals testified in support of this measure. The Department of the Attorney General provided comments.

Modern production methods have utilized the oilseed from hemp to make high-grade food and beauty products. The stalks produce fiber and cellulose for everything from automotive parts and fine clothing to building materials and fuel. According to estimates by the Hemp Industries Association, retail sales of industrial hemp products in the United States have grown steadily since 1990 to more than \$580,000,000 annually in 2013. Additionally, the intermediate processing of hemp seed, oil, food ingredients, and fiber could create jobs in close proximity to the fields of cultivation.

Based on these findings, your Committee finds that the cultivation of industrial hemp could play a key role in transitioning former sugar cane lands to diversified agriculture, creating jobs, and supporting the local economy.

Your Committee has amended this measure by:

- (1) Requiring the registered grower to operate under the authority of the Department of Agriculture for the purposes of this measure pursuant to a memorandum of understanding;
- (2) Deleting language enabling institutions of higher education to cultivate or possess industrial hemp that has a percentage content of tetrahydrocannabinol that is greater than 0.3 percent;
- (3) Requiring a registered grower who sells any harvested industrial hemp to file documentation with the Board of Agriculture that the grower planted industrial hemp seeds that were of a type and variety allowed by federal law;
- (4) Deleting the reference to section 763 of the federal Consolidated Appropriations Act of 2016 as it relates to the transportation, processing, sale, or use of industrial hemp; 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. 2555, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2555, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 513-16 Energy & Environmental Protection on H.B. No. 2558

The purpose of this measure is to require:

- (1) The Department of Land and Natural Resources to establish and administer the Carbon Offset Program; and
- (2) State officials and agencies to participate in the Carbon Offset Program to offset carbon emissions caused by their employees' air travel.

The Department of Land and Natural Resources 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 H.B. No. 2558 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 514-16 Energy & Environmental Protection on H.B. No. 1892

The purpose of this measure is to:

- (1) Require all State agencies to reasonably provide and maintain onsite collection methods at buildings and facilities under an agency's jurisdiction for the collection of recyclable materials; and
- (2) Appropriate funds for the provision and maintenance of onsite collection methods for recyclable materials at State facilities and buildings.

Zero Waste Kauai 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 H.B. No. 1892 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 515-16 Energy & Environmental Protection on H.B. No. 1731

The purpose of this measure is to prohibit the installation or use of household aerobic units that discharge directly to groundwater unless approved by the Department of Health.

The Department of Health provided testimony in support of this measure with comments.

Your Committee has amended this measure by making the National Sanitation Foundation/American National Standards Institute Standard 245 for class I aerobic units the standard for Department of Health approval rather than requiring the Director of Health to develop standards.

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. 1731, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1731, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Say.

SCRep. 516-16 Energy & Environmental Protection on H.B. No. 1794

The purpose of this measure is to expand the candidate pool for membership on a county arborist advisory committee by making certified arborists, horticulturists with a specialization in trees, and those with a master's degree in botany eligible for membership.

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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1794 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Say.

SCRep. 517-16 Energy & Environmental Protection on H.B. No. 1689

The purpose of this measure is to incentivize the needed development, construction, and operation of renewable fuel facilities by changing the existing ethanol facility tax credit to include other renewable fuels.

The Blue Planet Foundation, Renewable Energy Action Coalition of Hawaii, Hawaii Energy Policy Forum, Life of the Land, and a concerned individual supported this measure. The Department of Taxation; Department of Business, Economic Development, and Tourism; and Tax Foundation of Hawaii offered comments.

Your Committee has amended this measure by adding a definition of "qualifying renewable fuel".

Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests that the Attorney General look at the constitutionality of the proposed definition of "qualifying renewable fuel".

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. 1689, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1689, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 518-16 Energy & Environmental Protection on H.B. No. 1823

The purpose of this measure is to:

- (1) Amend the definition of "eligible customer-generator" to include leases or purchases of electricity from a solar, wind turbine, biomass, or hydroelectric energy generating facility, or a hybrid system consisting of two or more of these facilities, and clarifying that the systems are operated in parallel and interconnected with the utility's transmission and distribution facilities;
- (2) Amend the "net energy metering" definition by repealing the monthly billing time frame and adding the proviso requiring that the electric utility not unreasonably deny, burden, or delay net energy metering service after a request for service from a retail customer;
- (3) Increase the customer-generator's AC generating capacity limit for net energy metering from fifty kilowatts to one megawatt and remove the Public Utilities Commission's authorization to increase the maximum allowable capacity by rule or order;
- (4) Repeal the requirement that every electric utility make contracts and tariffs for net energy metering available only until the capacity produced by customers equals .5 per cent of the system peak demand;
- (5) Limit the Public Utilities Commission's authorization to specify the total rated capacity to the aggregate amount of such generating capacity that could be interconnected with the utility's electric system without substantial expenditure by the utility for new mitigation facilities to maintain reliability of electric service;
- (6) Authorize rather than require the Public Utilities Commission to ensure that a percentage of the total rated capacity produced by customers is reserved for electricity produced by residential or small commercial customers;
- (7) Establish standards for systems installed on or before June 30, 2016;
- (8) For generating facilities or hybrid systems installed after June 30, 2016, establish the standards for valuing electricity supplied by the electric utility to the customer and electricity generated by the customer and fed back to the electric grid;
- (9) Exclude an interconnection requirements study charge or a supplemental review charge from net energy metering contracts or tariffs; and

- (10) Amend the standard for determining when an electric utility is not obligated to provide net energy metering to additional customer-generators, from a peak demand standard to a standard based on the total rated generating capacity of customer-generators that may be interconnected with the electric utility system.

The Department of Education, Renewable Energy Action Coalition of Hawaii, Maui Solar Project, Green Power Projects LLC, Hawaiian Energy Systems, Inc., Inter-Island Solar Supply, Hawaii Solar Energy Association, Inc., Alternative Electric LLP, Solar Inspectors Hawaii, Solar Services Hawaii, Arion Energy, and numerous individuals testified in support of this measure. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, the Hawaiian Electric Companies, Plug and Play Energy Systems LLC, and an individual testified in opposition. The Public Utilities Commission and two individuals provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2045, 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1823, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 519-16 Energy & Environmental Protection/Water & Land on H.B. No. 2148

The purpose of this measure is to protect Hawaii's threatened and endangered species while allowing for acceptable resource use by removing the sunset provision on new approvals and issuances of safe harbor agreements, habitat conservation plans, and incidental take licenses.

The Department of Land and Natural Resources, Hawaii Cattlemen's Council, Ponoholo Ranch Limited, Land Use Research Foundation of Hawaii, and Hawaii Farm Bureau testified in support of this measure. The Sierra Club of Hawaii testified in opposition of this measure.

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. 2148 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Nishimoto.

SCRep. 520-16 Higher Education on H.B. No. 1556

The purpose of this measure is to prohibit the University of Hawaii from adopting or maintaining a policy that precludes a person from working at the University in a non-executive or non-managerial position solely because that person is a legislator or other official elected to a non-statewide public office within the State. This measure does not apply if the work schedule and time demands related to public office unreasonably conflict with the University position.

The University of Hawaii Professional Assembly supported this measure. The Hawaii Educational Policy Center supported the intent of this measure. The University of Hawaii System opposed this measure.

Your Committee received testimony from the Department of the Attorney General providing written comments which were less than credible.

During oral testimony, the Attorney General clarified its position by recognizing that federal law permits university employees to run for and be elected to public office.

Your Committee further notes that Title 5 United States Code Section 1501(4)(B)(i) explicitly excludes from the definition of a "state or local officer or employee" "an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by a State or political subdivision thereof." Thus, this federal law does not apply to employees of 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. 1556, H.D. 1, and recommends that it be referred to your Committee on Judiciary.

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

SCRep. 521-16 Higher Education on H.B. No. 1685

The purpose of this measure is to subject all proposed salaries for any University of Hawaii employee that are equal to or greater than twice the Governor's salary to legislative disapproval. This measure also requires the University of Hawaii to include certain specific information on any employee with a combined salary, allowance, expense reimbursement, bonus, and other earned benefits in excess of the Governor's salary in its annual report to the Legislature.

A concerned individual testified in support of this measure. The University of Hawaii 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. 1685, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Kong, Say and Tupola.

SCRep. 522-16 Higher Education on H.B. No. 1949

The purpose of this measure is to expand Hawaii residents' access to health care by:

- (1) Permitting monies in the John A. Burns School of Medicine Special Fund to be used for loan repayment for certain health care professionals and removing the cap on expenditures from the Special Fund; and
- (2) Making permanent the physician workforce assessment fee and related requirements for use of monies in the John A. Burns School of Medicine Special Fund.

The University of Hawaii, The Queen's Health Systems, Hawaii Medical Association, and several concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Retaining the cap on expenditures from the John A. Burns School of Medicine Special Fund;
- (2) Extending to June 30, 2021, the sunset date of the physician workforce assessment fee and related requirements for use of monies in the John A. Burns School of Medicine Special Fund;
- (3) Changing its effective date to July 1, 2525, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1949, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1949, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 523-16 Higher Education on H.B. No. 2676

The purpose of this measure is to encourage farming in the State by establishing a five-year energy independent farming community pilot project to provide support to persons who want to be farmers, and appropriate funds to the University of Hawaii for the planning of this project.

The University of Hawaii at Manoa College of Tropical Agriculture and Human Resources, the Department of Agriculture, the Director of the Agribusiness Incubator Program, the Hawaii Farm Bureau, and one individual testified in support of this measure.

Your Committee has amended the measure by changing the effective date to July 1, 2525, to facilitate 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. 2676, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2676, H.D. 2.

Signed by all members of the Committee except Representatives Ing, Kong, Say and Tupola.

SCRep. 524-16 Higher Education on H.B. No. 2492

The purpose of this measure is to support the Department of Theatre and Dance at the University of Hawaii at Manoa by appropriating funds for:

- (1) One full-time equivalent tenure track professor (1.0 FTE) in the Hawaiian theatre program;
- (2) Two full-time staff positions (2.0 FTE), one of whom shall serve the department's costume shop, and one of whom shall serve the department's scene shop;
- (3) The hiring of guest artists and instructors;
- (4) The department's Asian theatre program; and
- (5) Production support, including basic shop supplies.

Hawaii Pacific University Theatre Program; the Director of the Theatre for Young Audiences Program at the University of Hawaii at Manoa's Department of Theatre and Dance; Halele'a Arts Foundation; Nohea Gallery; Soundtable Entertainment Inc.; the Director of School of the Arts; Mid-Pacific Institute; and numerous individuals testified in support of this measure.

Your Committee amended this measure by:

- (1) Changing the effective date of this measure to July 1, 2525, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2492, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2492, H.D. 2.

Signed by all members of the Committee except Representatives Ing, Kong, Say and Tupola.

SCRep. 525-16 Higher Education on H.B. No. 1801

The purpose of this measure is to more fairly compensate graduate assistants for their professional contributions to the University of Hawaii by reducing, by an equal percentage, the salaries of all executive and managerial positions at pay grade 12 or higher at the University of Hawaii for fiscal year 2016-2017 to the extent necessary to provide an additional \$4,000,000 during the same fiscal year for the salaries of graduate assistant positions at the University of Hawaii.

The University of Hawaii at Manoa Graduate Student Organization and a concerned individual supported this measure. The University of Hawaii opposed the measure.

Your Committee has amended this measure by also requiring the University of Hawaii to submit a report to the Legislature regarding the method by which the transfer of the additional \$4,000,000 for the salaries of graduate assistant positions was accomplished.

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. 1801, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1801, H.D. 2.

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

SCRep. 526-16 Higher Education on H.B. No. 2240

The purpose of this measure is to create a University of Hawaii Green Special Fund to collect and expend revenues that will harness savings realized from energy efficiency investments and other sources of revenues to reinvest into further measures to reduce energy consumption and operating costs towards achieving the University of Hawaii's net-zero energy goal.

The University of Hawaii, Associated Students of the University of Hawaii'i, SustainableUH, Hawaii'i Green Growth, Kokūa Hawaii'i Foundation, and some individuals provided testimony in support of this measure. Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Requiring the University of Hawaii to report annually to the Legislature on the monies deposited into the University of Hawaii Green Special Fund;
- (2) Requiring legislative approval for any fund expenditure equal to or greater than \$1,000,000; and
- (3) Changing the 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. 2240, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2240, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Kong, Say and Tupola.

SCRep. 527-16 Higher Education on H.B. No. 2519

The purpose of this measure is to help individuals save for a higher education by providing annual income tax deductions for contributions made to a Hawaii College Savings Program account.

The Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by;

- (1) Clarifying that a taxpayer is limited to one deduction for all contributions made to all Hawaii College Savings Program accounts per year;
- (2) Clarifying the operation of the deduction-recapture provision;
- (3) Imposing for all nonqualified withdrawals, an additional penalty that is equal to ten percent of the amount of the unqualified withdrawal; and
- (4) Changing its effective date to July 1, 2525, to facilitate 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. 2519, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2519, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Ing.

SCRep. 528-16 Transportation on H.B. No. 2400

The purpose of this measure is to update shipping container labeling and notice requirements for cigarettes to reflect current Hawaii laws prohibiting the sale of cigarettes to persons under the age of twenty-one.

The Department of Taxation testified in support of this measure. The Tax Foundation of Hawaii provided comments.

On January 1, 2016, Hawaii became the first state in the nation to prohibit sales of tobacco products to anyone under twenty-one years of age. This was done as part of the State's comprehensive tobacco control efforts to reduce tobacco use among Hawaii's youth. Prior to this change in the law, labeling requirements for cigarette shipping containers referenced the legal age to purchase cigarettes as being eighteen. Your Committee finds that this age reference must be corrected to correlate with current Hawaii law.

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. 2400 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 529-16 Transportation on H.B. No. 2403

The purpose of this measure is to improve the efficiency and effectiveness of the Medical Advisory Board by establishing a more practical composition of Board members.

The Department of Transportation testified in support of this measure.

The Medical Advisory Board was established to address traffic safety issues related to drivers' health or ability. The duties of the Board include developing a system for medically evaluating a person for whom an examiner of drivers has reason to believe mental or physical conditions might impair driving ability and furnishing advice to the examiners of drivers regarding medical criteria and vision standards.

Under current law, the Board is required to consist of one psychiatrist, one neurologist, one orthopedic surgeon, one ophthalmologist or optometrist, and one specialist in cardiovascular disease. However, efforts to recruit physicians in certain specialties to serve on the Board have been unsuccessful. This has often made it impossible for the Board to obtain quorum for decision making purposes.

Your Committee finds that making the requirements to serve on the Board more general to include five physicians with an interest in psychiatry, neurology, orthopedics, ophthalmology or optometry, endocrinology, geriatrics, or addiction medicine will address this issue and will allow the Board to render fair decisions for individuals being medically reviewed in a more timely manner while maintaining safety for all roadway users.

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. 2403 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 530-16 Transportation on H.B. No. 2086

The purpose of this measure is to promote the use of alternative modes of transportation and reduce Hawaii's dependence on fossil fuels for its transportation needs by:

- (1) Amending the statewide transportation plan to include bicycle facilities as part of the transportation system components by 2020;
- (2) Requiring the Department of Transportation to develop a statewide household transportation survey to gather information on travel behavior, including transportation methods for both commute and non-commute trips; and
- (3) Requiring each county to develop transportation mode sharing plans that contain mode share targets based on the metrics established through data collected in the statewide household transportation survey and to update these plans every five years beginning in 2025.

The Department of Transportation Services of the City and County of Honolulu, Planning Department of the County of Kauai, and Blue Planet Foundation testified in support of this measure. The Department of Transportation testified in support of the intent of this measure. The Department of Business, Economic Development, and Tourism provided comments.

Currently, Hawaii has a high dependence on the personal automobile and, concomitantly, imported fossil fuels. This dependence costs Hawaii's economy billions of dollars each year; increases household transportation costs for Hawaii's families; decreases access to job opportunities for low income individuals; leads to increased traffic congestion that costs Hawaii's residents both time and money; and degrades overall quality of life for Hawaii's residents. Your Committee finds that increasing multi-modal transportation options in Hawaii's communities will help increase the availability and utilization of non-automobile modes of transportation, reduce transportation energy use, and reduce household transportation costs while increasing mobility and transportation equity for Hawaii residents.

Your Committee has amended this measure by:

- (1) Requiring the Department of Transportation to prepare the Statewide Transportation Plan (STP) in accordance with Title 23, Code of Federal Regulations, section 450.214;

- (2) Stipulating that the STP shall be submitted to the Legislature as often as the plan is updated rather than simply during the 2020 Legislative Session;
- (3) Requiring that the STP include projected transportation needs for at least a twenty year period rather than a six year period;
- (4) Requiring the STP to comply with metropolitan planning organization transportation-related plans in addition to complying with county transportation-related plans;
- (5) Removing the requirement that the six and twenty year estimates for transportation needs, and the schedule of priorities to meet these needs, included in the STP be updated annually;
- (6) Inserting language requiring:
 - (A) The Department of Transportation to develop a Statewide Transportation Improvement Program to schedule and program funding for construction, modification, and maintenance projects identified in the STP;
 - (B) The Program to cover a period of no less than four years; and
 - (C) The Program to be updated every three years;
- (7) Requiring the Department of Transportation to work with the counties and metropolitan planning organizations in creating the Statewide Household Transportation Survey (Survey);
- (8) Removing the use of mopeds, motorcycles, taxicabs, and rideshare as modes of transportation for information that should be collected for the Survey;
- (9) Amending the frequency with which the Survey should be conducted from two to three years and the start date for conducting the survey from 2017 to 2018;
- (10) Allowing metropolitan planning organizations to also develop mode share plans;
- (11) Requiring mode share plans to create mode share targets for 2024, 2030, and 2036, rather than creating mode share targets for the next twenty five years in five year increments;
- (12) Requiring mode share plans to be incorporated into county general, transportation, and land-use plans, as well as, metropolitan planning organization plans;
- (13) Requiring mode share plans to be completed and submitted to the Department of Transportation by December 31, 2019, and updates submitted every six years thereafter, rather than requiring the plan to be completed and submitted by December 31, 2018, and every five years thereafter;
- (14) Requiring that each successive update to the STP include county specific mode share targets beginning in 2021, rather than beginning in 2025 and every five years thereafter;
- (15) Inserting language requiring the Department of Transportation to partner with one or more counties or metropolitan planning organizations to use \$500,000 in federal funds for the planning and implementation of the Survey;
- (16) Inserting language requiring each county or metropolitan planning organization to apply to the Department of Transportation to use \$250,000 in federal funds to create mode share plans and targets;
- (17) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (18) 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 H.B. No. 2086, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2086, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 531-16 Transportation on H.B. No. 2746

The purpose of this measure is to increase traffic safety by requiring drivers in the furthestmost left lane of a roadway having two or more lanes allowing movement in the same direction to move over if they:

- (1) Will imminently be overtaken from the rear by more than one vehicle traveling at a higher rate of speed;
- (2) Are proceeding at less than the normal speed of traffic; and
- (3) Are impeding traffic with a line of three or more vehicles following immediately behind their vehicle.

This measure also requires the Director of Transportation, in collaboration with county police departments, to develop and implement a statewide public awareness campaign on the statutory requirements that drivers use the right-hand lane of a roadway under certain conditions.

Several concerned individuals testified in support of this measure. The Department of Transportation testified in support of the intent of this measure. One concerned individual testified in opposition to this measure. One concerned individual provided comments.

Vehicular lollygagging, or the problem of slow drivers in the far-left lane of roadways, creates dangerous situations, starts traffic jams, incites road rage, and persists despite state law requiring drivers traveling slower than the normal speed of traffic to use the right-hand lane. Your Committee finds that drivers in the left lane who do not yield to faster-moving traffic may create dangerous situations and exacerbate traffic congestion by forcing faster-moving vehicles to pass them from the right; this measure seeks to address this problem.

However, your Committee notes that applying the requirements contained in this measure may have unintended consequences for roadways containing more than two lanes of traffic moving in the same direction. Accordingly, your Committee has amended this measure by:

- (1) Stipulating that the requirement for drivers in the furthestmost left lane of a roadway to move over under certain conditions only applies to roadways containing two lanes allowing movement in the same direction;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2746, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2746, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 532-16 Transportation on H.B. No. 2490

The purpose of this measure is to recognize the dedication, service, and sacrifice of disabled veterans by exempting them from county vehicle taxes and from the state annual vehicle registration fee, without regard to whether the disabled veteran is in receipt of military disability retirement pay.

The Office of Veterans' Services, NuWayve Unlimited, and a concerned individual testified in support of this measure. The Department of Transportation and Tax Foundation of Hawaii provided comments.

Act 128, Session Laws of Hawaii 2015, was passed to recognize the sacrifices made by members of the United States armed forces by exempting qualifying veterans who are totally and permanently disabled from paying the annual vehicle registration fee. However, a requirement that these disabled veterans also receive disability retirement pay from a branch of the uniformed services has made it difficult for disabled veterans to be eligible to receive the exemption from annual vehicle registration fees. This measure addresses this issue.

Additionally, your Committee finds that exempting disabled veterans from county vehicle taxes on their vehicle is a small price to pay to recognize the sacrifices of these individuals.

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. 2490, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 533-16 Transportation on H.B. No. 2484

The purpose of this measure is to improve traffic safety in West Oahu by requiring the Department of Transportation to:

- (1) Conduct a traffic safety study on the roadway from Kunia Road to Wilikina Drive; and
- (2) Determine, through the study, whether it would be feasible to install an advance warning signal at EXIT 5A on the H-1 Freeway.

This measure also requires the Department of Transportation to submit a report of its findings and recommendations to the Legislature.

Two concerned individuals testified in support of this measure. The Department of Transportation provided comments.

Concerns have been raised regarding the safety of the roadway from Kunia Road to Wilikina Drive by members of the community. Your Committee finds that conducting a traffic safety study for the area, including determining the feasibility of installing a warning signal at Exit 5A on the H-1 Freeway, is a first step to addressing these safety concerns.

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. 2484 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 534-16 Transportation on H.B. No. 1361

The purpose of this measure is to address the issue of deteriorating roadways in Hawaii by requiring commercial maritime cargo carrying vehicles to meet weigh in, reporting, and other requirements when transporting heavy loads of cargo on Hawaii's roadways.

The Department of Transportation testified in support of the intent of this measure. The Hawaii Transportation Association testified in opposition to this measure.

The condition of Hawaii's roadways, particularly those on the island of Oahu, has generated a large number of complaints from Hawaii residents at both the State and county levels. Additionally, claims filed at the State and county levels for damage to motor vehicles due to poor road conditions, such as potholes, are common and appear to be increasing. While both the State and City and County of Honolulu have tried to address these issues and have made some progress in doing so, much more road repair and repaving work remains.

Your Committee finds that besides the sheer volume of traffic, another factor exacerbating the wear and tear on Hawaii's public roadways is use of the roadways by large vehicles that transport heavy loads of cargo shipped into the State and that regulating cargo carrier's use of public roadways by implementing weight verification requirements may be a means of extending the life of Hawaii's roadways.

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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1361, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1361, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 535-16 Transportation on H.B. No. 1831

The purpose of this measure is to address legal concerns raised regarding the testing of individuals suspected of operating a vehicle under the influence of an intoxicant (OVUII). Specifically, this measure repeals a statute providing that an individual suspected of OVUII who refuses to submit to a breath, blood, or urine test is guilty of a petty misdemeanor.

The Department of the Prosecuting Attorney of the County of Maui and Honolulu Police Department testified in support of this measure. The Department of Transportation testified in support of the intent of this measure.

Act 166, Session Laws of Hawaii 2010, was enacted to promote safety on Hawaii's roadways by adopting the recommendations of Hawaii's Ignition Interlock Implementation Task Force. As a result, section 291-68, Hawaii Revised Statutes (HRS), which provided that refusal to submit to a breath, blood, or urine test is a petty misdemeanor, was enacted. However, on November 25, 2015, the Hawaii Supreme Court found this requirement to be unconstitutional and in violation of the warrant requirement of the Fourth Amendment of the United States Constitution and article 1, section 7 of the Constitution of the State of Hawaii in *State v. Won, 136 Haw. 292 (2015)*. Since this Hawaii Supreme Court ruling, a number of OVUII cases have been dismissed and police departments have discontinued charging individuals for refusing to submit to a blood, breath, or urine test. Your Committee finds that, as a result of the Hawaii Supreme Court ruling, section 291-68, HRS, must be repealed.

Your Committee notes that there may be possible alternatives to repealing section 291-68, HRS. Some of these ideas were presented at the public hearing on this measure as well as during discussions of this measure. However, this is a complex matter involving a number issues that are under the purview of the Committee on Judiciary. Your Committee on Transportation therefore respectfully urges your Committee on Judiciary to consider these alternative ideas should it deliberate further on 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. 1831 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 536-16 Transportation on H.B. No. 2723

The purpose of this measure is to increase traffic safety, particularly for pedestrians, by prohibiting pedestrians from crossing a street, road, or highway while using a mobile electronic device.

The Department of Transportation, Honolulu Police Department, and a concerned individual testified in support of this measure. Several concerned individuals testified in opposition to this measure.

The use of mobile electronic devices has become more and more prevalent over the past decade. While use of devices such as iPads, iPods, cell phones, and other mobile electronic devices can be a major source of distraction for motor vehicle drivers, these devices can also be a source of distraction for pedestrians. Pedestrians distracted by these devices are often unaware of road conditions surrounding them, which can lead to collisions with motor vehicles, bicyclists, or other roadway users. Your Committee finds that collisions due to distracted walking could be avoided and personal injury eliminated if the use of mobile electronic devices while crossing the street was regulated.

While your Committee understands concerns raised regarding enforcement and the necessity for regulating the use of mobile electronic devices while crossing a street, this measure deserves further consideration. Accordingly, 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. 2723, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2723, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Nakashima, San Buenaventura and Takumi.

SCRep. 537-16 Human Services on H.B. No. 2340

The purpose of this measure is to ensure the safety of children by authorizing the Department of Human Services to conduct with or without consent and upon receiving a report that a child is subject to imminent harm, has been harmed, or is subject to threatened harm, a criminal history record check of the alleged perpetrator and all adults living in the family home.

The Department of Human Services, Kapiolani Child Protection Center, and an individual testified in support of this measure. Two 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 H.B. No. 2340 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 538-16 Human Services on H.B. No. 2344

The purpose of this measure is to clarify the Department of Human Services' (Department) statutory duty to seek an order for immediate protection where the Department believes that an incident of incurred or probable abuse of a vulnerable adult has or will occur. Specifically, this measure specifies that the Department may exercise its discretion in determining whether the provision of an order for immediate protection is necessary.

The Department testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2060, 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. 2344, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2344, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 539-16 Human Services on H.B. No. 2585

The purpose of this measure is to meet the health needs of Hawaii's mothers and babies by exempting mothers who breastfeed or express breast milk from jury duty, provided that the exemption ends when the mother is no longer breastfeeding or expressing breast milk.

Office of Hawaiian Affairs; the Hawaii State Commission on the Status of Women; Hawaii Women's Coalition; the American Association of University Women, Hawaii; Planned Parenthood Votes Northwest and Hawaii; and two individuals testified in support of this measure. The Judiciary offered comments on this measure.

Your Committee made revisions to this measure by changing the effective date to July 1, 2060, to facilitate 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. 2585, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2585, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 540-16 Human Services on H.B. No. 2717

The purpose of this measure is to require the Director of Human Services to adopt rules that apply annual cost of living increases to the income and asset thresholds for Medicaid eligibility.

The Department of Human Services 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 H.B. No. 2717 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 541-16 Human Services on H.B. No. 2131

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. Specifically, this measure:

- (1) Deletes duplicative provisions of awarding grandparents reasonable visitation rights; and
- (2) Adds as a prerequisite to awarding visitation that the court finds that awarding custody to a grandparent is in the best interest of the child and that denial of reasonable grandparent visitation rights would cause actual or potential harm to the child.

The Department of the Attorney General provided comments.

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; and
- (2) Allowing a rebuttable presumption that a parent's decision regarding visitation is in the best interest of a child to be rebutted by evidence that denial of reasonable grandparent visitation rights would cause significant harm to the child.

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. 2131, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2131, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 542-16 Human Services on H.B. No. 2169

The purpose of this measure is to clarify the supervision requirements for licensure of clinical social workers, including permitting the supervision requirements to be met through face-to-face supervision or via a Health Insurance Portability and Accountability Act of 1996-compliant video conference service.

The National Association of Social Workers, Hawaii Chapter and numerous concerned individuals supported this measure. The Department of Commerce and Consumer Affairs provided comments.

Your Committee has amended this measure by:

- (1) Requiring the supervision of social worker applicants to include the review of assessments;
- (2) Changing the effective date to July 1, 3000, 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. 2169, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2169, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 543-16 Human Services on H.B. No. 2282

The purpose of this measure is to:

- (1) Allow the family court to terminate parental rights if the court determines by clear and convincing evidence that a child was conceived during an act of rape or sexual assault perpetrated by the parent whose rights are sought to be terminated; and
- (2) Create a presumption that the termination of parental rights is in the best interest of the child if the child was conceived as a result of rape or sexual assault.

The Department of the Attorney General, Hawaii State Commission on the Status of Women, Sex Abuse Treatment Center, Hawaii Women's Coalition, American Association of University Women in Hawaii, Hawaii State Coalition Against Domestic Violence, and Planned Parenthood Votes Northwest and Hawaii supported 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. 2282, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2282, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 544-16 Human Services on H.B. No. 2349

The purpose of this measure is to:

- (1) Clarify the payment framework and duration of higher education stipends;
- (2) Afford former foster youth a longer timeline to access higher education by extending from age 22 to age 26, the age limit applicable to former foster youth who are applying for a higher education stipend;
- (3) Specify that financial assistance available to Hawaii's former foster youth encompasses all related higher education costs, rather than just room and board costs;

- (4) Clarify that the higher education stipend amount is based on the financial support the Department of Human Resources (DHS) provides in accordance with rules adopted by the DHS;
- (5) Clarify the eligibility and program requirements of the Young Adult Voluntary Foster Care Program; and
- (6) Repeal the requirement that DHS submit an annual report to the legislature.

DHS; Family Programs Hawaii; Hawaii Youth Services Network; EPIC 'Ohana, Inc.; and several individuals testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2349 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 545-16 Health on H.B. No. 2749

The purpose of this measure is to establish a Sewage Infrastructure Review Task Force in the Department of Health to examine sewage infrastructure in each county.

The County of Hawaii Department of Environmental Management and City and County of Honolulu Department of Environmental Services provided testimony in opposition to this measure. The Department of Health, Sierra Club of Hawaii, Building Industry Association of Hawaii, and Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Expanding the scope of the task force to include sewage runoff and changing the task force's title to the Sewage Runoff and Infrastructure Review Task Force;
- (2) Expanding the membership of the Task Force;
- (3) Requiring the Task Force to engage the technical expertise of the United States Environmental Protection Agency, University of Hawaii at Manoa, and United States Department of Agriculture, as appropriate;
- (4) Adding an additional reporting requirement 20 days prior to the convening of the Regular Session of 2018;
- (5) Changing the date that the task force will be dissolved to January 2, 2018; and
- (6) Changing the effective date to July 1, 2070, 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. 2749, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2749, H.D. 2.

Signed by all members of the Committee except Representative Tupola.

SCRep. 546-16 Health on H.B. No. 2260

The purpose of this measure, as received by your Committee, is to authorize the issuance of general obligation bonds and appropriate funds as follows for plans, design, and construction of a new patient facility at Hawaii State Hospital:

- (1) \$21,000,000 for fiscal year 2016-2017;
- (2) \$21,000,000 for fiscal year 2017-2018; and
- (3) \$118,000,000 for fiscal year 2018-2019.

The Department of Health testified in support of this measure with comments. The Department of the Attorney General commented on this measure.

In its discussion, your Committee noted that a similar bill, S.B. No. 2471, S.D. 1 (2016), was heard on February 4, 2016, and is proceeding through the legislative process.

Upon consideration of the testimony received, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the language of S.B. No. 2471, S.D. 1 (2016), which authorizes the issuance of general obligation bonds and appropriates \$160,500,000 for fiscal year 2016-2017 for the design and construction of a new state mental health hospital to replace the Hawaii State Hospital; and
- (2) Making a technical, nonsubstantive amendment for clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2260, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2260, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 547-16 Health on H.B. No. 2233

The purpose of this measure, as received by your Committee, is to require health care licensees to take an annual continuing medical education course on health issues that are unique to the State, and to require the Department of Health to develop the course in consultation with the Hawaii Medical Board.

The Council Member of Hawaii County Council, District 8, testified in support of this measure. The Department of Health, Department of Commerce and Consumer Affairs, Hawaii Medical Association, and an individual opposed this measure.

Your Committee notes that one of the gaps in promptly identifying the presence of dengue fever on the Island of Hawaii during the fall of 2015 was the failure of clinicians to promptly report suspected dengue fever cases to the proper reporting agency. Recognizing the importance of supporting excellence in health care through continuing medical education, as well as recognizing the concerns raised in testimony, your Committee has amended this measure by deleting its contents and inserting new language, which requires every physician, osteopathic physician, and surgeon who actively practices in the State to:

- (1) Complete a continuing medical education course that focuses on health issues with significant public health impact to the State; and
- (2) Meet this Hawaii-specific requirement by obtaining credit hours in a continuing medical education course as provided in the Hawaii Medical Board's rules.

This bill also:

- (1) Requires the Hawaii Medical Board to implement the continuing medical education course provisions no later than January 1, 2018; and
- (2) Provides a July 1, 2070, effective date 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. 2233, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2233, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 548-16 Consumer Protection & Commerce on H.B. No. 1753

The purpose of this measure is to increase public safety by, among other things:

- (1) Prohibiting the use on public roadways of a moped that is not in good working order;
- (2) Extending certain police powers dealing with vehicle inspections to include mopeds;
- (3) Requiring a certificate of inspection for all mopeds; and
- (4) Requiring the annual registration of mopeds.

The Moped Noise Mitigation Working Group, GEICO, and several individuals testified in support of this measure. Soundtable Entertainment, Inc., testified in opposition to this measure. The Department of Transportation provided comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Director of Finance to issue moped number plates and specifying penalties for the fraudulent use of moped number plates;
- (2) Removing the certificate of inspection requirement for mopeds; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee respectfully requests that your Committee on Finance further examine whether moped dealers can act as inspection stations, the issue of hardship due to the availability of inspection stations, and the effectiveness of actually meeting the goals of the Moped Noise Mitigation Working Group.

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. 1753, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 1753, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 549-16 Consumer Protection & Commerce on H.B. No. 2649

The purpose of this measure is to protect electricity ratepayers from potentially unnecessary additional costs.

More specifically, this measure requires the Public Utilities Commission to establish performance incentive mechanisms that directly tie an electric utility's revenues to the utility's achievement on the performance metrics.

Your Committee received testimony in support of this measure from the Distributed Energy Resources Council. Testimony in opposition was received from Hawaiian Electric Company and its subsidiary utilities Maui Electric Company and Hawaii Electric Light Company. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaii Energy Policy Forum submitted comments on the measure.

Your Committee finds that current policies allow investor-owned utilities to profit from making investments in infrastructure while passing costs of the investments on to ratepayers, which serves as an incentive to increase infrastructure spending to increase profits while inflating ratepayer bills. While infrastructure investments are necessary to achieve the State's goal of transitioning to renewable energy, regulatory policies must change to ensure utilities maximize benefits to the public, reduce risks to ratepayers, and shift to renewable energy at the lowest cost to consumers.

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. 2649, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 550-16 Consumer Protection & Commerce on H.B. No. 2523

The purpose of this measure is to establish default rules for condominium, community, and homeowners associations that have not adopted rules allowing for the placement of solar energy devices on single-family residential dwellings and townhouse units.

The Distributed Energy Resources Council of Hawaii and Hawaii Solar Energy Association provided testimony in support of the measure.

Your Committee has amended this measure by deleting the option for denial of a complete installation proposal for placement of a solar energy device, in the absence of rules adopted pursuant to section 196-7(b), Hawaii Revised Statutes.

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. 2523, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2523, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Nakashima, Oshiro, Yamane and McDermott.

SCRep. 551-16 Consumer Protection & Commerce on H.B. No. 1899

The purpose of this measure is to regulate certified professional midwives who practice midwifery care.

The Midwives Alliance of Hawaii, HanaNaia LLC, and numerous individuals testified in support of this measure. The Hawaii Medical Association, Hawaii Section of the American Congress of Obstetricians and Gynecologists, and numerous individuals testified in opposition to this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Ho'opae Pono Peace Project, and a few individuals provided comments on this measure.

Your Committee notes that there is still an ongoing heated discussion concerning the regulation as well as the scope of practice of midwives and that the last study conducted by the Auditor to determine whether licensure would be necessary for the practice of midwifery was completed 17 years ago.

Therefore, your Committee has amended this measure by:

- (1) Deleting the statutory authority to regulate certified professional midwives and instead requiring the Auditor to study whether licensure for certified professional midwives who practice midwifery care is warranted; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that during the public hearing, there was discussion on whether it would be appropriate to adopt Oregon's regulations on the practice of midwifery. Should the Committee on Judiciary deliberate further on this measure, your Committee respectfully requests that it consider using Oregon's regulations as a model for midwifery regulation.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1899, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 1899, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 552-16 Consumer Protection & Commerce on H.B. No. 2543

The purpose of this measure is to enhance access to broadband internet by extending for five years the provisions of Act 151, Session Laws of Hawaii 2011, and Act 264, Session Laws of Hawaii 2013, which expedite the approval process for broadband-related permit applications and exempt the installation, improvement, construction, or development of broadband infrastructure from most county and state permitting and approval requirements (Broadband Access Provisions).

The Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Oceanic Time Warner Cable; Hawaiian Telcom, Hawaiian Electric and its subsidiaries, Hawaii Electric Light Company and Maui Electric Company; and the Chamber of Commerce Hawaii testified in support of this measure.

Your Committee has amended this measure by making the Broadband Access Provisions permanent.

Your Committee notes that since the inception of the Broadband Access Provisions, no entity has provided the required notice of action to use Act 151, Session Laws of Hawaii 2011. The sunset provision was enacted because the environmental community was concerned that the review process would be circumvented. Because none of their concerns materialized, the sunset date is repealed to support the development of broadband 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. 2543, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2543, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 553-16 Consumer Protection & Commerce on H.B. No. 2582

The purpose of this measure is to establish and implement the Agricultural Food Safety Certification Program.

More specifically, this measure:

- (1) Establishes the Agricultural Food Safety Certification Program within the Department of Agriculture to support the agricultural industry and assist farmers and ranchers who are subject to the requirements of the Food and Drug Administration (FDA) Food Safety Modernization Act; and
- (2) Appropriates funds for the Department of Agriculture to develop and implement the program and establish four full-time equivalent positions in the program.

The Department of Agriculture, North Shore Economic Vitality Partnership, and Hawaii Farm Bureau submitted testimony in support of this measure.

Your Committee finds that it is important to support the agricultural industry by providing assistance to farmers and ranchers who must comply with the requirements of the FDA Food Safety Modernization Act. Your Committee recognizes that compliance with the FDA Food Safety Modernization Act may be especially difficult for small farmers and that cooperative efforts will lessen this burden. Accordingly, your Committee finds that establishing the Agricultural Food Safety Certification Program will support the agricultural industry by assisting farmers and ranchers with FDA Food Safety Modernization Act compliance.

Your Committee notes that neither the Department of Agriculture nor the prior Standing Committee provided guidance regarding the appropriation amount necessary to establish positions for the Agricultural Food Safety Certification Program. Accordingly, should the Committee on Finance decide to hear this measure, your Committee respectfully requests that the Committee on Finance examine and determine a suitable appropriation amount.

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. 2582, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2582, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 554-16 Consumer Protection & Commerce on H.B. No. 2424

The purpose of this measure is to allow the Department of Agriculture to establish or participate in public-private partnerships to enhance the Department's biosecurity program and quarantine inspection process.

Your Committee received testimony in support of this measure from the Department of Agriculture, the Hawaii Crop Improvement Association, and the Hawaii Farm Bureau.

Your Committee finds that the rampant spread of invasive species in Hawaii is a threat to the State's environment and economy, and to the health and lifestyle of Hawaii's people. The Department of Agriculture's biosecurity program and quarantine inspection process are at the forefront of preventing and combating the spread of invasive species in Hawaii. Despite the importance of the biosecurity program and inspection process, the Department of Agriculture does not have adequate resources to effectively and efficiently administer these programs. Your Committee believes that authorizing the Department of Agriculture to establish or participate in public-private partnerships to enhance the biosecurity program and quarantine inspection process will strengthen the Department's ability to collaboratively work toward the protection of the State from invasive species.

Your Committee notes that neither the prior Standing Committee nor the Department of Agriculture has provided any guidance on the amount to be appropriated for the projects identified in the measure. Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it deliberate on what a sufficient amount would be for the appropriation.

Your Committee amended this measure by changing the effective date from July 1, 2016, to July 1, 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. 2424, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2424, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 555-16 Consumer Protection & Commerce on H.B. No. 2076

The purpose of this measure is to increase competition within Hawaii's electrical markets, expand customer choices, and diversify Hawaii's energy base by requiring the Public Utilities Commission (PUC) to establish policies and rules implementing retail wheeling to enable independent power producers to sell electricity directly to end users.

Paniolo Power Company, LLC and Parker Ranch, Inc. supported the intent of this measure. Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, and Land Use Research Foundation of Hawaii testified in opposition to this measure. The Department of Commerce and Consumer Affairs, PUC, and Hawaii Energy Policy Forum at the University of Hawaii at Manoa provided comments.

Your Committee has amended this measure by:

- (1) Requiring the PUC to investigate and report on the feasibility of implementing retail wheeling in the State prior to the adoption of rules and policies;
- (2) Changing its effective date to July 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. 2076, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2076, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Nakashima, Oshiro, Yamane and McDermott.

SCRep. 556-16 Consumer Protection & Commerce on H.B. No. 2704

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 exemptions from Hawaii securities law for limited intrastate investments with Hawaii businesses, not to exceed \$1,000,000 less the aggregate amount of certain revenue received by the issuer during a twelve month period.

The Chamber of Commerce Hawaii provided testimony in support of this measure. The Department of Commerce and Consumer Affairs supported the intent of the measure. The United Public Workers, AFSCME, Local 646, AFL-CIO (UPW) provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Amending the maximum dollar amount allowed for an exempted transaction to simply not exceed \$1,000,000, rather than calculating the allowable amount as \$1,000,000 less a specified aggregate sum;
- (2) Delaying implementation of the exemption until January 1, 2018, to allow for necessary rule making;
- (3) Changing the effective date to July 1, 2112, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2704, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2704, H.D. 2.

Signed by all members of the Committee.

SCRep. 557-16 Consumer Protection & Commerce on H.B. No. 2539

The purpose of this measure is to facilitate the establishment of health savings accounts in addition to group health insurance, including employer-sponsored group health insurance under the Prepaid Health Care Act.

The Hawaii Medical Association, Outrigger Enterprises Group, and Alexander & Baldwin, Inc. testified in support of this measure. The Department of the Attorney General and ILWU Local 142 testified in opposition. The Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs, and Hawaii Medical Service Association provided comments.

Among other things, your Committee has amended this measure by:

- (1) Specifying that the employer cooperate with and provide certification to the Department of Labor and Industrial Relations, rather than an insurer or mutual benefit society, regarding proof of compliance with limitations set on the provision of a health savings account program; and

- (2) Removing provisions requiring insurers and mutual benefit societies to:
 - (A) Retain an employer's certification for five years; and
 - (B) Submit an annual report to the Insurance Commissioner regarding plan participation, funding, and performance; 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. 2539, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2539, H.D. 2.

Signed by all members of the Committee.

SCRep. 558-16 Energy & Environmental Protection on H.B. No. 2080

The purpose of this measure is to encourage the use of alternative energy vehicles and further the State's clean energy goals by:

- (1) Including fuel cell electric vehicles in the definition of electric vehicles for purposes of parking exemptions, High Occupancy Vehicle lane use, registration, and required parking spaces in places of public accommodation; and
- (2) Granting procurement priority for fuel cell electric vehicles purchased by state and county agencies.

The Department of Business, Economic Development, and Tourism; the High Technology Development Corporation; the Hawaii Energy Policy Forum; the Hawaii Automobile Dealers Association; the Alliance of Automobile Manufacturers; Servco Pacific Inc.; Blue Planet Foundation; and two individuals testified in support 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. 2080, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 559-16 Energy & Environmental Protection on H.B. No. 2042

The purpose of this measure is to encourage water conservation by creating a refundable residential water conservation system cost tax credit for newly constructed systems beginning January 1, 2017.

The Nature Conservancy, Surfrider Foundation, Surfrider Foundation Oahu Chapter, Hawaii Fresh Water Initiative, and a few concerned individuals supported this measure. The Department of Taxation offered comments.

Your Committee has amended this measure by amending the definition of "residential water conservation system" to include either a system that captures and reuses rainwater or a system that collects and reuses gray water.

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. 2042, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2042, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 560-16 Energy & Environmental Protection on H.B. No. 2648

The purpose of this measure is to reduce waste in Hawaii by:

- (1) Establishing a phased reduction of food waste into county solid waste streams for commercial and business entities;
- (2) Establishing the Solid Waste Infrastructure Advisory Committee; and
- (3) Appropriating funds for the counties to comply with food waste reduction mandates.

The Surfrider Foundation, Surfrider Foundation Oahu Chapter, Zero Waste Kauai, Styrophobia Hawaii, and numerous concerned individuals supported this measure. The Department of Health and Hawaii Food Industry Association submitted comments.

Your Committee has amended this measure by:

- (1) Deleting the phased reduction of food waste into county solid waste streams for commercial and business entities;
- (2) Adding a codified zero-food-waste goal whereby commercial and business entities generating over one ton of commercial food waste annually must reduce this waste to zero by January 1, 2025;
- (3) Requiring the Department of Health to adopt rules by January 1, 2019, to achieve the zero-food-waste goal;
- (4) Adding representatives of the food industry and the community to the Solid Waste Infrastructure Advisory Committee;

- (5) Requiring the Solid Waste Infrastructure Advisory Committee to submit its legislative report no later than 20 days prior to the convening of the Regular Session of 2017;
- (6) Dissolving the Solid Waste Infrastructure Advisory Committee on January 1, 2025; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that should your Committee on Finance choose to consider this measure, the suggested total appropriation amount is \$50,000.

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. 2648, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2648, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 561-16 Energy & Environmental Protection on H.B. No. 1853

The purpose of this measure is to extend the authorization for the issuance of special purpose revenue bonds to BioEnergy Hawaii, LLC, for the purpose of establishing a cogeneration facility and related energy production facilities for an additional five years.

The Department of Transportation; Ulupono Initiative; BioEnergy Hawaii, LLC; Pacific Waste Inc.; and North Shore Consultants, LLC supported 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1853, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1853, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 562-16 Energy & Environmental Protection on H.B. No. 2728

The purpose of this measure is to reestablish the reduced tax rate of 2 cents per gallon for naphtha fuel used in power generation facilities, retroactive to January 1, 2016.

This measure also defines "power-generating facility" to mean an electric generating-facility that requires a permit under the Federal Clean Air Act or Hawaii Air Pollution Control Law.

Kauai Island Utility Cooperative testified in support of this measure. The Department of Transportation testified in support of the intent of this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Inserting a sunset date of January 1, 2020; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2728, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2728, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 563-16 Energy & Environmental Protection/Water & Land on H.B. No. 2435

The purpose of this measure is to help protect public health and the environment by appropriating \$100,000 to the Department of Health and Department of Agriculture to conduct a water-quality study of the water resources of the Waialua district on the island of Oahu.

The Department of Health and Department of Agriculture submitted comments.

Your Committees have amended this measure by:

- (1) Changing the amount of the appropriation to an unspecified sum;
- (2) Changing the source of the appropriation from the Pesticide Use Revolving Fund to the general fund;
- (3) Clarifying that the departments of Health and Agriculture may, in their discretion, consult and partner with other relevant government and non-government agencies, organizations, businesses, experts, and individuals in their analysis; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on 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. 2435, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2435, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Say and Pouha.

SCRep. 564-16 Water & Land on H.B. No. 2198

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to provide financing to assist West Maui Investors, LLC, with two Ukumehame reservoirs.

The Department of Land and Natural Resources provided testimony in support of this measure. An individual provided testimony in opposition. The Department of the Attorney General and Department of Budget and Finance provided comments.

Your Committee has amended this measure by authorizing the issuance of the special purpose revenue bonds pursuant to House Bill No. 2058 (2016), not Act 147, Session Laws of Hawaii 2012.

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. 2198, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2198, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 565-16 Water & Land on H.B. No. 2675

The purpose of this measure is to appropriate funds to help to continue pathology research by the United States Department of Agricultural Research Service and other organizations to combat rapid ohia death.

The Department of Agriculture, Department of Land and Natural Resources, University of Hawaii System, Aha Moku Advisory Committee, Conservation Council for Hawaii, Sierra Club of Hawaii, Hawaii Farm Bureau, Coordinating Group on Alien Pest Species, The Nature Conservancy, and a few individuals provided testimony in support of 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, 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. 2675, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2675, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 566-16 Water & Land on H.B. No. 2729

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for capital improvement projects for the Department of Water, County of Kauai.

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, 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2729, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2729, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 567-16 Water & Land on H.B. No. 2456

The purpose of this measure is to establish time limits for the approval or disapproval of water quality certification applications for state projects.

The Department of Land and Natural Resources provided testimony in support of the measure. The Department of Health provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Specifying that applicants who have been notified that additional information is necessary to process their applications have thirty days to supply the information or to correct a deficiency; 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. 2456, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2456, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Say.

SCRep. 568-16 Water & Land on H.B. No. 502

The purpose of this measure is to provide additional funding needed for improvements to irrigation systems throughout the State.

Hawaii Crop Improvement Association, Hawaii Farm Bureau, MauiGrown Coffee, Inc., Maui County Farm Bureau, Hawaii Cattlemen's Council, Land Use Research Foundation of Hawaii, and some individuals provided testimony in support of this measure. The Department of Agriculture provided comments.

Your Committee has amended this measure by:

- (1) Deleting the lapsing provision; 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. 502, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 502, H.D. 1.

Signed by all members of the Committee except Representative Say.

SCRep. 569-16 Water & Land/Consumer Protection & Commerce on H.B. No. 1840

The purpose of this measure is to require the Director of Commerce and Consumer Affairs, in consultation with the Comptroller, to develop strategies for the upkeep, repair, and maintenance of Sunset Memorial Park.

Several individuals provided testimony in support of this measure. The Department of Commerce and Consumer Affairs provided comments.

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 Water & Land and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1840, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1840, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Ing, Kawakami, Nishimoto and Say.

SCRep. 570-16 Water & Land on H.B. No. 2054

The purpose of this measure is to ensure and enhance the continued availability and operation of dams and reservoirs in the State by establishing a Dam and Reservoir Working Group.

The Department of Agriculture; Hawaii Farm Bureau; Hawaii Crop Improvement Association; Hawaii Cattlemen's Council, Inc.; MauiGrown Coffee, Inc.; Maui County Farm Bureau; Alexander & Baldwin, Inc.; Land Use Research Foundation; and some individuals provided testimony in support of this measure. The Department of Land and Natural Resources testified in opposition. The Chamber of Commerce Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Adding examination of the role of dams and reservoirs in drought mitigation to the working group's duties;
- (2) Adding an appropriation to fund the working group;
- (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. 2054, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2054, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 571-16 Water & Land on H.B. No. 2678

The purpose of this measure is to:

- (1) Authorize the Director of Finance to issue General Obligation bonds to the counties for infrastructure construction related to urban renewal projects;
- (2) Allow each county to create one local redevelopment agency for each county redevelopment project;
- (3) Repeal the specific naming requirement for local redevelopment agencies;
- (4) Require all five members of each local redevelopment agency to reside in the area where the redevelopment project is located, as defined by the county via resolution; and
- (5) Designate redevelopment projects carried out by the local redevelopment agencies as public works.

The Land Use Research Foundation of Hawaii and Hawaii Construction Alliance provided testimony in support of this measure. The Department of Budget and Finance, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the appointment process for local redevelopment agencies by having the mayor appoint three members and the council chair two, both subject to approval of the council;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2678, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2678, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 572-16 Water & Land on H.B. No. 2300

The purpose of this measure is to provide for the review and update of the Hawaii State Planning Act by funding the Office of Planning to review the Act and report to the legislature its findings and recommendations.

The Department of Business, Economic Development & Tourism, Office of Planning, Marine and Coastal Zone Advocacy Council, Sierra Club of Hawaii, and Land Use Research Foundation of Hawaii provided testimony in support of this measure. An individual provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; 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. 2300, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2300, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 573-16 Water & Land on H.B. No. 2646

The purpose of this measure is to protect public health and the quality of Hawaii's drinking water by establishing a Permanent Fuel Tank Advisory Committee within the Department of Health to study and monitor underground fuel storage tank leak issues.

The Department of Land and Natural Resources, a Councilmember of the City Council of the City and County of Honolulu, Board of Water Supply of the City and County of Honolulu, Sierra Club of Hawaii, and an individual provided testimony in support of this measure. The Navy Region Hawaii, Department of Health, and Conservation Council for 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. 2646, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 574-16 Water & Land on H.B. No. 2044

The purpose of this measure is to address long-standing compliance challenges relating to district boundary amendments and conditions of approval by providing the Land Use Commission with a variety of flexible, alternative enforcement tools. Specifically, this measure:

- (1) Establishes penalties for any petitioner for an amendment to a district boundary that violates, neglects or fails to conform or comply with chapter 205, Hawaii Revised Statutes, or any lawful order of the Land Use Commission;
- (2) Authorizes the Land Use Commission to record a notice of noncompliance, modify existing conditions, or impose new conditions on land that has been petitioned for a boundary amendment when the petitioner fails to comply with their representations or the Land Use Commission's conditions;
- (3) Clarifies who may file a motion for an order to show cause based on an alleged failure to perform a condition, representation, or commitment; and
- (4) Extends incremental districting to urban districts to twenty years.

The Office of Hawaiian Affairs and Friends of Makakilo provided testimony in support of this measure. The Land Use Commission, Office of Planning, Department of Planning and Permitting, Building Industry Association-Hawaii, Hawaii's Thousand Friends, and Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that a petitioner in violation of chapter 205, Hawaii Revised Statutes, may be subject to civil penalties or reversion, but not both; 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. 2044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2044, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 575-16 Water & Land on H.B. No. 2043

The purpose of this measure is to require the Land Use Commission to process the reversion of land use district boundary reclassifications and revoke approvals for special use permits in cases where the pertinent county has violated or failed to enforce land use conditions or restrictions imposed by the Commission for the subject property.

The Friends of Makakilo provided testimony in support of this measure. The Department of Planning and Permitting of the City and County of Honolulu, Land Use Research Foundation of Hawaii, and Hawaii Association of Realtors provided testimony in opposition. The Office of Planning, Land Use Commission, Building Industry Association-Hawaii, Hawaii's Thousand Friends, and Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the consequences of a Commission finding that a violation or failure to enforce has occurred from the reversion of reclassification or revocation of approval to stripping the county of its authority to approve future permits for the completion of the project and allocating the authority to the Commission;
- (2) Deleting the subsection that made the counties bear the costs arising out of an investigation or hearing that results in an adverse disposition for the county;
- (3) Adding a subsection that establishes an expedited process for judicial challenges to the Land Use Commission's determination;
- (4) Changing the 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2043, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2043, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 576-16 Water & Land/Agriculture on H.B. No. 2038

The purpose of this measure is to provide funding for the natural resource management, clean energy, and green workforce goals of the Aloha+ Challenge.

The Department of Land and Natural Resources, Hawaii Invasive Species Council, a Maui County council member, City and County of Honolulu Board of Water Supply, Conservation Council for Hawaii, Hawaii Green Growth, Kauai Watershed Alliance, Kauai Invasive Species Committee, The Nature Conservancy, Asia-Pacific Center for Regenerative Design, Oahu Invasive Species Committee, Coordinating Group on Alien Pest Species, and a few individuals provided testimony in support of this measure. Fishing Tales with Mike Sakamoto, Big Island Fisheries Association, Hunting Farming Fishing Association, Hawaii Hunting Association, and many individuals provided testimony in opposition. An individual provided comments.

Your Committees have amended this measure by:

- (1) Deleting Part IV of the measure, which sought to permanently establish the community fisheries enforcement unit approach throughout the State; and
- (2) 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 Water & Land and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2038, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2038, H.D. 2.

Signed by all members of the Committee except Representatives Ing, Lowen, Nishimoto and Pouha.

SCRep. 577-16 Education on H.B. No. 2569

The purpose of this measure is to:

- (1) Accelerate the goals of the Department of Education (Department) to cool Hawaii's schools, reduce energy costs, meet Hawaii's clean energy goals, and provide all students with better classrooms in which to learn by, among other things:
 - (A) Requiring the Department to establish a goal of becoming net-zero with respect to energy use by January 1, 2035;
 - (B) Requiring the Department to establish in each county at least one microgrid pilot project at public schools that also serve as emergency shelters; and
 - (C) Requiring the Department to expedite the cooling of all public school classrooms to a temperature acceptable for student learning; and
- (2) Authorize the issuance of general obligation bonds and the use of funds from the Green Infrastructure Loan Program to implement cooling measures in public school classrooms.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 8 to the Legislature, requested immediate consideration and passage of this bill by the Legislature to finance energy efficiency and heat abatement initiatives within the Department of Education.

The Department of Education; Department of Budget and Finance; Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; and Aikea Movement supported this measure. The Hawaii State Teachers Association supported this measure and provided amendments. The Hawaii Emergency Management Agency supported the intent of this measure. 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 H.B. No. 2569, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 578-16 Education on H.B. No. 1706

The purpose of this measure is to:

- (1) Establish within the Department of Education the Youth Civil Defense Corps, which will train high school students to participate in the state Emergency Response Team Program; and
- (2) Require the Board of Education, in consultation with the Hawaii Emergency Management Agency, to adopt standards and a curriculum for student participation.

The Hawaii Emergency Management Agency testified in support of this measure. The Department of Education provided comments.

Your Committee has amended this measure by:

- (1) Appropriating an unspecified amount for the establishment of the Youth Civil Defense Corps and designating the Department of Education as the expending agency;
- (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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1706, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1706, H.D. 1.

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

SCRep. 579-16 Education on H.B. No. 1716

The purpose of this measure is to create an effective governance structure to provide direction and oversight to the Executive Office on Early Learning by changing the Early Learning Advisory Board to an Early Learning Commission.

The State Public Charter School Commission, Chamber of Commerce Hawaii, Hawaii Children's Action Network, and a concerned individual testified in support of this measure. The Executive Office on Early Learning 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 H.B. No. 1716 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 580-16 Education on H.B. No. 2431

The purpose of this measure is to continue to allow students to participate in valuable, enriching educational trips by exempting teachers employed by the Department of Education or a public charter school who are involved in educational trips from certain provisions of the State Ethics Code.

The Department of Education, Hawaii State Teachers Association, IMUAlliance, and numerous concerned individuals supported this measure. The Hawaii State Ethics Commission opposed the measure.

Your Committee has amended this measure by expanding the exemption to include teachers, counselors, administrators, coaches, or other employees employed by the Department of Education or a public charter school who are involved in educational trips.

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. 2431, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2431, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Ito and Tupola.

SCRep. 581-16 Education on H.B. No. 1228

The purpose of this measure is to require the Department of Education to provide a \$2,500 monetary bonus to each teacher that meets all of the requirements to add the "teacher leader" field to their existing standard or advanced teacher license.

The State Public Charter School Commission, Hawaii Teacher Standards Board, College of Education at the University of Hawaii at Manoa, Hope Street Group, and several concerned individuals supported this measure. Hawaii State Teachers Association and Comprendio supported this measure and provided amendments. The Department of Education supported the intent of this measure. 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 H.B. No. 1228, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 582-16 Education on H.B. No. 1741

The purpose of this measure is to advance public education in Hawaii by appropriating moneys to support the Read to Me International Foundation in its promotion of reading aloud to children.

A concerned individual supported this measure. The Department of Education submitted comments.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1741, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1741, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Say and Tsuji.

SCRep. 583-16 Education on H.B. No. 1937

The purpose of this measure is to ensure that only qualified persons are allowed to practice in the field of school psychology by establishing a school psychologist licensing program to be administered by the Department of Commerce and Consumer Affairs. Under this program, all persons engaged in the practice of school psychology must be licensed as school psychologists to practice in the public and private sectors of employment.

The Hawaii Association of School Psychologists and several concerned individuals supported this measure. The Department of Education supported the intent of this measure. The Board of Psychology, Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs offered comments.

Your Committee has amended this measure by:

- (1) Clarifying the proposed definitions of "practice of school psychology" and "school psychologist" to add "or its successor" to the reference to the National Association of School Psychologists;
- (2) Clarifying the proposed qualifications and requirements for applicants who are seeking licensure as a school psychologist, including the degree requirements; post-graduate experience certification requirements; and requirements for persons who are already employed as a school psychologist but who have an out-of-state license or credential that has expired; 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. 1937, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.B. No. 1937, H.D. 2.

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

SCRep. 584-16 Agriculture on H.B. No. 2274

The purpose of this measure is to make affordable capital accessible to farmers so that they may increase local food production and thereby make Hawaii more food self-sufficient by appropriating additional funds to the Agricultural Loan Revolving Fund.

The Department of Agriculture, Hawaii Cattlemen's Council, Hawaii Farm Bureau, and Chamber of Commerce Hawaii supported this measure.

Your Committee has amended this measure by deleting the amount of the appropriation for the Agricultural Loan Revolving Fund to encourage further discussion.

Should your Committee on Finance deliberate on this measure further, you Committee on Agriculture respectfully requests that it consider appropriating \$4,000,000 for deposit into the Agricultural Loan Revolving Fund.

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. 2274, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2274, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 585-16 Agriculture on H.B. No. 1869

The purpose of this measure is to address the damage to agricultural crops and local ecology and the potential health threats to residents due to the increasing population of rose-ringed parakeets on Kauai by appropriating funds to the Department of Agriculture to assist the National Wildlife Research Center of the United States Department of Agriculture (Research Center) with:

- (1) Completion of the Research Center's research on the negative impacts of the rose-ringed parakeet on the island of Kauai; and
- (2) Development and implementation of an effective control plan to reduce those negative impacts.

The Department of Land and Natural Resources, Invasive Species Council, Hawaii Farm Bureau, and a concerned individual supported this measure. The Department of Agriculture submitted comments on this measure.

Your Committee has amended this measure by changing its effective date to January 20, 2050, to encourage further discussion.

Your Committee notes that at this point in the legislative process, the appropriation for the Department of Agriculture to assist the National Wildlife Research Center in completing its research on and developing and implementing an effective control of the rose-ring parakeet is unspecified and further discussion is necessary to determine a recommended amount.

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. 1869, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1869, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 586-16 Agriculture on H.B. No. 2595

The purpose of this measure is to improve agricultural water systems and assist their owners to carry out much need improvements to address the impacts of drought by authorizing the issuance of general obligation bonds and appropriating funds for, among other things, the costs of system optimization; planning, environmental, and legal support; and project and construction management for specified irrigations systems in the State.

The Agribusiness Development Corporation, Land Use Research Foundation of Hawaii, Ulupono Initiative, Hawaii Farm Bureau, and Larry Jeffs Farms, LLC supported this measure. The Department of Agriculture supported the intent of this measure. The Department of Budget and Finance submitted comments on this measure.

Your Committee has amended this measure by changing its effective date to January 20, 2050, to encourage further discussion.

Should the Committee on Finance deliberate on this measure further, your Committee on Agriculture respectfully requests that it determine what amounts are needed for each irrigation system.

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. 2595, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2595, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 587-16 Agriculture on H.B. No. 2548

The purpose of this measure is to authorize the issuance of general obligations bonds and appropriate \$750,000 for the planning, design, construction, and materials and equipment of the East Kauai Community Recreation Center and Anahola Pilot Agricultural Park.

The Department of Agriculture and a concerned individual supported this measure. The Center for Hawaiian Sovereignty Studies opposed this measure.

Your Committee has amended this measure by deleting the amount of the general obligation bonds and the amount of the appropriations for the two capital improvement projects to encourage further discussion.

Should your Committee on Finance deliberate on this measure further, your Committee on Agriculture respectfully requests that it consider issuing general obligation bonds in the amount of \$750,000 and appropriating \$500,000 for the East Kauai Community Recreation Center and \$250,000 for the Anahola Pilot Agricultural Park.

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. 2548, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2548, H.D. 1.

Signed by all members of the Committee.

SCRep. 588-16 Agriculture on H.B. No. 2596

The purpose of this measure is to protect macadamia nuts, among the five top-grossing agricultural commodities grown in the State, from the threat of the macadamia felted coccid that could devastate the macadamia nut industry by appropriating funds for:

- (1) The Department of Agriculture (DOA), 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;
- (2) CTAHR, in cooperation with DOA, to research and develop methods for the prevention and treatment of macadamia felted coccid, including new chemical research on cultivating macadamia nuts; and
- (3) Hiring an extension agent at CTAHR to work on macadamia nut cultivation, post-harvest handling, and processing concerns, consistent with the Hawaii Macadamia Nut Association research priority goals.

The Department of Agriculture, University of Hawaii System, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, Hawaii Macadamia Nut Association, Royal Hawaiian Orchards, ILWU Local 142, and two concerned individuals supported this measure.

Your Committee notes that at this point in the legislative process, the appropriation for the research and hiring of an extension agent to address the threat of the macadamia felted coccid is unspecified and further discussion is necessary to determine a recommended amount.

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. 2596 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 589-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2023

The purpose of this measure is to require the Department of Land and Natural Resources to designate and adopt rules for the management of no fewer than five community-based subsistence fishing areas by December 31, 2020. The measure establishes a designation process and rule requirements.

Ho'omana Pono, LLC and several individuals testified in support of this measure. Numerous individuals testified in opposition to this measure. The Office of Hawaiian Affairs, the Department of Land and Natural Resources, Kuaaina Ulu Auamo, and The Nature Conservancy of Hawai'i provided comments.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the Department of Land and Natural Resources adopt a management plan for each designated area by rule;
- (2) Requiring the Department to adopt rules regarding limits on activities, other than extractive activities, that may affect the marine environment or interfere with harvesting, gathering, or subsistence practices;

- (3) Changing the effective date to December 24, 2088; and
- (4) Making technical, nonsubstantive 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. 2023, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2023, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Evans, Nishimoto and Say.

SCRep. 590-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2078

The purpose of this measure is to authorize courts to require a person who has violated laws pertaining to aquatic resources, fishing rights and regulations, or marine life conservation to complete an aquatic resources educational class administered by the Department of Land and Natural Resources in lieu of or in addition to paying a monetary fine or to perform community service administered by the Department in lieu of paying a monetary fine.

The Judiciary, Department of Land and Natural Resources, Conservation Council for Hawai'i, The Nature Conservancy, Mālama Pūpūkea-Waimea, Ho'omana Pono, LLC, and three individuals submitted testimony in support of this measure. One individual submitted testimony in opposition. The Office of Hawaiian Affairs 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 H.B. No. 2078 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Lee and Thielen.

SCRep. 591-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2375

The purpose of this measure is to authorize the Department of Land and Natural Resources to establish and operate aquatic mitigation banks to restore, create, enhance, or preserve aquatic habitats or resources as compensatory mitigation for adverse impacts to aquatic habitats or resources.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, Ho'omana Pono, LLC, and three individuals submitted testimony in support 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. 2375 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 592-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2020

The purpose of this measure is to appropriate funds for the Department of Land and Natural Resources to conduct and contract for studies to identify the causes of decline in limu and reef fish along the Ewa coast of Oahu.

The Department of Land and Natural Resources, Ho'omana Pono, LLC, and several individuals testified in support of this measure.

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

Should the Committee on Finance deliberate this measure further, your Committee on Ocean, Marine Resources, & Hawaiian Affairs respectfully requests that it consider appropriating \$700,000 to contract a study on the decline in limu and reef fish along the Ewa coast of Oahu.

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. 2020, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2020, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 593-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2024

The purpose of this measure is to protect ocean users as well as ocean and shoreline ecosystems by requiring all motorized recreational vessels operating in nearshore waters to have properly functioning propeller guards or similar technology installed.

Ho'omana Pono, LLC and one individual supported this measure. Lahaina Divers, Inc., Hawaii Goes Fishing, Hunting Farming and Fishing Association, and numerous individuals testified in opposition to this measure. The Department of Land and Natural Resources offered comments.

Your Committee has amended this measure by changing its 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. 2024, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2024, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Lee and Thielen.

SCRep. 594-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2563

The purpose of this measure is to appropriate funds for the restoration of a continuous beach and associated infrastructure along the Waikiki waterfront, with the funds to be allocated for planning and design of the area between the Royal Hawaiian groin and the Fort DeRussy storm drain groin, including a multi-use pedestrian and bicycle path that allows public access and connects Kaimana Beach with Ala Moana Beach Park.

The Department of Land and Natural Resources, The Chamber of Commerce Hawaii, Blue Planet Foundation, Waikiki Beach Special Improvement District Association, and one individual testified in support of this measure. Ho'omana Pono, LLC testified in opposition to this measure. O'ahu Island Parks Conservancy provided comments on this measure.

Your Committee has amended this measure by changing the appropriation amount from \$1,500,000 to an unspecified amount.

Should the Committee on Finance deliberate this measure further, your Committee on Ocean, Marine Resources, & Hawaiian Affairs respectfully requests that it consider appropriating \$1,500,000 for the purposes 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. 2563, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2563, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 595-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2025

The purpose of this measure is to convene a task force to identify the ten most vital marine species to Hawaii's reef ecosystems that would be vulnerable to extinction if the take level of those species increases and to assist the Department of Land and Natural Resources in determining possible actions to preserve those species.

Ho'omana Pono, LLC submitted testimony in support of this measure. The Department of Land and Natural Resources, Hawaii Goes Fishing, and four individuals submitted testimony in opposition. The Office of Hawaiian Affairs and Pet Industry Joint Advisory Council 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 H.B. No. 2025, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2025, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Evans, Nishimoto and Say.

SCRep. 596-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2372

The purpose of this measure is to assist the Department of Land and Natural Resources' Division of Boating and Ocean Recreation with enforcing penalties for unpermitted commercial activities in state navigable waters and shoreline areas by clarifying the definition of commercial activities that require a permit from the Department.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and an individual. Your Committee received testimony in opposition to this measure from Hawaiian Style Beach Activities, Ocean Tourism Coalition, and two individuals. Three individuals submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that commercial activities subject to permitting and regulation by the Department do not include land-based providers of retail or rental beach and ocean equipment or land-based activity providers of tickets or vouchers for ocean activities;
- (2) Amending the definition of commercial activity to include any engagement or attempt at engagement in action for compensation, regardless of where the compensation is received;
- (3) Changing its effective date to December 24, 2088, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee finds that this measure is not intended to expand the authority of the Department of Land and Natural Resources or the Division of Boating and Ocean Recreation to regulate any ocean or shoreline activity, including commercial fishing, beyond that which is currently granted by statute. Your Committee finds that this measure preserves the status quo with regard to the Department's and the Division's regulatory jurisdiction and assists with enforcement of existing permit requirements and activity restrictions.

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. 2372, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2372, H.D. 2.

Signed by all members of the Committee.

SCRep. 597-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1825

The purpose of this measure is to require the Department of Land and Natural Resources to establish an advisory committee comprised of ocean users to advise the Department on ocean use issues that arise in the West Maui Ocean Recreation Management Area, particularly in the high-use area of the waters adjacent to Kaanapali, Maui.

Your Committee received testimony in support of this measure from Ho‘omana Pono, LLC and one individual. Your Committee received testimony in opposition to this measure from Lahaina Divers; Ocean Tourism Coalition; Quicksilver Charter; Hunting, Farming and Fishing Association; and one individual. The Department of Land and Natural Resources and Aha Moku Advisory Committee submitted comments.

Your Committee has amended this measure by:

- (1) Adding a representative of the Aha Moku Advisory Committee and a commercial operator with a permit to operate within the West Maui Ocean Recreation Management Area as members of the advisory committee;
- (2) Changing its effective date to December 24, 2088, 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 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. 1825, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1825, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 598-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.B. No. 2035

The purpose of this measure is to establish a three-year pilot project to promote photovoltaic powered desalination on the island of Ko‘olawe and to study the benefits of the technology's use.

The Koho‘olawe Island Reserve Commission and numerous individuals testified in support of this measure. The Department of Business, Economic Development and Tourism offered comments on this measure. Two individuals testified in opposition to this measure.

Your Committees have amended this measure by:

- (1) Changing the appropriation sum from \$500,000 to an unspecified amount; and
- (2) Changing the effective date to December 24, 2088.

Should the Committee on Finance deliberate this measure further, your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land respectfully request that it consider appropriating \$500,000 for the establishing and implementing of a three-year photovoltaic powered desalination pilot project.

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. 2035, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2035, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 599-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 2698

The purpose of this measure is to authorize the issuance of general obligation bonds in the amount of \$50,000,000 for the purpose of funding development of housing and infrastructure by the Department of Hawaiian Home Lands to help eliminate the backlog of waitlisted applicants for Hawaiian Home Lands leases.

The Department of Hawaiian Home Lands, Ho‘omana Pono, LLC, and several individuals testified in support of this measure.

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. 2698, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2698, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 600-16 Ocean, Marine Resources, & Hawaiian Affairs on H.B. No. 1932

The purpose of this measure is to ensure the Legislature fulfills its responsibility under article XII, section 1, of the state constitution by appropriating funds to the Department of Hawaiian Home Lands to reimburse for administrative and operating costs the agency has expensed out of DHHL special and trust funds for fiscal year 2016.

The Department of Hawaiian Home Lands, Council for Native Hawaiian Advancement, the Association of Hawaiian Civic Clubs, Kalihi Palama Hawaiian Civic Club, Papakolea Community Development Corporation, Ka Lāhui Hawai'i Political Action Committee, Ho'omana Pono, LLC, Paukukalo Hawaiian Homes Community Association, Kewalo Hawaiian Homes Community Association, Pana'ewa Hawaiian Home Lands Community Association, Kaupe'a Homestead Association, and numerous individuals testified in support of this measure. The Center for Hawaiian Sovereignty Studies testified in opposition of this measure.

Your Committee has amended this measure by:

- (1) Specifying that appropriated funds shall be allotted to the Department of Home Lands to reimburse administrative and operating costs expended by the Department's special and trust funds for fiscal year 2016;
- (2) Specifying that the funds shall be deposited to the Hawaiian Home Administration Account to facilitate reimbursement of administrative and operating expenses paid by the Department's special and trust funds; and
- (3) Changing the appropriation amount from \$28,000,000 to an unspecified amount.

Should the Committee on Finance deliberate on this measure further, your Committee on Ocean, Marine Resources, & Hawaiian Affairs respectfully requests that it consider appropriating \$28,000,000 for the purpose 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. 1932, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1932, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 601-16 Consumer Protection & Commerce on H.B. No. 1672

The purpose of this measure is to authorize a beneficiary of a prescription drug benefit plan to obtain a prescription without penalty from a non-network retail community pharmacy located within a certain distance of the beneficiary's residence, if the nearest network retail community pharmacy is located more than a specified number of miles away from the beneficiary's residence.

The Queen's Health Systems and an individual testified in support of this measure. Kaiser Permanente, Hawaii Medical Service Association, and Hawaii Association of Health Plans testified in opposition to this measure. The Department of Commerce and Consumer Affairs and Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees provided comments on this

measure.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it further examine the role of pharmacy benefit managers in contracting with non-network pharmacies and whether network pharmacies can contract with insurers.

Your Committee has amended this measure by:

- (1) Specifying 14 miles as the distance that determine whether a beneficiary can obtain a prescription from any retail community pharmacy without penalty; and
- (2) Changing the effective date to July 1, 2112, to encourage further discussion.

Your Committee notes that it inserted 14 miles as the appropriate distance that determines whether a beneficiary can obtain a prescription from any retail community pharmacy without penalty because of the impact on rural areas, such as the islands of Molokai and 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. 1672, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 1672, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 602-16 Consumer Protection & Commerce on H.B. No. 1990

The purpose of this measure is to amend the scope of persons authorized to work as adjusters and public adjusters in the State. Among other things, this measure:

- (1) Disallows certain salaried employees and third party entities hired or employed by an insurer from qualification as an adjuster or public adjuster; and
- (2) Establishes a framework for insurance appraisers and umpires to act as public adjusters.

Hawaii Public Adjusters and many individuals testified in support of this measure. USAA, State Farm, National Association of Mutual Insurance Companies, and Hawaii Insurers Council testified in opposition. The Department of Commerce and Consumer Affairs and an individual provided comments.

Upon careful consideration of testimony presented in the public hearing, your Committee has amended this measure by deleting its contents and inserting provisions requiring the Auditor to conduct a study regarding the regulation of insurance appraisers and insurance umpires in the State, and how they are regulated in other states.

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. 1990, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1990, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 603-16 Consumer Protection & Commerce on H.B. No. 2716

The purpose of this measure is to enhance and update State laws governing self-storage facilities agreements by:

- (1) Setting the maximum liability for an owner of a self-storage facility for personal property stored in an occupant's storage space as the total value of the personal property stored in that storage space;
- (2) Setting caps for the amount of the late fees an owner of a self-storage facility may charge, as well as prohibiting the charging of late fees unless previously provided for in a rental agreement or addendum to a rental agreement; and
- (3) Clarifying the manner in which owners of self-storage facilities may send electronic communications for notice purposes and conduct sales online.

The National Self Storage Association testified in support of this measure.

Your Committee has amended this measure by:

- (1) Authorizing the owner of self-storage facilities to tow a motor vehicle or boat if an occupant is in default for sixty or more days;
- (2) Specifying that the owner of self-storage facilities is not liable for any damage to the personal property towed or removed from the self-storage facility once the property is in the possession of a third party;
- (3) Changing the 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 these amendments are necessary because handling motor vehicles and boats pursuant to liens is more complicated to handle than regular storage items. Therefore, this measure is necessary to enable towing companies to handle these types of 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. 2716, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2716, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 604-16 Judiciary on H.B. No. 362

The purpose of this measure is to:

- (1) Classify as resisting arrest in the first degree the intentional act of removal or attempted removal of the officer's firearm by the person resisting arrest;
- (2) Establish the offense of resisting arrest in the first degree as a class C felony; and
- (3) Reclassify the existing resisting arrest misdemeanor as resisting arrest in the second degree.

The Department of Public Safety, Honolulu Police Department, and Hawaii County Police Department supported this measure. The Office of the Public Defender opposed this measure.

Your Committee recognizes several concerns relating to resisting arrest:

- (1) Persons who resist arrest are often found to be under the influence of drugs or are mentally ill or disturbed, and therefore a felony law may not act as a deterrent for such persons; and
- (2) Persons who resist arrest may inadvertently come in contact with an officer's firearm, and thus sometimes only the officer's allegation about the event exists with no objective evidence to confirm the allegation.

Your Committee notes that a misdemeanor charge for resisting arrest will continue to be available under Section 710-1026, Hawaii Revised Statutes. Accordingly, your Committee trusts that felony charges of resisting arrest under this new provision, if adopted, should be limited to situations where the arrestee's attempt to take the officer's firearm is very clearly intentional.

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. 362 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 605-16 Judiciary on H.B. No. 2158

The purpose of this measure is to require agencies to exercise reasonable care in the maintenance of all government records that are under their control and required to be made available for public inspection.

The Aina Haina Community Association testified in support of this measure. The Office of Information Practices and the Corporation Counsel of the City and County of Honolulu testified in opposition.

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, that requires each unit of government in the State and its political subdivisions to:
 - (A) Exercise reasonable care in the maintenance of agency records that are subject to public disclosure under Hawaii's Uniform Information Practices Act (Modified);
 - (B) Issue instructions and guidelines for the reasonable care of records under the control of the agency; and
 - (C) Ensure that all pertinent officers and employees are informed of the requirements;
- (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 records retention and destruction plan; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2158, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2158, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 606-16 Judiciary on H.B. No. 2314

The purpose of this measure is to authorize forfeiture of certain Employees' Retirement System benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony.

The Employees' Retirement System supported this measure.

Your Committee notes the concerns raised through discussion in the public hearing on this measure regarding the potential deprivation of member benefits from beneficiaries and notes that the court may take these undue hardships into consideration when issuing an order. Should your Committee on Finance deliberate on this measure further, your Committee respectfully requests that it consider allowing a judge to base an order affecting a member's benefits on when the crime at issue was committed rather than upon the time of the conviction.

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. 2314, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 607-16 Judiciary on H.B. No. 2560

The purpose of this measure is to require foreign and domestic corporations to provide shareholders with annual reports of the corporation's independent expenditures and contributions to candidate committees and noncandidate committees.

Common Cause Hawaii testified in support of this measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Inserting a preamble that states the measure's reporting requirements are justified by advancing the State's interest and efforts have been made to lessen the reporting burden on the corporation;
- (2) Specifying that corporations that make more than \$1,000 of independent expenditures and contributions in a year are required to make an annual report of the independent expenditures and contributions to the shareholders;
- (3) Specifying that the report on independent expenditures and contributions shall be delivered to shareholders when the corporation's annual report is filed pursuant to section 414-472, Hawaii Revised Statutes;
- (4) Providing that corporations may provide shareholders with pre-existing reports that disclose the subject information if the reporting requirements are met;
- (5) Providing that corporations may report the independent expenditures and contributions in aggregate amounts; and
- (6) Making technical, nonsubstantive amendments for purposes of clarity and consistency.

Hawaii's corporate reporting and disclosure requirements serve important interests: providing the shareholders and the electorate with information, deterring actual corruption and avoiding any appearance thereof, and gathering the data necessary to enforce more substantive electioneering restrictions.

First, corporate reporting and disclosure obligations provide information to the shareholders and electorate about who is speaking – information that "is vital to the efficient functioning of the marketplace of ideas, and thus to advancing the democratic objectives underlying the First Amendment." *See, McCutcheon v. Federal Election Comm'n*, 134 S. Ct. 1434, 1459–60 (2014). This transparency enables the shareholders to make informed decisions. Providing these reports directly to the shareholders ensures that shareholders will be informed of corporate affairs. Shareholders may also share information with the electorate at large.

Second, Hawaii's corporate reporting and disclosure requirements deter actual corruption and avoid the appearance of corruption by exposing the source of all contributions and expenditures to the shareholders and public. Providing reports to shareholders is an important step in deterring actual corruption by corporations attempting to circumvent reporting and disclosure requirements.

Third, corporate reporting and disclosure requirements provide a means of detecting violations of valid contribution limitations and preventing circumvention of Hawaii's campaign spending limitations, including rules that bar contributions by foreign corporations. Providing reports to shareholders provides additional scrutiny of compliance with reporting and disclosure requirements. Shareholders have a unique interest in analyzing and scrutinizing corporate expenditures.

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. 2560, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2560, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 608-16 Judiciary on H.B. No. 2221

The purpose of this measure is to establish fines for owners of one-hundred spaces or larger parking facilities who do not comply with state law requirements for the minimum provision of parking spaces equipped exclusively with electric vehicle charging equipment.

The Blue Planet Foundation and an individual testified in support of this measure. Two individuals testified in opposition to this measure. The Department of Business, Economic Development and Tourism and Ulupono Initiative provided comments.

As a result of efforts to promote clean energy initiatives and increased costs of gasoline, electric vehicle use in Hawaii has increased over the years. Your Committee finds that the legislature has also promoted the use of electric vehicles by providing incentives for electric vehicle use including requiring parking facilities with 100 stalls or more to be equipped with an electric vehicle charging station that is designated for the exclusive use of an electric vehicle. However, your Committee finds that the current law regarding the provision of electric vehicle charging stations in parking facilities contains no penalties for violations and therefore no consequences for non-compliance. This measure addresses this issue.

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. 2221, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Nakashima.
(Representative McDermott voted no.)

SCRep. 609-16 Judiciary on H.B. No. 1987

The purpose of this measure is to appropriate funds for:

- (1) The Office of Youth Services to provide and develop statewide prevention and intervention services and programs for at-risk youth; and
- (2) The county police departments to monitor gang activities and establish new gang prevention strategies and projects.

The Office of Youth Services; the Kalihi Community Youth Violence and Gang Prevention and Intervention Task Group; Parents and Children Together; and one individual testified in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu 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. 1987, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 610-16 Judiciary on H.B. No. 1902

The purpose of this measure is to establish a victim and survivor centered approach to comprehensive anti-sex trafficking laws by:

- (1) Replacing the offense of Promoting Prostitution in the First Degree with Sex Trafficking, a class A felony and violent crime;
- (2) Specifying that Sex Trafficking is a strict liability offense with respect to the victim's age when the victim of sex trafficking is a minor;

- (3) Providing that when a minor under the age of eighteen commits the act of engaging in or offering to engage in sexual conduct with another person for a fee, it is not a criminal offense, but rather a violation that subjects the minor to the jurisdiction of the family court;
- (4) Making amendments to strengthen the enforcement of laws and increase penalties against the sex trafficker;
- (5) Expanding the Department of the Attorney General's Statewide Witness Program to include sex trafficking;
- (6) Providing victims with access to criminal injury compensation; and
- (7) Amending laws relating to civil liability for cases of coercion into prostitution.

The Hawaii State Commission on the Status of Women, Kauai Office of the Prosecuting Attorney, Hawaii State AFL-CIO, Hawaii Women's Coalition, American Association of University Women, Hawaii, IMUAlliance, The Sex Abuse Treatment Center, Family Programs Hawaii, Hawaii Family Forum, Hawaii State Coalition Against Domestic Violence, Pacific Alliance to Stop Slavery, Shared Hope International, and numerous concerned individuals testified in support of this measure. The Honolulu Prosecuting Attorney, The Libertarian Party of Hawaii, and a concerned individual testified in opposition. The Department of the Attorney General provided comments.

Your Committee has amended this measure to 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.

Your Committee finds that various stakeholders have committed significant time and thought during the 2015 interim to address the reasons for the Governor's veto of S.B. No. 265 S.D. 1 H.D. 1 C.D. 1, Regular Session of 2015. The current measure reflects a new approach to addressing incidences of sex trafficking that are occurring within our State. The measure is intended to modernize attitudes and approaches to prostitution and sex trafficking, especially the treatment of minors whom national law enforcement and the United States Department of Justice are more frequently recognizing as unwilling participants in the trade of sex.

Your Committee acknowledges the unending work of the county police departments, county prosecutors' offices, and the judicial system who contend with the challenges that arise when an individual seemingly involved in illegal activity is in fact a victim of commercial sexual exploitation, often under unimaginable circumstances. As there have been trafficking cases successfully brought under existing law, the elements of the "promoting prostitution" statutes were left intact except to make advancing prostitution of a minor a strict liability offense. Your Committee intends for this measure to provide additional tools that will allow greater numbers of traffickers to be held accountable, better identification and assisting of victims, and ultimately reductions in the abusive and illegal sex trade in the State.

By removing minors from the offense of prostitution so that they are deemed to have committed a noncriminal violation, it was important to bring clarity to the jurisdiction and authority of the family court to enable it to handle situations involving minors, including connecting them with necessary services and programs.

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. 1902, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1902, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Brower.

SCRep. 611-16 Judiciary on H.B. No. 1829

The purpose of this measure is to repeal unnecessary and duplicative prohibitions relating to medical marijuana and amend certain penalties relating to medical marijuana prohibitions to make them more commensurate with prohibitions relating to alcohol. Specifically, this measure:

- (1) Repeals the offenses of unauthorized access to medical marijuana retail dispensing locations and production centers, respectively, and diversion from dispensing locations and production centers; and
- (2) Reclassifies penalties for individuals who fraudulently obtain or attempt to procure medical marijuana or illegally distribute medical marijuana to minors, as a petty misdemeanor and misdemeanor, respectively.

The Drug Policy Forum of Hawaii, Drug Policy Action Group, The Libertarian Party of Hawaii, Hawaii Dispensary Alliance, and a concerned individual supported this measure. The Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and numerous concerned individuals opposed this measure. A concerned individual 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 is in accord with the intent and purpose of H.B. No. 1829 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 612-16 Judiciary on H.B. No. 1996

The purpose of this measure is to establish a two-year agricultural theft and vandalism pilot project to focus on investigating and prosecuting agricultural theft and vandalism in the County of Hawaii.

The Department of Agriculture, County of Hawaii Office of the Prosecuting Attorney, W.H. Shipman, Ltd., Hawaii Floriculture and Nursery Association, Hawaii Cattlemen's Council, Inc., Hawaii Farm Bureau, Land Use Research Foundation, Hawaii Farmers and Ranchers United, and an individual 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. 1996, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 613-16 Judiciary on H.B. No. 2121

The purpose of this measure is to appropriate funds to the Judiciary to purchase civil legal services for low- and moderate-income persons.

The Judiciary, Hawaii Disability Rights Center, Access to Justice Commission, Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Domestic Violence Action Center, and many concerned individuals supported this measure.

House Resolution No. 12, H.D. 1 (2015), requested the Hawaii Access to Justice Commission to assemble various state and community entities to develop a plan to determine how funding for civil legal services for low- and moderate-income individuals can be best administered. The result of the working group was to recommend funding in the amount of \$2,159,632 to restore civil legal services for low- and moderate-income individuals to prerecession levels. The working group also recommended that the funding be appropriated to the Judiciary to administer contracts with civil legal services providers.

Funding for civil legal services is critical to address the lack of meaningful access to the civil legal system that low- and moderate-income people face. As stated by Hawaii Supreme Court Chief Justice Mark Recktenwald at the 2015 Access to Justice Conference,

One of the greatest challenges to equal justice today is the lack of effective access to our civil justice system. The reason is simple--people who have low or even moderate incomes cannot afford to hire an attorney to represent them in their civil legal cases. Although there are legal services providers like the Legal Aid Society of Hawaii who do an amazing job representing indigent clients, they have nowhere near enough resources to meet the need. As a result, every year in Hawaii, thousands of people must represent themselves in our civil courts, trying to navigate a system that is foreign to the average layperson. Many of them simply give up.

Ensuring that every person's voice is heard when their legal rights are threatened is not a luxury--rather it is at the very *foundation* of the legitimacy of our courts and, therefore, our democracy. We are talking about fundamental human needs--housing, health care, the ability to participate in raising one's child. When these decisions are made without hearing every side of the story, the promise of justice for all rings hollow.

This measure seeks to increase access to civil legal services.

Your Committee has amended this measure by inserting \$2,159,632 as the amount appropriated to the Judiciary to purchase civil legal services for low- and moderate-income 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. 2121, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2121, H.D. 2.

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

SCRep. 614-16 Judiciary on H.B. No. 2280

The purpose of this measure is to authorize the Department of the Attorney General greater guidance and authority in protecting charitable assets from loss, waste, misapplication, or diversion by adding a definition of "property".

The Department of the Attorney General 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. 2280 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 615-16 Judiciary on H.B. No. 2493

The purpose of this measure is to require law enforcement agencies in Hawaii to record a domestic violence identification code on all incident and arrest reports that arise from offenses that are committed between family or household members and to report the number of incidents and arrests each month to the Attorney General, release the information to the public, and post the information to the agencies' website.

The Hawaii State Coalition Against Domestic Violence, Domestic Violence Action Center, and several concerned individuals testified in support of this measure. The Honolulu Police Department testified in opposition. The Department of the Attorney General provided comments.

Your Committee finds that presently there is no formal tracking or reporting of crimes that are the result of domestic violence, but are not charged under the traditional domestic violence statute, section 709-906, Hawaii Revised Statutes (HRS). As a result, many domestic violence occurrences are excluded or ignored in statistical reports because of strict categorization of crime data.

The critical need to track the number of all domestic violence events through the use of an identification code on incident reports and arrest reports cannot be understated. The lack of meaningful data on the number of domestic violence occurrences prevents law enforcement, first responders, domestic violence service providers, lawmakers, and the general public from accurately assessing the breadth of Hawaii's domestic violence crisis and from developing an effective response.

This measure will ensure that all domestic violence crimes that are attempted or committed between family or household members will be counted in statistical reports. To be clear, this measure is not seeking data solely on section 709-906, HRS offenses. The identification code must be used broadly to accurately quantify occurrences of domestic violence offenses, which can range from property crimes to terroristic threatening to animal abuse.

Your Committee has amended this measure to:

- (1) Provide the Attorney General the flexibility to determine, in consultation with law enforcement agencies having powers of arrest and county prosecutors, which specific crimes are to be identified as domestic violence crimes; and
- (2) Provide the Attorney General and law enforcement agencies with the time to develop the reporting protocols by requiring the first recording and report of domestic violence crime statistics in July 2017.

The amendments are intended to foster consistent data collection on the frequency and diversity of crimes committed by domestic violence perpetrators.

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. 2493, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2493, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 616-16 Energy & Environmental Protection/Water & Land on H.B. No. 2626

The purpose of this measure is to help protect Hawaii's marine environment and underground aquifers in the face of climate change by:

- (1) Prohibiting the permitting of new underground storage tanks within 100 yards of the shoreline;
- (2) Allowing holders of permits for existing underground storage tanks within 100 yards of the shoreline to renew their permits until January 1, 2029; and
- (3) Prohibiting the operation of any underground storage tank within 100 yards of the shoreline as of January 1, 2030.

The Honolulu Board of Water Supply and Sierra Club of Hawaii supported this measure. The Department of Health supported the intent of the measure. The Hawaii Petroleum Marketers Association; Hawaii Petroleum, Inc.; and Par Hawaii opposed the measure.

Your Committees have amended this measure by:

- (1) Removing the deadline by which holders of permits for existing underground storage tanks within 100 yards of the shoreline can renew their permits;
- (2) Deleting the prohibition against the operation of any underground storage tank within 100 yards of the shoreline as of January 1, 2030; and
- (3) Changing its effective date to January 1, 2050, to facilitate further discussion.

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. 2626, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2626, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Say.

SCRep. 617-16 Energy & Environmental Protection/Water & Land on H.B. No. 2528

The purpose of this measure is to appropriate funds for public outreach, planning, and an environmental impact statement for a Hawaii island public shooting facility.

The Department of Land and Natural Resources; Aha Moku Advisory Committee; The Society for Hawaii Heritage Animals; On Target, Inc.; Hawaii Rifle Association; and numerous concerned individuals supported this measure. The Kohala Coast Resort Association and an individual opposed this measure.

Your Committees have amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to January 1, 2050, to promote further discussion.

Should the Committee on Finance further deliberate on this measure, your Committees respectfully request that it consider appropriating \$800,000 for fiscal year 2016-2017 for public outreach, planning, and an environmental impact statement for a public shooting facility in west Hawaii on the island of Hawaii.

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. 2528, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2528, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 618-16 Energy & Environmental Protection/Water & Land on H.B. No. 2388

The purpose of this measure is to facilitate, in an expeditious and efficient manner, the development or expansion of in-state correctional facilities. Specifically, this measure:

- (1) Exempts the State from environmental impact statement or assessment requirements for a correctional facility to be built on an existing parcel of the Halawa Correctional Facility;
- (2) Clarifies the Governor's authority to negotiate for the construction of a correctional facility to include the authority to negotiate for construction of a jail, such as that needed on Maui, and aligning environmental impact statement and assessment requirements for such a jail with generally applicable requirements;
- (3) Requires the Governor to conduct a feasibility study that includes reconstructing the Oahu Community Correctional Center with a smaller footprint on the land that it currently occupies and redeveloping the remainder of the site;
- (4) Specifies the design criteria for a newly built Oahu Community Correctional Center; and
- (5) Appropriates funds for reconstruction of the Oahu Community Correctional Center and the relocation of the Maui Community Correctional Center.

The Department of Public Safety, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii testified in support of this measure. The Community Alliance on Prisons; Hawaii Friends of Restorative Justice; Life of the Land; Ho'omana Pono, LLC; Institute for Human Services; Sierra Club of Hawaii; IMUAlliance; and two concerned individuals testified in opposition to this measure. The Department of the Attorney General provided comments.

Your Committees have amended this measure by:

- (1) Removing the exemption from environmental impact statement or assessment requirements for a correctional facility built on an existing parcel of the Halawa Correctional Facility;
- (2) Restoring the sixty day public comment period following notification of either an environmental assessment or environmental impact statement; 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 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. 2388, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2388, H.D. 2.

Signed by all members of the Committee except Representatives Say and Pouha.

SCRep. 619-16 Energy & Environmental Protection on H.B. No. 2571

The purpose of this measure is to begin transitioning toward a newer, more sustainable energy business model by eventually prohibiting investor-owned electric utilities, or any of their affiliated interests, from building or acquiring any new or additional generation resources in Hawaii.

The Alliance for Solar Choice, Hawaii Renewable Energy Alliance, Life of the Land, and two concerned individuals supported this measure. The Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company opposed the measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2045, 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2571, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2571, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 620-16 Energy & Environmental Protection on H.B. No. 2085

The purpose of this measure is to reduce and ultimately eliminate Hawaii's dependence on fossil fuels for electrical generation and ground transportation by creating goals and targets in the Hawaii Clean Energy Initiative Program and State Planning Act, including establishing an incremental timeline for the reduction of fossil fuels in electrical generation and ground transportation in the Hawaii Clean Energy Initiative Program.

The Blue Planet Foundation, Sierra Club of Hawaii, and a concerned individual supported this measure. The Alliance of Automobile Manufacturers and Hawaii Petroleum Marketers Association opposed the measure. The Department of Business, Economic Development, and Tourism; Hawaii Transportation Association; and Hawaii Automobile Dealers' Association submitted comments.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii Clean Energy Initiative Program to transition the State to a clean energy economy, including the reduction and ultimate elimination of Hawaii's dependence on imported fossil fuels for electrical generation and ground transportation by 2045;
- (2) Requiring the Department of Business, Economic Development, and Tourism to submit in its annual report to the Legislature on the status and progress of new and existing clean energy initiatives, recommendations to achieve the reduction and ultimate elimination of dependence on fossil fuels, including timelines and benchmarks; 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. 2085, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2085, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 621-16 Energy & Environmental Protection on H.B. No. 2145

The purpose of this measure is to enable the beneficial use of locally sourced beach sand to support sediment management projects to mitigate erosion on Hawaii's beaches by specifying that naturally occurring sand that is moved from a beach, stream mouth, or channel and used on an adjacent beach for sediment management, erosion management, and beach or dune restoration purposes shall not be considered a water pollutant for the purposes of determining infractions of State water pollution laws.

The Department of Land and Natural Resources and a concerned individual supported this measure. The Department of Health opposed the measure. The Office of Hawaiian Affairs submitted comments.

Your Committee has amended this measure by:

- (1) Specifying that the naturally occurring beach sand must be clean; 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. 2145, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 2145, H.D. 2.

Signed by all members of the Committee except Representative Say.

SCRep. 622-16 Energy & Environmental Protection on H.B. No. 1751

The purpose of this measure is to expand the definition of "renewable energy" to include other resources that replenish themselves at a sufficient rate for sustainable economic extraction in meaningful human time frames.

Hawaii Gas; the Ulupono Initiative; the Molokai Chamber of Commerce; HP Energy; Mele Associates, Inc.; and two concerned individuals supported this measure. The Distributed Energy Resources Council of Hawaii and Life of the Land opposed the measure. The Department of Business, Economic Development, and Tourism and Public Utilities Commission submitted comments.

Your Committee has amended this measure by removing the proposed changes to the definition of "renewable energy" and instead amending the definition to include "other self-replenishing non-fossil fuel resources."

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. 1751, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1751, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 623-16 Energy & Environmental Protection/Health on H.B. No. 2517

The purpose of this measure is to protect public health, as well as Hawaii's environment, by adding cesspools within 200 feet of an existing sewer system as certified by the Department of Health as cesspools that qualify for the cesspool upgrade, conversion, or connection income tax credit.

The Department of Taxation and Department of Health commented on this measure.

Your Committees have amended this measure by:

- (1) Assigning the responsibility of certifying the distance of 200 feet between the cesspool and an existing sewer system to the applicable county authority;
- (2) Clarifying that a maximum of one cesspool upgrade, conversion, or connection income tax credit is allowed per tax map key in the case of a large capacity cesspool;

- (3) Specifying that the tax credit is applicable to taxable years beginning after December 31, 2015; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2517, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2517, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Hashem, Ing, Nishimoto, Oshiro, Yamane and Pouha.

SCRep. 624-16 Energy & Environmental Protection/Health on H.B. No. 1983

The purpose of this measure is to help protect public health and the environment by:

- (1) Authorizing the Department of Health to establish a cesspool upgrade, conversion, or connection rebate program to offset qualified expenses incurred by low-income households, upon the Department's evaluation of the costs and benefits of a rebate program and determination that a rebate program serves the public interest;
- (2) Providing that a non-compliant cesspool will not be subject to penalty because the cesspool's owner applied for a rebate;
- (3) Providing that a taxpayer who has already received a rebate and who claims a cesspool upgrade, conversion, or connection income-tax credit will have 50 percent of the dollar amount of the rebate received by the taxpayer deducted from the amount of the tax credit that the taxpayer may claim;
- (4) Allowing the Department of Health to certify, as a pilot program, no more than two residential large capacity cesspools as eligible for the cesspool upgrade, conversion, or connection income-tax credit;
- (5) Prohibiting the following persons from claiming the income-tax credit:
 - (A) A taxpayer filing a single return or a married person filing separately with an adjusted gross income of \$300,000 or more;
 - (B) A taxpayer filing as a head of household with an adjusted gross income of \$450,000 or more; or
 - (C) A taxpayer filing a joint return or as a surviving spouse with an adjusted gross income of \$600,000 or more;
- (6) Providing that a non-compliant cesspool will not be subject to penalty because the cesspool's owner claimed an income-tax credit; and
- (7) Deleting the definition of "qualified cesspool".

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

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Health is authorized to establish a cesspool upgrade, conversion, or connection tax credit or rebate program;
- (2) Deleting the provision that the Department of Health must evaluate the costs and benefits of a rebate program and determine that a rebate program serves the public interest;
- (3) Establishing an unspecified date as the date before which a non-compliant cesspool will not be subject to penalty because the cesspool's owner applied for a rebate;
- (4) Specifying that a person cannot qualify for any other similar credit other than what is provided under the rebate program;
- (5) Deleting the specific amounts of adjusted gross income above which taxpayers are ineligible to claim the tax credit; 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 Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1983, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1983, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Hashem, Ing, Nishimoto, Oshiro, Yamane and Pouha.

SCRep. 625-16 Energy & Environmental Protection/Water & Land on H.B. No. 2077

The purpose of this measure is to authorize construction of small hydropower facilities as defined by the United States Department of Energy in a manner that combines clean energy infrastructure and irrigation for agricultural lands. This measure also clarifies that hydroelectric facilities shall not be required to be an accessory to agricultural land for agricultural use only.

Blue Planet Foundation, the Hawai'i Farm Bureau Federation, Ulupono Initiative, and the Hawai'i Fresh Water Initiative testified in support of this measure. The Ho'okipa Network Kauai, Aha Moku Kauai, Pō'ai Wai Ola, Earthjustice, Kekaha Hawaiian Homestead Association, Hanalei Watershed Hui, and numerous individuals testified in opposition. The Department of Agriculture provided comments.

Your Committees have amended this measure by:

- (1) Requiring the approval of the Commission on Water Resource Management if the hydroelectric generating capacity of a hydroelectric facility is over 500 kilowatts; 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 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. 2077, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2077, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Say and Pouha.

SCRep. 626-16 Higher Education on H.B. No. 1799

The purpose of this measure is to encourage students at the University of Hawaii to complete their undergraduate degrees in a timely manner by limiting the number of credit hours for which a student may receive resident tuition fees to 140.

A concerned individual supported this measure. The University of Hawaii and several concerned individuals opposed the measure.

Your Committee has amended this measure by:

- (1) Raising the limit on the number of credit hours for which a student may receive resident tuition fees from 140 to 150;
- (2) Specifying that only credits that can be used to fulfill the requirements of an undergraduate degree count toward the total number of credit hours for which a student may receive resident tuition fees;
- (3) Allowing students to complete two undergraduate degrees and receive resident tuition fees;
- (4) Specifying that credits earned from programs such as but not limited to the Early Start Program, Running Start Program, and Advanced Placement Program do not count toward the total number of credit hours for which a student may receive resident tuition fees;
- (5) Specifying that credits earned from institutions of higher education outside Hawaii do not count toward the total number of credit hours for which a student may receive resident tuition fees;
- (6) Changing its effective date to July 1, 2525, 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1799, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1799, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Kong, Say and Tupola.

SCRep. 627-16 Higher Education on H.B. No. 539

The purpose of this measure, as received by your Committee, is to:

- (1) Establish the University of Hawaii at Manoa (UH-Manoa) Athletics Department as an entity governed by a Board of Governors (Board); and
- (2) Transfer administration of the UH-Manoa Intercollegiate Athletics Special Fund from the University to the Board and authorize the Board to select an Athletic Director.

An individual provided testimony in support of this measure. The University of Hawaii System and an individual provided testimony in opposition to this measure. The Chair of the University of Hawaii's Board of Regents' Committee on Intercollegiate Athletics, the Chairperson of the Associated Students of the University of Hawaii at Manoa, and an individual provided comments.

For the purposes of the public hearing, your Committee circulated a Proposed House Draft 1 (Proposed Draft), which deletes the original measure's contents and inserts language that:

- (1) Requires that the UH-Manoa Athletics Department be a separate program ID in the state budget;
- (2) Requires that scholarship expenses funds be transferred to the UH-Manoa Athletics Department;
- (3) Prohibits allocation of general funds to the UH-Manoa Athletics Department except for Title IX compliance;
- (4) Requires that UH-Manoa men's teams collectively be fiscally self-sufficient;
- (5) Requires the University of Hawaii to report annually regarding the state of implementation to the Legislature; and

(6) Appropriates \$3,000,000 for the UH-Manoa Athletics Department, which shall be in addition to the University's base budget.

The Proposed Draft would take effect on July 1, 2016, and be repealed on June 30, 2021.

Your Committee received comments on the Proposed Draft from the University of Hawaii System.

Your Committee considered the merits of both H.B. No. 539 and the Proposed Draft and, upon careful consideration, adopted the Proposed Draft. Your Committee further amended the Proposed Draft by:

- (1) Clarifying that the UH-Manoa Athletics Department would be funded by UH-Manoa for all Athletics Department scholarship expenses, not only tuition or costs covered by waivers; and
- (2) Changing the 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. 539, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 539, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Kong, Say and Tupola.

SCRep. 628-16 Higher Education on H.B. No. 656

The purpose of this measure is to support disaster-preparedness educational efforts in Hawaii by making an appropriation to the University of Hawaii Sea Grant College Program to develop disaster-preparedness educational materials and to conduct community outreach seminars.

The University of Hawaii Sea Grant College Program and two concerned individuals supported this measure.

Your Committee has amended this measure by:

- (1) Appropriating funds for only fiscal year 2016-2017;
- (2) Changing its effective date to July 1, 2525, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance choose to consider this measure, the suggested appropriation amount is \$100,000.

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. 656, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 656, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 629-16 Higher Education on H.B. No. 1625

The purpose of this measure, as received by your Committee, is to maximize use of existing buildings of the University of Hawaii by requiring:

- (1) The University to report on its use of existing classroom and laboratory facilities; and
- (2) The University of Hawaii Board of Regents to hold an open public meeting subject to the requirements of Chapter 92, Hawaii Revised Statutes, prior to determining whether to approve or disapprove any proposed new building or facility with a projected total cost in excess of \$10,000,000.

For purposes of the public hearing, your Committee circulated a proposed H.D. 1 (Proposed Draft) for public review and comment. The purpose of the Proposed Draft is to:

- (1) Establish program and salary funding requirements for organized research units at the University of Hawaii; and
- (2) Require the Board of Regents to report to the Legislature regarding the funding requirements.

Your Committee received the following testimony on the Proposed Draft. The University of Hawaii, University of Hawaii Professional Assembly, Spectrum Photonics, and numerous concerned individuals opposed the Proposed Draft.

Your Committee has amended this measure by adopting the Proposed Draft and further amending the Proposed Draft by:

- (1) Granting the Board of Regents greater discretion over the establishment of program and salary funding requirements for organized research units;
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style; and
- (3) Changing its effective date to July 1, 2525, to encourage further discussion.

Your Committee notes that these amendments lessen the prescriptive nature of the Proposed Draft, yet preserve public accountability by requiring the Board of Regents to report to the Legislature on its decisions.

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. 1625, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1625, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Kong, Say and Tupola.

SCRep. 630-16 Higher Education on H.B. No. 1613

The purpose of this measure is to expand access to higher education for the people of Hawaii by:

- (1) Requiring the University of Hawaii Board of Regents to waive the community college tuition of Hawaii residents who meet certain criteria; and
- (2) Implementing the community college tuition waiver through a pilot program in any county with a population of less than 100,000.

The Hawaii Public Health Association and numerous concerned individuals supported this measure. Faith Action for Community Equity supported the measure with amendments. The University of Hawaii submitted comments.

Your Committee has amended this measure by:

- (1) Adding a purpose section;
- (2) Defining "eligible non-citizen";
- (3) Changing its effective date to July 1, 2525, to facilitate further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that \$2,600,000 was estimated as the amount that would be needed to implement the pilot program in a county with a resident population of less than 100,000.

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. 1613, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1613, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Kong, Say and Tupola.

SCRep. 631-16 Health on H.B. No. 1941

The purpose of this measure is to preserve access to health care for Medicaid recipients by:

- (1) Extending the Hospital Sustainability Program for an additional year;
- (2) Amending the authorized uses of the Hospital Sustainability Program Special Fund;
- (3) Amending various reimbursement rates under the Hospital Sustainability Program to private hospitals through Medicaid managed care health plans, and uncompensated care and disproportionate share hospital payments; and
- (4) Appropriating funds out of the Hospital Sustainability Program Special Fund for fiscal year 2016-2017.

The Hawaii Health Systems Corporation Corporate Board of Directors, Healthcare Association of Hawaii, Hawaii Primary Care Association, The Chamber of Commerce Hawaii, and The Queen's Health Systems testified in support of this measure. The Department of Human Services and Hawaii Medical Service Association commented on this measure.

Your Committee has amended this measure by:

- (1) Amending the definition of "private hospitals" to include any hospitals not named in Attachment A of the Medicaid Section 1115 Demonstration Waiver that became private hospitals in calendar year 2016 and are currently operating;
- (2) Specifying that rate enhancements shall be retroactive to the effective date of this measure, or the effective date approved by the federal government, whichever is later;
- (3) Deleting the specified number of business days in which payments made by Medicaid managed care health plans must be made upon receipt of monthly capitation rates from the Department of Human Services;
- (4) Changing the effective date of the appropriation under section 7 of this measure to July 1, 2070, to further continued discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee finds that the federal Patient Protection and Affordable Care Act levies an insurer tax on the premiums collected by issuers, including Medicaid plans. It is your Committee's understanding that capitation rates provided to each QUEST managed care plan currently includes moneys to reimburse the plan for its insurer tax liability. However, the reimbursement for the insurer tax liability is not specified via contract. To ensure equity in the administration of Hawaii's Medicaid program, it is the intent of your Committee that additional tax liabilities associated with the result of passage of this legislation be accounted for in a plan's capitation rate.

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. 1941, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1941, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 632-16 Health/Human Services on H.B. No. 2342

The purpose of this measure is to:

- (1) Continue the Nursing Facility Sustainability Program by extending the program for an additional year; and
- (2) Appropriate \$14,000,000 out of the Nursing Facility Sustainability Program Special Fund for fiscal year 2016-2017.

The Department of Human Services, Hawaii Health Systems Corporation Corporate Board of Directors, Healthcare Association of Hawaii, Hale Makua Health Services, Chief Financial Officer of Hale Makua Health Services, Administrator of Hale Makua Wailuku, Hawaii Primary Care Association, The Chamber of Commerce Hawaii, and The Queen's Health Systems testified in support of this measure.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2070, to facilitate 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. 2342, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2342, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 633-16 Health on H.B. No. 2005

The purpose of this measure, as received by your Committee, is to adequately address issues concerning the elderly and disabled and the community healthcare industry, particularly ensuring consumer protection for Hawaii's elderly and disabled care facility residents. Specifically, this measure:

- (1) Requires the Department of Health (DOH) to conduct annual unannounced visits to every licensed or certified community care home or adult day care center under its jurisdiction;
- (2) Requires the licensure of all community-based care homes and adult day care centers that provide health care to the elderly or disabled who are unrelated to the caregiver family, and making these facilities subject to penalties for noncompliance;
- (3) Requires DOH to convene a working group to discuss and provide feedback on the implementation and maintenance of a forum on its website where state-licensed care facilities may post facility vacancy information and to submit a report to the Legislature before the 2017 Regular Session;
- (4) Appropriates funds for the implementation and maintenance of a forum on DOH's website;
- (5) Authorizes DOH, in concert with the Department of Human Services (DHS), to permit two private-pay individuals to be cared for in the same three-bed community care foster family home, subject to certain qualifying conditions; and
- (6) Requires DOH and DHS to jointly submit a report of their findings and recommendations to the Legislature prior to the 2017 Regular Session on authorization to allow two private-pay individuals to be cared for in the same community care foster family home, including its impact on Medicaid recipients.

The Adult Foster Home Association of Hawaii testified in support of this measure. The Hawaii Disability Rights Center, Adult Foster Home of the Pacific, Alliance of Residential Care Administrators, and numerous individuals testified in support of particular parts of this omnibus measure and commented on other parts. The DOH opposed this measure. The State Council on Developmental Disabilities and DHS commented on this measure.

Noting the concerns raised in testimony and during discussion at the public hearing on this measure, your Committee has amended this measure by deleting all content except that relating to authorizing a private-pay individual to occupy the third bed at an appropriately certified community care foster family home. Your Committee further amended that content to:

- (1) Convert statutory authorization for a second private-pay individual in a community care foster family home to a pilot program to permit two private-pay individuals to be cared for in the same three-bed community care foster family home, subject to certain qualifying conditions;

- (2) Require DHS to examine the effects of requiring adult residential care homes and extended adult residential care homes to accept Medicaid recipients to reside in their homes; and
- (3) Require DOH and DHS to submit reports to the Legislature prior to the 2017 Regular Session as follows:
 - (A) DOH shall submit a report of the progress made to implement the pilot program, including the impact of implementation on the availability of space for Medicaid clients in community care foster family homes and other home and community service facilities; and
 - (B) DHS shall submit a report of its findings and recommendations, including any proposed legislation, on the effect of requiring adult residential care homes and expanded adult residential care homes to accept Medicaid clients to reside in their homes.

Your Committee also amended this bill by establishing a July 1, 2017, effective date to facilitate further discussion 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 H.B. No. 2005, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2005, H.D. 2.

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

SCRep. 634-16 Consumer Protection & Commerce on H.B. No. 2320

The purpose of this measure is to clarify and enhance the escrow depositories law.

Specifically, the measure amends the State's escrow depositories laws by:

- (1) Adding definitions;
- (2) Authorizing the Commissioner of Financial Institutions to enter into agreements with the operators of the licensing system developed and maintained by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators;
- (3) Requiring license applications and applications for approval of a proposed change in control of the licensee to include a history of the applicant's material litigation and criminal convictions and to provide the necessary information and authorization for a criminal history background check;
- (4) Establishing fees for an initial issuance of a license and reissuance of a license for a change in the licensee's name; and
- (5) Authorizing the Department of Commerce and Consumer Affairs to conduct criminal history record checks upon applicants for licensure as an escrow depository and for a proposed change in control of an escrow depository license.

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 improve the escrow depositories law by clarifying the license transfer provisions, streamlining the licensing process through the use of an online licensing and registration system, and augmenting initial licensure 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. 2320 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 635-16 Consumer Protection & Commerce on H.B. No. 2319

The purpose of this measure is to improve the State's regulation of money transmitter licensees.

More specifically, this measure:

- (1) Broadens the class of persons who may submit an application for approval of a change in control of a money transmitter licensee to include persons other than the licensee;
- (2) Requires persons applying to assume control of a money transmitter licensee to authorize criminal history record checks and pay applicable fees; and
- (3) Updates a reference to the agency that administers an applicable federal regulation, from the Federal Reserve Board to the Consumer Financial Protection Bureau.

Your Committee received written testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that, under existing law, only a money transmitter licensee may apply for a change in control of a money transmitter license. This limitation makes a change in control impossible in situations in which the licensee may be uncooperative.

Your Committee further finds that requiring persons who apply for control of a money transmitter licensee to authorize criminal history record checks and pay applicable fees to finance the record checks would provide important information to enable the Commissioner of Financial Institutions to determine whether those persons possess the character and general fitness to lawfully and properly control the licensee without jeopardizing the interest of the public.

Your Committee also finds that updating the name of the federal agency that oversees an applicable federal regulation, from the Federal Reserve Board to the Consumer Financial Protection Bureau, is necessary to avoid confusion.

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. 2319 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 636-16 Consumer Protection & Commerce on H.B. No. 2329

The purpose of this measure is to clarify that the statute of limitations governing Chapter 480, Hawaii Revised Statutes, relating to monopolies and restraint of trade, does not apply to the State and its agencies.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection and the Hawaii Association for Justice.

Your Committee finds that, according to Hawaii common law, the State may initiate and maintain actions without being subject to statutes of limitations. Recognizing this common law rule, in 1991, the Legislature codified section 657-1.5, Hawaii Revised Statutes, to statutorily exempt the State from statutes of limitations unless another statute specifically designates the State as subject to a statute of limitations period. Your Committee notes that section 480-24(b), Hawaii Revised Statutes, contains a tolling provision for legal actions brought by the State that might be interpreted to mean that the State or its agencies are subject to a statute of limitations period. Your Committee further finds that this measure would clarify that the State and its agencies are not subject to the statute of limitations governing Chapter 480, Hawaii Revised Statutes.

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. 2329 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 637-16 Consumer Protection & Commerce on H.B. No. 2326

The purpose of this measure is amend the State's Mortgage Rescue Fraud Prevention Act.

Specifically, this measure amends Chapter 480E, Hawaii Revised Statutes, to conform to the Federal Trade Commission's Mortgage Assistance Relief Services Rule.

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

Your Committee finds that the State's Mortgage Rescue Fraud Prevention Act, codified as Chapter 480E, Hawaii Revised Statutes, was enacted by Act 137, Session Laws of Hawaii 2008. At the time, the federal government had not yet enacted legislation to specifically protect consumers from mortgage rescue scams. However, in 2010, the Federal Trade Commission adopted its Mortgage Assistance Relief Services Rule, Title 12 Code of Federal Regulations part 1015. Although the State's Mortgage Rescue Fraud Prevention Act and the federal Mortgage Assistance Relief Services Rule have similar purposes, they take distinctly different approaches to protect consumers from abusive mortgage relief practices. Your Committee further finds that this measure amends Chapter 480E, Hawaii Revised Statutes, to resolve conflicts that exist between the State's Mortgage Rescue Fraud Prevention Act and the federal Mortgage Assistance Relief Services Rule.

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. 2326 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 638-16 Consumer Protection & Commerce on H.B. No. 2422

The purpose of this measure is to amend the laws relating to intoxicating liquor licensing to simplify procedures for corporate licensees and applicants for licenses without impeding or decreasing the quality of the county liquor commissions' oversight.

More specifically, this measure:

- (1) Provides that licensees and applicants for licenses that are publicly-owned companies, and entities they solely own, are required to provide identifying information regarding only those officers designated as primary decisionmakers regarding the purchase and sale of liquor; and
- (2) Clarifies that the requirement of prior approval of a county liquor commission regarding a change in ownership of at least twenty-five percent of a corporation's outstanding capital stock applies only to voting stock.

The Hawaii Food Industry Association, the Kona Brewing Company, and two attorneys testified in support of this measure. The Liquor Commission of the City and County of Honolulu offered comments.

Your Committee finds that publicly-traded companies are subject to oversight from the Securities and Exchange Commission, which imposes corporate governance, disclosure, and accountability requirements far more extensive than that imposed by the county liquor commissions. Publicly-traded companies frequently have corporate officers that number in the dozens, many of whom have no knowledge of or responsibility for liquor sales and service activities taking place in the counties. Requiring the identification and personal history information of those officers to be submitted to the county liquor commissions does not further regulatory oversight over licensees and applicants. Your Committee also finds that since corporate ownership structures frequently contain classes of stock that are non-voting, it is reasonable from a regulatory standpoint to specify that if a licensee is a corporation, only changes of ownership in outstanding voting capital stock should determine whether a change in ownership of stock requires the licensee to secure the advance approval of a county liquor commission.

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. 2422 and recommends that it be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 639-16 Consumer Protection & Commerce on H.B. No. 2283

The purpose of this measure is to make several amendments to Hawaii's charitable solicitation law.

More specifically, this measure:

- (1) Clarifies that persons are not subject to registration requirements applicable to professional fundraising counsels, solely by virtue of the fact that they assist in preparing grant and subsidy applications;
- (2) Requires registered professional solicitors to make certain affirmative disclosures in the course of solicitation to ensure that potential donors know they are being contacted by a paid solicitor and to prevent donor confusion;
- (3) Authorizes the Attorney General to require the electronic submission of end of solicitation campaign financial reports by professional solicitors and to authorize a late filing fee for the late submission of such reports;
- (4) Renames what is currently labeled as a "fine" for the late submission of a written consent form by a commercial co-venturer as a "late fee";
- (5) Renames what is currently labeled as a "fine" for the late submission of a registered charity's annual financial report as a "late fee";
- (6) Repeals current statutory language that requires two authorized officials of a charitable organization to sign a professional solicitor's solicitation campaign financial report; and
- (7) Amends the list of charitable organizations that are exempt from the registration and filing requirements to include certain educational institutions and licensed health care institutions.

The Department of the Attorney General and the Association of Fundraising Professionals, Aloha Chapter provided testimony in support of this measure.

Your Committee finds this measure requires greater transparency from professional solicitors who engage with prospective donors and encourages prompt financial reporting by instituting late fees for untimely filing solicitation campaign financial reports. Your Committee also finds that it is appropriate to rename current fines in the charitable solicitation law as "late fees," since charities that register in other states may be required to annually report whether they have been subject to any disciplinary action by another jurisdiction.

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. 2283, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2283, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Creagan and Kawakami.
(Representative McDermott voted no.)

SCRep. 640-16 Consumer Protection & Commerce on H.B. No. 1627

The purpose of this measure is to support the regulation and enforcement of professional licensing requirements and standards in professions and occupations related to medicine and health care by:

- (1) Requiring the Regulated Industries Complaints Office to establish a division that specializes in the investigation of medical cases involving professions and occupations regulated by the Department of Commerce and Consumer Affairs; and
- (2) Appropriating funds for five full-time equivalent (5.0 FTE) field investigators who specialize in medical cases within the Regulated Industries Complaints Office.

The Department of Commerce and Consumer Affairs, Hawaii Medical Association, and an individual testified in support of this measure.

Your Committee notes that the Department of Commerce and Consumer Affairs' Regulated Industries Complaints Office provided testimony requesting that:

- (1) One of the field investigator positions be replaced with a staff attorney position to assist the current attorneys who handle both licensed and unlicensed activity prosecutions for all of the forty-nine professions that the Regulated Industries Complaints Office oversees; and
- (2) The requirements that the field investigators be designated for a particular county be removed in order to provide the Regulated Industries Complaints Office the flexibility to assign investigators to neighbor islands based on caseload necessity.

Therefore, your Committee has amended this measure by:

- (1) Appropriating funds to establish four full-time equivalent (4.0 FTE) field investigators and one full-time equivalent (1.0 FTE) staff attorney who specialize in medical cases within the Regulated Industries Complaints Office;
- (2) Deleting the requirements that the field investigators be designated for a particular county; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committee on Consumer Protection & Commerce respectfully requests that it consider appropriating \$562,650 for four full-time equivalent (4.0 FTE) field investigators and one full-time equivalent (1.0 FTE) staff attorney who specialize in medical cases within the Regulated Industries Complaints Office.

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. 1627, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1627, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 641-16 Consumer Protection & Commerce on H.B. No. 1673

The purpose of this measure is to help patients in the State obtain access to critical, life-sustaining medical supplies by establishing the Durable Medical Equipment Supplier License Program to license durable medical equipment suppliers that sell, dispense, deliver, or service durable medical equipment in the State.

The Queen's Health Systems, AONE Hawaii, Hawaii Pacific Health, Healthcare Association of Hawaii, Hawaii COPD Coalition, Hawaii Primary Care Association, Castle Home Care, and Hawaii Medical Service Association testified in support of this measure. The Department of Health provided comments on this measure.

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

Your Committee respectfully requests the Committee on Finance to consider the Hawai'i Association of Health's request to raise the permit fee from \$300 to \$350, which is a move that was supported by the fee payers themselves. The Department of Health's Office of Health Care Assurance testified that although the permit fees will support a 0.25 full-time equivalent administrative clerk position, these fees will be used to catch up and not to handle the database. However, pursuant to *Hawaii Insurers Council v. Lingle*, any fees collected from payers must be allocated to the program generating them or be returned to the fee payers. Therefore, your Committee requests your Committee on Finance to consider mandating that the \$300 or \$350 fee should only be used to administer the program as intended by 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. 1673, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1673, H.D. 2.

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

SCRep. 642-16 Consumer Protection & Commerce on H.B. No. 1802

The purpose of this measure, as received by your Committee, is to help facilitate the dispute process between condominium unit owners and the condominium board or association by, among other things:

- (1) Establishing the Office of the Condominium Ombudsman within the Department of Commerce and Consumer Affairs;
- (2) Establishing the framework for dispute intervention by the Office of the Condominium Ombudsman; and
- (3) Appropriating funds to assist in the establishment of the Office of the Condominium Ombudsman.

Hawaii Condo Hui, Hui Oia Io, and numerous individuals testified in support of this measure. The Real Estate Commission, Associa, Hawaii Council of Associations of Apartment Owners, and Community Associations Institute Hawaii Chapter testified in opposition to this measure. Hui Malama O Hale and an individual provided comments on this measure.

Upon further consideration, your Committee has amended this measure by deleting its substance and inserting provisions establishing the Office of Self-Governance Oversight (Office) within the Department of the Attorney General. The amended measure:

- (1) Establishes the position of Condominium Czar (Czar) to head the Office. The Czar would be appointed by the Attorney General, in consultation with the Director of Commerce and Consumer Affairs with the approval of the Governor. The Czar would be exempt from civil service and be required to hold a license to practice law before the Hawaii Supreme Court and have extensive experience in Hawaii real estate and condominium law and in conflict and alternative dispute resolution;
- (2) Sets forth the Czar's duties and responsibilities, including the Czar's role in dispute intervention, investigations, dispute resolution assistance, contested hearings, and imposition of fines or fees;
- (3) Establishes the Office of Self-Governance Oversight Special Fund to be funded by the Condominium Education Trust Fund;
- (4) Requires every member of an association board to file annual financial disclosures to the Office. The financial disclosures would be confidential and not open to public inspection;
- (5) Requires the Czar, and not the Real Estate Commission to report annually to the Legislature;
- (6) Appropriates an unspecified amount from the Condominium Education Trust Fund to the Office of Self-Governance Oversight Special Fund to assist in the establishment of the Office;
- (7) Requires the Legislative Reference Bureau to conduct a study regarding the Office and to submit a written report to the Legislature; and
- (8) Takes effect on January 1, 2017; provided that sections 15 and 16 of this measure shall take effect on July 1, 2016.

An overwhelming amount of bills was referred to your Committee regarding condominium rights including the establishment of an ombudsman office to assist in ensuring that self-governance is carried out as intended by Chapter 514B, Hawaii Revised Statutes. While self-governance has been successful in Hawaii, there have been abuses as evidenced by the action of certain rogue condominium boards. Furthermore, your Committee finds that enforcement of Chapter 514B, Hawaii Revised Statutes, is scattered at best which is leading to more consumer confusion and frustration.

While other states have established condominium ombudsman offices, your Committee finds the role of an ombudsman duplicative of existing alternative dispute resolution services currently available. As such your Committee has created the Condominium Czar to:

- (1) Advocate for aggrieved unit owners, many of whom are on a limited income, in mediation, arbitration and court proceedings; and
- (2) Filter out vexatious and frivolous lawsuits that clog up the condominium mediation process.

Furthermore your Committee notes there is no authority to standardize trainings for board members or to oversee conflicts of interests, financial disclosures and other disputes. Therefore, your Committee has replaced the office of the condominium ombudsman with the office of Self-Governance Oversight to fulfill the intent of Chapter 514B, Hawaii Revised Statutes, as affirmed by the record of votes.

Therefore, there is a need for a central enforcement body to address the problem faced by many condominium owners who sometimes fear retribution from certain board members when challenging their governance.

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. 1802, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1802, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 643-16 Consumer Protection & Commerce on H.B. No. 1828

The purpose of this measure is to preserve alternative forms of transportation services available to consumers while affording consumers the protection of law by:

- (1) Establishing motor vehicle insurance requirements for the transportation network company industry and for persons who operate or serve as drivers for transportation network companies;
- (2) Providing express authority for counties to regulate transportation network companies; and
- (3) Exempting transportation network companies from oversight under the motor carrier law.

The National Association of Mutual Insurance Companies; Hawaii Insurers Council; United Services Automobiles Association; and GEICO supported this measure. UBER Technologies; Lyft; and Hawaii Association for Justice opposed this measure. The Department of Commerce and Consumer Affairs and Property Casualty Insurers Association of America provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that transportation network companies and transportation network company drivers must have a primary insurance policy subject to the mandatory coverage limits and other insurance requirements set forth in chapter 431:10C, Hawaii Revised Statutes;
- (2) Requiring that insurers, prior to the initial offer to transportation network companies or transportation network company drivers, submit policies to the Insurance Division of the Department of Commerce and Consumer Affairs for review with approval from the Insurance Division subject to a mandatory delay period before coverage becomes effective;
- (3) Removing the provisions that provided express authority for counties to regulate transportation network companies; and

- (4) Changing the effective date to July 1, 2112, to encourage further discussion.

Your Committee notes that it removed the provisions that provided express authority for counties to regulate transportation network companies because the issue is currently being examined by the Honolulu City Council. Your Committee respectfully requests that your Committee on Finance examine reinserting the provision if the Honolulu City Council does not resolve the issues regarding transportation network companies.

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. 1828, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1828, H.D. 2.

Signed by all members of the Committee.

SCRep. 644-16 Consumer Protection & Commerce on H.B. No. 1895

The purpose of this measure is to expand access to prescription contraceptives by requiring insurers to cover the contraceptive supplies dispensed in the subsequent prescription after an initial prescription in an amount intended to last for up to twelve months.

The American Association of University Women of Hawaii, Planned Parenthood Votes Northwest and Hawaii, LGBT Caucus of the Democratic Party of Hawaii, American Congress of Obstetricians and Gynecologists, CVS Health, Hawaii Public Health Association, and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs testified in support of the intent of this measure. The American Council of Life Insurers testified in opposition to this measure. The Department of Human Services, Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, and Chamber of Commerce Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the coverage for contraceptives shall also include contraceptive supplies dispensed on site by a provider if the contraceptives are available; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style, including a technical amendment to clarify that disability insurance is excluded from the coverage requirements imposed by 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. 1895, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1895, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 645-16 Consumer Protection & Commerce on H.B. No. 2363

The purpose of this measure is to amend Hawaii's laws on workers' compensation (WC) and temporary disability insurance (TDI) to:

- (1) Exclude the following from providing TDI coverage for services they provide for themselves: sole proprietors, an individual partner of a partnership, a partner of a limited liability partnership with an interest of at least 50 percent, an individual member of a limited liability company with a distributional interest of at least 50 percent, or individual owning at least 50 percent of a corporation;
- (2) Allow the Director of Labor and Industrial Relations to receive electronic copies of injury and other reports;
- (3) Increase the penalty for employers who do not have TDI coverage for employees from not less than \$25 or \$1 per employee per day, to not less than \$500 or \$100 per employee per day;
- (4) Increase the penalty from not more than \$2,500 to not more than \$5,000 against an employer or insurance carrier for failure to make correct or timely benefit payments or to terminate such benefits without approval or statutory cause;
- (5) Increase the penalty for failure to file medical reports from \$250 to \$500, and for employer's failure to provide copies of requested medical reports from \$1,000 to \$5,000;
- (6) Increase the penalty for employers who do not have WC coverage for employees from not less than \$250 or \$10 per employee per day, to not less than \$500 or \$100 per employee per day; and
- (7) Increase the penalty from \$2,500 to \$5,000 against an employer for the deduction of premium payments from an employee's wages.

The Department of Labor and Industrial Relations, Hawaii Restaurant Association, Hawaii Construction Alliance, ILWU Local 142, and an individual testified in support of this measure.

Your Committee notes the concerns raised in testimony received during the public hearing regarding the deterrent effect of the current fee schedule for noncompliance with temporary disability insurance regulations, given the long duration of time since the fees and penalties present in this measure were last amended. Should the Committee on Finance deliberate this measure further, your Committee respectfully requests it further assess appropriate fee amounts and consider the relationship between the fee and penalty amounts.

Your Committee has amended this measure by:

- (1) Changing the amended fees and penalties listed in this measure to unspecified amounts;

- (2) Changing its effective date to July 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. 2363, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2363, H.D. 1.

Signed by all members of the Committee.

SCRep. 646-16 Consumer Protection & Commerce on H.B. No. 1759

The purpose of this measure is to:

- (1) Clarify that payment timeframes and interest penalties pertaining to reimbursement by accident and health or sickness insurance plans apply to all clean claims; and
- (2) Amend the definition of "clean claim" to include Medicaid claims to ensure that health insurers promptly pay claims for services administered to Medicaid enrollees.

The Healthcare Association of Hawaii, Hawaii Medical Association, Hawaii Pacific Health, and The Queen's Health Systems provided testimony in support of this measure. The Department of Commerce and Consumer Affairs supported the intent of the measure. The Department of Human Services and Hawaii Medical Service Association provided comments.

Your Committee has amended this measure by:

- (1) Repealing from the clean claims definition the exemption for the claims of self-insured employer groups and claims for services rendered to individuals associated with a health care entity through a national participating provider network;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that it adopted the amendments offered by the Queen's Health Systems to repeal Medicaid because of the unintended consequences to the process. Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it examine the feedback from the stakeholders on the effects of this amendment.

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. 1759, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1759, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 647-16 Judiciary on H.B. No. 1531

The purpose of this measure is to promote greater access to the justice system by establishing the Public Service Legal Loan Repayment Assistance Program to assist attorneys who provide direct legal service or policy advocacy to indigent persons in repaying their legal-education loans.

The University of Hawaii, Hawaii Coalition for Immigrant Rights, Student Bar Association at the William S. Richardson School of Law, and several concerned individuals supported this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by clarifying that it is the intent of the Legislature to provide direct services to indigent 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. 1531, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1531, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 648-16 Judiciary on H.B. No. 1659

The purpose of this measure is to expand state search warrant laws by authorizing:

- (1) Persons or entities designated by the court to assist law enforcement officers to carry out search warrants; and
- (2) Law enforcement officers to obtain technical assistance if the search warrant granted pertains to electronic devices or storage media.

The Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, and Honolulu Police Department testified in support of this measure. An individual testified in opposition to this measure. The Judiciary provided comments.

Your Committee understands that privacy concerns are inherent in any discussion of or amendment to state search warrant laws. Accordingly, your Committee expects that a law enforcement officer will always be named or described in a search warrant including situations when they need technical

assistance to execute a search warrant. Thus, the persons or entities that are needed to provide technical assistance will always be acting pursuant to the direction of the law enforcement officer who is named or described in the search warrant, and not independently.

Your Committee hopes that this measure will help to address the current scarcity of law enforcement officers in the State who are qualified to conduct searches on computers, servers, mainframes, and other electronic or storage devices. This problem was noted in testimony received during the public 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. 1659 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 649-16 Judiciary on H.B. No. 2736

The purpose of this measure is to require that Hawaiian Language ballots be made available in each election upon voter request.

Kamehameha Schools and several individuals provided testimony in support of this measure. ‘Aha Pūnana Leo provided testimony in opposition with comments. The Office of Elections provided comments.

Your Committee has amended this measure by changing the date after which elections will need to provide Hawaiian language ballots to January 1, 2021.

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. 2736, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2736, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 650-16 Judiciary on H.B. No. 2049

The purpose of this measure is to address questions regarding responsibility for the repair and maintenance of privately owned highways. Specifically, this measure:

- (1) Requires the counties to accept the surrender of a private road if there has been no act of private ownership for five years or if the State or county initiates condemnation proceedings to acquire the road; and
- (2) Exempts the State and counties from maintaining surrendered roads and from liability for lack of maintenance or for maintenance performed prior to assuming ownership.

The Bank of Hawaii, Hawaii Association of REALTORS, Chamber of Commerce Hawaii, and NuWayve Unlimited testified in support of this measure. The Department of Land and Natural Resources, City and County of Honolulu Department of Facility Maintenance, County of Maui Department of Public Works, and Hawaii Association for Justice testified in opposition to this measure. The Department of Transportation provided comments.

Your Committee finds that there are many roads throughout the State that, while used by the public and considered a "public" road, are in fact privately owned by an unknown or unascertainable owner and not receiving necessary maintenance and repair. This has been an ongoing challenge for the State and the counties, as well as neighboring residents and landowners. This measure will provide a process for the State or a county to obtain ownership over the road by use of the State's condemnation process and not require the government entity to improve the road to today's standards.

Your Committee has amended this measure by:

- (1) Removing the statutory framework allowing for the surrender of public roads;
- (2) Removing provisions granting the State and counties immunity from liability, under certain conditions, from harm resulting from the use of a surrendered road;
- (3) Expanding upon the State and counties' authority to condemn public roads; and
- (4) Removing State or county obligations pursuant to any law or rule to improve or maintain a condemned road.

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. 2049, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2049, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 651-16 Judiciary on H.B. No. 369

The purpose of this measure is to enhance open government by facilitating public participation and testimony at meetings of government agencies and providing greater public access to relevant documents and recordings pertinent to those meetings.

Common Cause Hawaii, the Education Caucus of the Democratic Party of Hawaii, Hui ‘Oia‘i‘o, Hui Malama O Hale Coalition, League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, Sierra Club of Hawai‘i, and many concerned individuals testified in support of this

measure. The Office of Information Practices and Chair of the Maui County Council testified in opposition. The Department of Land and Natural Resources, Department of Business, Economic Development and Tourism, Aha Moku Advisory Committee, Hawaii Educational Policy Center, and a concerned person provided comments.

While your Committee strongly supports the goals of this measure, your Committee ascertained that certain aspects of the bill, in the form in which it was received by your Committee, could present difficulties in administration and therefore should be revised.

This bill addresses several matters in both the state sunshine law, chapter 92, Part I, Hawaii Revised Statutes (HRS), and the Uniform Information Practices Act (UIPA) chapter 92F, HRS. These laws are closely interrelated in purpose and philosophy and your Committee recognizes that amendments to either must take into account the effects of such amendments on the other.

Among other things, the declarations of policy and intent in both laws have been identical; that identity is legally important. Accordingly, in order to preserve the closeness of purpose of the two laws, your Committee deleted provisions in the original bill that would have amended the declarations of policy and intent of section 92-1, HRS and the UIPA, section 92F-2, HRS in divergent ways.

This measure also proposes to amend section 92-3, HRS to ensure that the public has adequate prior access to the texts of documents that are to be considered at public meetings. Your Committee agrees that all interested persons should have an adequate opportunity to view such documents before meetings. However, your Committee believes that agencies should ensure that the information to be disclosed should only be information that is not protected from disclosure under the UIPA. Accordingly, your Committee has amended this measure to allow for appropriate redactions of such documents prior to the meeting in which they are to be discussed.

This measure also proposes to expand the scope of public participation in agency meetings by requiring the agencies to afford all interested persons an opportunity to present oral testimony on any matter within the jurisdiction of the agency, even if the topic is not on the agenda. Your Committee recognizes that each public agency should afford the public an opportunity to hold the agency accountable for matters that the agency might routinely avoid placing on its agendas.

While the public should have an opportunity to make public agencies more accountable in this respect, your Committee believes that requiring agencies to allow such open-ended discussions at every meeting would have unintended adverse consequences. Among other things, such an open-ended opportunity would lead to great unpredictability as to the length of meetings and the topics that would be under discussion. Decision-making could not reasonably take place because the public would not have advance notice that a particular matter would be discussed. Many persons potentially affected might not have attended the meeting because they could not predict that a particular topic would arise during this open-ended period.

Moreover, agencies must, from time to time, devote all their public meeting time to an item of overriding urgency and importance and agencies must be allowed to defer consideration of less-pressing issues to a later date. Thus, although your Committee believes that agencies must allow for eventual public input on matters that have been deferred, your Committee also believes that the proposal is too inflexible to be adopted in its original form. Accordingly, your Committee has deleted the provision that would have required agencies to hear public input in any meeting on any matter within its jurisdiction.

The bill also proposed to require that public input be limited to a specific time-frame: after the agency's discussion of a particular matter yet before the decision-making on the matter. Under this proposal, it appears that agency members would not be free to comment on, respond to, or engage in dialogue with members of the public who presented opinions in oral testimony during this limited time-frame. For this reason, your Committee has amended the bill to allow the agency to permit public testimony at any reasonable time before decision-making. Your Committee understands that this amendment will maintain the current practice of interspersing agency discussion and public testimony to allow dialogue between agency members and the public.

The bill as originally written also would allow the agency to impose time limits on testimony on an ad hoc basis during the meeting. It appears to your Committee that any rule imposing time limits should be adopted as a general policy in advance to be applied as appropriate at those meetings in which time limits may be necessary. Accordingly, your Committee has retained the current statutory language on regulation of oral testimony.

The bill also treated video and audio recordings made by the agency as if they were minutes of a given meeting. Your Committee believes that such a characterization is inaccurate and unnecessary because section 92-9(a), HRS, requires minutes to be written. Such recordings should be treated as public documents except insofar as they are otherwise subject to redaction for reasons of confidentiality and the recordings should be treated independently of the minutes of a meeting. In any event, your Committee agrees with the basic premise of this measure that recordings and minutes should be made available within thirty days after a meeting, and that publishing of minutes should not be delayed on the ground that they have not yet been approved by the agency.

Accordingly, your Committee has amended this measure as described above and has made additional technical, nonsubstantive amendments.

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. 369, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 369, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 652-16 Energy & Environmental Protection on H.B. No. 2377

The purpose of this measure is to remove the sunset date on the use of new safe harbor agreements, habitat conservation plans, and incidental take licenses as recovery options for conserving and protecting the State's threatened and endangered species.

The Department of Land and Natural Resources and the Land Use Research Foundation of Hawaii testified in support of this measure. The Conservation Council for Hawaii provided comments.

Your Committee has amended this measure by extending the sunset date on the use of new safe harbor agreements, habitat conservation plans, and incidental take licenses as recovery options for conserving and protecting the State's threatened and endangered species to July 1, 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. 2377, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2377, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Say.

SCRep. 653-16 Energy & Environmental Protection on H.B. No. 2416

The purpose of this measure is to:

- (1) Repeal chapter 201N, Hawaii Revised Statutes, relating to the renewable energy facility siting process, due to lack of implementation;
- (2) Authorize any employee hired by the Department of Business, Economic Development, and Tourism (DBEDT) as staff for the renewable energy facility siting process before July 1, 2016, and transferred to another position within DBEDT as a result of this measure to retain the employee's exempt status with respect to laws on compensation and collective bargaining and require that the transferred employee not be appointed to a civil service position as a consequence of this measure;
- (3) Require that an exempt employee transferred by this measure not suffer any loss of prior service credit, vacation or sick leave credits previously earned, or other employee benefits or privileges as a consequence of this measure;
- (4) Authorize the Director of Business, Economic Development, and Tourism to prescribe the duties and qualifications of the transferred employee and fix the employee's salary without regard to laws on compensation and collective bargaining;
- (5) Require that proceeds in the renewable energy facility siting special fund be deposited into the general fund and all records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal and real property made, used, acquired, or held by the Energy Resources Coordinator for the renewable energy facility siting process be maintained by the Hawaii State Energy Office or transferred to another appropriate agency within DBEDT; and
- (6) Preserve rights and duties matured, penalties incurred, and proceedings that began before July 1, 2016.

DBEDT, the Office of the Auditor, the Pacific Agricultural Land Management Systems, and the Sierra Club of Hawai'i testified in support 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. 2416 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 654-16 Energy & Environmental Protection on H.B. No. 1620

The purpose of this measure is to establish a \$10 tax credit for individual taxpayers within the State who install plastic water catchments on the properties at which they reside for the purpose of capturing and storing rainwater for household use or fire suppression.

The Department of Taxation and the Tax Foundation of Hawaii offered comments.

Your Committee has amended this measure by:

- (1) Changing the amount of the tax credit to 20 percent of the cost of the plastic water catchment system;
- (2) Requiring the counties to determine and certify the eligibility of a plastic water catchment system for the tax credit; and
- (3) Changing the effective date to apply to taxable years beginning after December 31, 2017.

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. 1620, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1620, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Say.

SCRep. 655-16 Energy & Environmental Protection on H.B. No. 2566

The purpose of this measure is to protect the public interest by providing the Public Utilities Commission (PUC) with additional guidelines to consider when making critical fossil fuel and renewable energy ratemaking decisions, including specifying a methodology that explicitly takes into account the objective of reducing the risks of the State's exposure to fossil fuels.

Ulupono Initiative, Hawaii Solar Energy Association, Blue Planet Foundation, and an individual testified in support of this measure. Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company opposed this measure. The Department of Commerce and Consumer Affairs Division of Consumer Advocacy commented on this measure.

Your Committee has amended this measure by specifying that the methodology used by the PUC, in determining a just and reasonable rate payable by the public utility to a producer for nonfossil fuel generated electricity supplied to the public utility, shall consider the objective of reducing the

risks of the State's exposure to fossil fuels in the context of all other potential ratemaking criteria. 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2566, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2566, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 656-16 Energy & Environmental Protection on H.B. No. 2081

The purpose of this measure is to authorize public agencies to initiate public purpose projects through which a public utility would purchase fuel or electricity.

A concerned individual supported this measure. The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, and Life of the Land opposed the measure. The Public Utilities Commission and a concerned individual submitted comments.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have required the public agency to submit a petition for approval and implementation of the public purpose project to the Public Utilities Commission and established related procedures;
- (2) Instead requiring the Public Utilities Commission to establish by January 1, 2017, a simplified regulatory process and procurement mechanism:
 - (A) For the Commission's review and approval of public purpose projects proposed by public agencies; and
 - (B) To direct public utilities to procure electricity or fuel from approved projects at a rate authorized by the Public Utilities Commission;
- (3) Deleting provisions that would have specified how the public agency and public utility must implement the public purpose project; and
- (4) Changing its effective date to January 1, 2045, to facilitate 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. 2081, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2081, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 657-16 Judiciary on H.B. No. 1660

The purpose of this measure is to enable the enforcement of restitution orders by:

- (1) Creating standards and procedures for withholding the defendant's income for the purposes of paying restitution;
- (2) Establishing priority of income withholding orders with respect to other types of debt;
- (3) Amending the definition of "debt" relating to the recovery of money owed to the State to include court-ordered restitution subject to civil enforcement;
- (4) Applying bail that was posted by the defendant and that has not been forfeited toward payment of restitution, fines, or fees that have been ordered by the court;
- (5) Extending victims' access to adult probation records to include access to the defendant's payment compliance records; and
- (6) Appropriating an unspecified amount to enhance restitution collection, including the hiring of staff.

The Judiciary, Crime Victim Compensation Commission, Honolulu Prosecuting Attorney, Kauai Prosecuting Attorney, Ho'omana Pono, LLC, and Domestic Violence Action Center testified in support of this measure. The Department of the Attorney General and Department of Taxation provided comments.

Your Committee finds that crime victims have had difficulty collecting restitution to which they are entitled. While restitution is routinely ordered by courts in criminal cases, it is not routinely paid by the offender, and the crime victim is often left with no recourse but to file a private civil action. This measure will provide tools to effectuate restitution collection by designating the Judiciary to administer the collection process and better hold offenders accountable to satisfy their restitution obligations.

According to the testimony, an estimated \$652,000 is required annually to administer the program. It is the intent of your Committee that any funding provided for this program be in addition to the Judiciary's supplemental budget request.

Your Committee has amended this measure by:

- (1) Specifying that, in compliance with federal law, income withholding orders for restitution shall not have priority as against support orders made pursuant to chapters 580 and 584, Hawaii Revised Statutes;
- (2) Requiring the Department of Taxation to implement withholdings for restitution by January 1, 2017;
- (3) Prohibiting employers subject to an income withholding order for child support from taking an adverse employment action against the employee; and
- (4) Changing its effective date to March 15, 2037, to facilitate 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. 1660, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1660, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 658-16 Judiciary on H.B. No. 2285

The purpose of this measure is to enable the Attorney General to have the funds necessary to prosecute civil claims of the State by directing the:

- (1) Deposit of proceeds from all civil actions or settlements of claims initiated, prosecuted, or filed by the Attorney General, including those related to false claims, but excluding actions that have a statutorily-designated specific depository fund, into the Litigation Deposits Trust Fund (Fund);
- (2) Retention of fifteen percent of any recovery in the Fund to support the Department of the Attorney General's investigation and prosecution efforts, with the remaining balance after allocation retained in the Fund or used to reimburse any non-general fund for losses related to the relevant action or claim;
- (3) Credit of investment earnings to the Fund;
- (4) Lapse of all unencumbered and unexpended moneys in excess of \$1,000,000 remaining on balance in the Fund at the close of each fiscal year to the general fund; and
- (5) Require the Department of the Attorney General (Department) to submit a report to the Legislature prior to each regular session on the accounting of the Fund's receipts and expenditures.

The Department testified in support of this measure.

Your Committee finds that the Department of the Attorney General has responsibility for prosecuting claims on behalf of the State in addition to defending the State against claims. This measure is intended to assist the Department with prosecuting a higher volume and greater breadth of cases by enabling the Department to use moneys from the Fund as they are recovered, rather than transferring the moneys to other departments and subsequently requesting an appropriation. It should be noted that the Fund as amended by this measure includes a cap of \$1,000,000 so that any funds in excess of \$1,000,000 will lapse at the end of each fiscal year to the credit of the general fund.

It is your Committee's intent that this measure will significantly reduce the need for the Department to request emergency appropriations for litigation and that the Department will employ a greater number of attorneys and support staff instead of retaining outside counsel.

Your Committee has amended this measure by:

- (1) Specifying that the fifteen percent of any recovery to be retained by the Fund includes recovery for false claim civil actions;
- (2) Requiring all recoveries by the State for false claim civil actions be deposited into the Fund, subject to the terms of the Fund's usage and allocation; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2285, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2285, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 659-16 Judiciary on H.B. No. 1559

The purpose of this measure is to prohibit civil asset forfeiture, except in cases where the associated covered offense is a felony for which the property owner has been convicted.

The American Civil Liberties Union of Hawaii, the Drug Policy Forum of Hawaii, and a concerned individual testified in support of this measure. The Hawaii County Prosecuting Attorney, Honolulu Prosecuting Attorney, Kauai County Prosecuting Attorney, Maui County Prosecuting Attorney, Honolulu Police Department, and Maui Police Department testified in opposition. The Humane Society of the United States and Grassroot Institute of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Specifying that property is subject to forfeiture only if the underlying offense is chargeable as a misdemeanor or felony;
- (2) Clarifying that the forfeiture of animals is exempt from Chapter 712A, Hawaii Revised Statutes (HRS). The forfeiture of animals is subject to section 711-1109.2, HRS;
- (3) Requiring the agency to provide for the safe and secure storage of the seized property until the completion of forfeiture proceedings or other final disposition of the property;
- (4) Requiring all forfeiture proceedings subject to Chapter 712A, HRS, to be conducted in the circuit court;
- (5) Specifying that property shall not be forfeited unless there is a conviction of the underlying offense that is chargeable under section 712A-5, HRS;
- (6) Limiting the use of in rem forfeiture proceedings;
- (7) Deleting section 712A-10, HRS, relating to administrative forfeiture, in its entirety; and
- (8) 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. 1559, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1559, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Woodson and McDermott.
(Representative Kawakami voted no.)

SCRep. 660-16 Judiciary on H.B. No. 2561

The purpose of this measure is to implement recommendations made by the Penal Code Review Committee.

Specifically, this measure amends various chapters of the Hawaii Penal Code and makes conforming amendments to several related statutes outside the penal code.

The Department of Health and the Sex Abuse Treatment Center submitted testimony in support of the measure.

The Coalition for a Drug-Free Hawaii submitted testimony in support of the measure with reservations.

The Department of the Prosecuting Attorney of the City and County of Honolulu and one individual submitted testimony in support of the measure with amendments.

The Attorney General, Crime Victim Compensation Commission, and Office of the Prosecuting Attorney of the County of Kauai submitted testimony in general support of the measure, but in opposition to specific parts of the measure.

The White Collar Crime Unit of the Department of the Prosecuting Attorney of the City and County of Honolulu opposed the amendments to section 708-893, Hawaii Revised Statutes, contained in section 42 of this measure.

The Police Department of the City and County of Honolulu opposed the amendments to the following statutes:

- (1) Section 708-831, Hawaii Revised Statutes, contained in section 37 of the measure;
- (2) Section 708-893, Hawaii Revised Statutes, contained in section 42 of the measure;
- (3) Section 712-1240.7, Hawaii Revised Statutes, contained in section 52 of the measure; and
- (4) Section 712-1240.8, Hawaii Revised Statutes, contained in section 56 of the measure.

Two individuals submitted testimony in opposition to the measure.

Your Committee finds that this measure reflects the significant and thorough work of the Penal Code Review Committee, which was established pursuant to House Concurrent Resolution No. 155, S.D. 1 (2015). After evaluating the Hawaii Penal Code, as well as other related statutes, the Penal Code Review Committee made eighty-four recommendations that were adapted into the current measure, which is composed of more than seventy sections.

The Report of the Penal Code Review Committee was submitted to the Legislature on December 31, 2015, and contains analysis and rationale for each recommendation. It is your Committee's intent that the Report of the Penal Code Review Committee should be considered as an attachment to this committee report. A copy of the Report of the Penal Code Review Committee is available at: http://www.courts.state.hi.us/docs/news_and_reports_docs/2015_PENAL_CODE_REVIEW_REPORT-FINAL-12-30-15.pdf.

Your Committee notes that, during a public hearing, the amendments made to various theft statutes in Part V of the measure drew a great deal of attention and bear highlighting. In particular, the long-overdue increases in the monetary thresholds for the offenses of theft in the second degree, theft in the third degree, shoplifting, and theft of utility services were quite controversial. It is nonetheless undisputed that Hawaii's felony theft threshold was last increased in 1986. As a result, Hawaii currently has the fifth-lowest felony theft threshold in the country. When the high cost of living in Hawaii is factored in, the true value of the threshold is even lower.

Your Committee also finds that the Penal Code Review Committee's comments on the theft statutes are located on pages 45 to 51 of their report and specifically address concerns raised about the recommended threshold increases:

The Committee acknowledges concerns raised by the business community that raising the felony theft threshold will cause an increase in losses caused by professional shoplifters and savvy offenders, as well as concerns by the prosecutors regarding losing the potential deterrent effect of the lower threshold \$300 figure. These offenders seek to avoid serious punishment by consciously stealing merchandise valued at just under the felony threshold. To address these concerns and ensure that professional thieves are adequately deterred, the increase in the felony theft threshold is coupled with a proposal to amend the habitual property crime statute to target professional property criminals and make it more effective in prosecuting and deterring such repeat offenders.

Your Committee also finds that the theft threshold amendments were not proposed by the Penal Code Review Committee without consideration of the repeat, or habitual, thief. The Penal Code Review Committee accordingly proposed increases to the habitual property crimes statutes. These amendments incorporate more repeat theft offenders in the definition of "habitual property crime perpetrator," retain the trigger for prior offenses at any combination of three misdemeanor or felony theft convictions, double the look-back period for prior theft convictions from five years to ten years so that repeat offenders will be held more accountable, and clarify that no state of mind must be proven for the court to determine whether an offender has committed previous theft crimes.

Your Committee also notes that another part of the measure that produced extensive discussion at the public hearing was a proposed statutory amendment regarding the offense of use of a computer in the commission of a separate crime. This amendment repeals a provision that subjects a person to a separate charge and enhanced penalty for using a computer to commit an underlying theft crime. The Penal Code Review Committee commented, on page 51 of its report:

Currently, the enhanced penalties for use of a computer in the commission of a separate crime converts first-degree theft into a class A felony and second-degree theft into a class B felony. The definition of "computer" for purposes of this section would appear to include devices such as smartphones. Given the prevalence of such devices and the widespread use of "computers" in today's society in general, imposing the enhanced penalties for the use of a computer in committing theft seems unduly harsh.

Your Committee further notes that another topic that generated discussion at the public hearing was the proposed statutory amendments to the methamphetamine trafficking offenses in Chapter 712, Hawaii Revised Statutes. These amendments remove possession and distribution of methamphetamine from the methamphetamine trafficking statutes, conviction of which requires mandatory incarceration. Instead, the measure places possession and distribution of methamphetamine in the statutes relating to promoting a dangerous drug, which gives the court the discretion to impose probation and drug treatment when appropriate. The offenses remaining in the methamphetamine trafficking statute are distribution of methamphetamine to a minor and manufacturing of methamphetamine, which remain class A felonies. The Penal Code Review Committee commented, on page 59 of its report, that "[w]hile the Committee recognizes these dangers and challenges, it is of the opinion that the current Methamphetamine Trafficking statutes are not properly addressing those challenges and should be changed based on the experience of the Committee regarding the application of these provisions in the criminal justice system in Hawaii."

Your Committee 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 H.B. No. 2561, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2561, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Morikawa and Woodson.
(Representatives McDermott and Thielen voted no.)

SCRep. 661-16 Human Services on H.B. No. 2350

The purpose of this measure is to bring the State into compliance with the Preventing Sex Trafficking and Strengthening Families Act of 2014 (Act) by:

- (1) Updating certain statutory references for "foster boarding home" to "resource family home" and "foster parents" to "resource caregivers" to better comply with the Act;
- (2) Establishing immunity, subject to certain conditions, for resource caregivers and child caring institutions;
- (3) Adding the requirement that resource caregivers and child care institutions use the reasonable and prudent parent standard when authorizing children in foster care to participate in extracurricular, enrichment, cultural, and social activities; and
- (4) Changing the minimum age at which children in foster care are to be involved in their foster care plans from sixteen years to fourteen years.

The Department of Human Services; It Takes Ohana Advisory Committee of the Family Program Hawaii; Epic Ohana, Inc.; HI H.O.P.E.S. Youth Leadership Boards of Oahu, Kona, Maui, and Kauai; and numerous concerned individuals supported this measure. The Judiciary provided comments.

Your Committee has amended this measure by:

- (1) In sections 587A-31(c) and 587A-32(a), Hawaii Revised Statutes, deleting the term "successful adulthood" and reverting back to "independent living", as "independent living" is a term of art that is used consistently by federal and state entities; 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. 2350, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2350, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 662-16 Human Services on H.B. No. 2503

The purpose of this measure is to require the Department of Human Services to:

- (1) Conduct interviews of neighbors of persons and organizations seeking their initial certificate of approval to operate and maintain a foster boarding home; and
- (2) Distribute confidential lists of foster boarding homes in the community annually to the chiefs of police in their respective counties.

An individual testified in support of this measure. The Department of Human Services and the Judiciary opposed this measure.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, the Department of Human Services to conduct interviews of neighbors of persons or organizations seeking an initial certificate of approval; and
- (2) Changing its effective date to July 1, 2060, 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. 2503, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2503, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 663-16 Consumer Protection & Commerce on H.B. No. 1634

The purpose of this measure is to amend the excise tax rate on the sale of large cigars.

Specifically, this measure amends the tax rate on sales of large cigars that occur on or after July 1, 2016, to the lesser of 50 cents for each large cigar or fifty percent of the wholesale price of each large cigar.

ABC Stores; Cigar Association of America, Inc.; Havana Club Honolulu; Hawaii Cigar Association; Hawaii Food Industry Association; Hawaii Smokers Alliance; Kauai Cigar Company; Mokuleia Cigar Company; and seventy-five individuals submitted testimony in support of the measure.

The Department of Health; American Cancer Society Cancer Action Network; American Heart Association; Coalition for a Tobacco-Free Hawaii; and forty-four individuals submitted testimony in opposition of the measure.

The Department of Taxation; Tax Foundation of Hawaii; and forty individuals submitted comments on the measure.

Your Committee has great reservations about moving this measure forward due to public health concerns. Further, although the measure's proponents testified that it would benefit the local cigar industry, your Committee finds that the proposed excise tax cap would apply equally to local and foreign producers. Despite these reservations, your Committee also finds that this measure could have a positive impact on the budget, including as a possible source of funding for cancer research. Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that the Committee on Finance carefully scrutinize the measure with regard to its financial impact.

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. 1634 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.
(Representatives Oshiro, Takayama and McDermott voted no.)

SCRep. 664-16 Health/Judiciary on H.B. No. 2707

The purpose of this measure is to improve the operation and oversight of the State's medical marijuana program.

Specifically, this measure:

- (1) Establishes the Medical Marijuana Advisory Commission to advise the Department of Health regarding the oversight, operation, and regulation of medical marijuana dispensaries;
- (2) Provides that certain state tax provisions shall not apply to medical marijuana purchases or dispensary activities;
- (3) Clarifies that prohibitions regarding drug paraphernalia shall not apply to persons who lawfully cultivate, possess, or use medical marijuana;

- (4) Provides that an advanced practice registered nurse with prescriptive authority may provide written certification for a qualifying patient to lawfully use medical marijuana;
- (5) Provides that medical marijuana may be transported between islands of the State for purposes of testing the marijuana;
- (6) Provides definitions of various terms used in relation to the licensing and regulation of medical marijuana dispensaries;
- (7) Provides that no subcontracting operator shall be employed by or under contract with more than one dispensary licensee to operate medical marijuana production centers or retail dispensary locations;
- (8) Clarifies that a dispensary licensee may engage contractors for various purposes that do not involve the handling of medical marijuana;
- (9) Provides that a certified laboratory shall issue a certificate of analysis for each batch of marijuana and manufactured marijuana products tested by the laboratory, and specifies chemical compounds and substances for which testing shall be conducted; and
- (10) Provides that transdermal patches and substances designed to be inhaled are among the types of medical marijuana products that may lawfully be manufactured and distributed.

Your Committees received testimony in support of this measure from Americans for Safe Access Big Island Chapter, the Drug Policy Action Group, the Drug Policy Forum of Hawaii, the Hawaii Association of Professional Nurses, the Hawaii Dispensary Alliance, Kush Bottles Hawaii, and six individuals.

Testimony in opposition was received from the Department of Transportation, Honolulu Police Department, Honolulu Department of the Prosecuting Attorney, Coalition for a Drug-Free Hawaii, and two individuals.

The Department of the Attorney General, Department of Business, Economic Development, and Tourism, Department of Health, Department of Taxation, and the Tax Foundation of Hawaii submitted written comments on the measure.

Your Committees find that it is necessary to clarify and amend statutes pertaining to the State's medical marijuana program consistent with guidance provided in the August 29, 2013, memorandum to all United States Attorneys from Deputy Attorney General James M. Cole regarding the exercise of federal prosecutorial discretion in states with laws authorizing marijuana cultivation and distribution for medical use. The memorandum emphasized that jurisdictions that have enacted laws legalizing marijuana in some form and that have also implemented strong and effective regulatory and enforcement systems to control the cultivation, distribution, sale, and possession of marijuana in compliance with the jurisdiction's laws and regulations are less likely to implicate the federal government's priorities regarding the prohibition of marijuana and criminal activities that may be associated with marijuana, and thus are less likely to experience federal enforcement activities.

Your Committees further find that ensuring the safe, efficient, and responsible operation of medical marijuana dispensaries and safe access to medical marijuana for qualifying patients are in the best interest of the State.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Health and licensed medical marijuana dispensaries shall provide aggregated de-identified data to the Department of Business, Economic Development, and Tourism upon request;
- (2) Providing that the Department of Business, Economic Development, and Tourism shall provide an analysis of the aggregated de-identified data to the Legislature upon request;
- (3) Revising the membership and appointing authority of the Medical Marijuana Advisory Commission to ensure representation of qualifying patients, health care professionals, and the medical marijuana dispensary industry;
- (4) Clarifying that background checks shall not be required for qualifying patients and their primary caregivers who visit a medical marijuana dispensing location for a lawful transaction or for government officials and employees acting in an official capacity and as authorized at a medical marijuana dispensing location or production center;
- (5) Clarifying that for purposes of the state income tax law, Section 280E of the Internal Revenue Code shall not be operative with respect to the production and sale of medical marijuana and manufactured marijuana products by subcontractors of medical marijuana dispensaries;
- (6) Revising the format of certain applicable laboratory testing standards regarding medical marijuana;
- (7) Clarifying that a medical marijuana dispensary shall not be prohibited from transporting marijuana from one county or island to another if a testing laboratory is unavailable in the county or on the island where the dispensary is located;
- (8) Amending the definition of "manufactured marijuana product" to include a transdermal patch, marijuana cigarette, or pre-filled and sealed container used to aerosolize and deliver medical marijuana orally;
- (9) Providing that the University of Hawaii's John A. Burns School of Medicine, Cancer Center, Daniel K. Inouye College of Pharmacy, and College of Tropical Agriculture and human resources may conduct testing and research regarding medical marijuana;
- (10) Changing the effective date to December 31, 2070, to facilitate further discussion on the measure; and
- (11) Making technical 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 Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2707, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2707, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami and Tupola.
(Representatives Oshiro and McDermott. voted no.)

SCRep. 665-16 Judiciary on H.B. No. 1726

The purpose of this measure is to broaden the offense of murder in the first degree to include cases in which the victim was restrained or detained as a shield, hostage, or for ransom.

The Hawaii State Coalition Against Domestic Violence; Ho‘omana Pono, LLC; Parents of Murdered Children; and many concerned individuals testified in support of this measure. Honolulu’s Department of the Prosecuting Attorney 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. 1726, 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, Brower and Hashem.

SCRep. 666-16 Consumer Protection & Commerce on H.B. No. 2331

The purpose of this measure is to extend the terms of the members of the Board of Nursing and the Board of Speech Pathology and Audiology from three years to four years.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii Pacific Health; Hawaii State Center for Nursing; American Organization of Nurse Executives, Hawaii Chapter; Prime Care Services Hawaii, Incorporated; and one individual.

Your Committee finds that the Board of Nursing and the Board of Speech Pathology and Audiology are the only boards among the Department of Commerce and Consumer Affairs Professional and Vocational Licensing Division’s twenty-five boards and commissions that have less than four-year terms for board members. Your Committee notes that persons willing to serve as members of professional licensing boards expend considerable time and energy, especially when getting acclimated to serving as a board member. Your Committee therefore finds that extending the term for members of the Board of Nursing and the Board of Speech Pathology and Audiology would provide continuity of effective board members and be consistent with the length of terms for members of other boards and commissions under the Professional and Vocational Licensing Division of 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 is in accord with the intent and purpose of H.B. No. 2331, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 667-16 Judiciary on H.B. No. 1581

The purpose of this bill is to effectuate its title.

H.B. No. 1581 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 is to require certain contested case hearings to be appealed directly to the Supreme Court.

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 action to report out H.B. No. 1581, as amended herein, and recommends that it be recommitted to your Committee on Judiciary, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1581, H.D. 1.

Signed by all members of the Committee except Representative Woodson.

SCRep. 668-16 Finance on H.B. No. 1607

The purpose of this measure is to address the threat of the little fire ant to the bio-environment, agricultural production, economy, and human health by:

- (1) Expanding the Department of Agriculture’s Little Fire Ant Program to include a Pilot Pesticide Treatment Coupon Project (Coupon Project) that provides coupons redeemable for appropriate pesticides to people who report and verify the presence of little fire ants on their property in the County of Hawaii;
- (2) Requiring the Department of Agriculture to create, update, and place on its website, a map of little fire ant sites in the County of Hawaii;

- (3) Requiring the Department of Agriculture to submit a progress report on the Coupon Project and the little fire ant site map to the Legislature; and
- (4) Appropriating funds for the Coupon Project and the little fire ant site map.

The University of Hawaii, Councilmember from District 4 of the County of Hawaii, Land Use Research Foundation of Hawaii, and Hawaii Farm Bureau testified in support of this measure. We Are One, Inc., and a concerned individual testified in opposition to this measure. The Department of Agriculture, Department of Land and Natural Resources, Hawaii Pest Control Association, Hawaii Association of Realtors, and Aloha Arborist 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. 1607 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 669-16 Finance on H.B. No. 1982

The purpose of this measure is to assist Big Island Dairy, LLC, by authorizing the issuance of special purpose revenue bonds to finance the cost of operations of its dairy farm in Ookala on the Island of Hawaii.

The Department of Agriculture, Whitesides Dairy Inc.–Big Island Dairy LLC, Hawaii Farm Bureau, Ulupono Initiative, Local Food Coalition, and Hawaii Cattlemen's Council supported this measure. 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1982 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 670-16 Finance on H.B. No. 1996

The purpose of this measure is to establish a two-year agricultural theft and vandalism pilot project to focus on investigating and prosecuting agricultural theft and vandalism in the County of Hawaii.

The County of Hawaii Office of the Prosecuting Attorney, a Hawaii County Council Member, Orchid Growers of Hawaii, Hunting Farming Fishing Association, Maui County Farm Bureau, Hawaii Farmers and Ranchers United, Hawaii Floriculture and Nursery Association, Hawaii Tropical Flower Council, Hawaii Tropical Flowers and Foliage Association, Hawaii Crop Improvement Association, Hawaii Cattlemen's Council, Inc., Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, and many individuals 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. 1996, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 671-16 Finance on H.B. No. 1997

The purpose of this measure is to promote the expansion and development of the State's agricultural industry by:

- (1) Establishing the K-12 Agriculture Workforce Development Pipeline Initiative Program (Program) in the Department of Labor and Industrial Relations to conduct training sessions in agricultural self-sufficiency for teachers and school administrators on the islands of Oahu, Hawaii, Maui, Molokai, Lanai, and Kauai; and
- (2) Making an appropriation for the Program.

The University of Hawaii System, Land Use Research Foundation of Hawaii, and Hawaii Farm Bureau provided testimony in support of this measure. The Department of Agriculture, Department of Labor and Industrial Relations, and Department of Education 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. 1997 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 672-16 Finance on H.B. No. 1999

The purpose of this measure is to address the high cost of feed and the lack of local feed mills in Hawaii by:

- (1) Establishing and funding a grant program for qualified feed developers to cover a percentage of their feed development costs up to a specified cap;
- (2) Appropriating funds to reimburse qualified producers of certain products for their cost of feed;

- (3) Appropriating funds to reimburse qualified feed developers for the costs of development of feed for sale to qualified producers; and
- (4) Appropriating funds for the Department of Agriculture to conduct a survey to identify, assess, and validate locally sourced feed ingredients that are available to qualified feed developers.

The Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, Ulupono Initiative, Kauai Kunana Dairy, Big Island Dairy, LLC, and Maui County Farm Bureau 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. 1999, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 673-16 Finance on H.B. No. 2676

The purpose of this measure is to encourage farming in the State by establishing a five-year energy independent farming community pilot project to provide support to persons who want to be farmers, and appropriate funds to the University of Hawaii to staff and plan this project.

The University of Hawaii System, Hawaii Farm Bureau, and an individual 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. 2676, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 674-16 Finance on H.B. No. 2219

The purpose of this measure is to build on the successes of Hawaii's science and technology industries and support Hawaii-based small businesses by establishing the Hawaii Impact Loan Program for Commercialization and appropriating funds to the Program.

Chamber of Commerce Hawaii and Hoana Medical, Inc. supported this measure. The Department of Budget and Finance; High Technology Development Corporation; Oceanit; and a concerned 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 H.B. No. 2219, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 675-16 Finance on H.B. No. 2262

The purpose of this measure is to support development of the manufacturing industry in the State by appropriating funds for the continuation of the Manufacturing Grant Program within the High Technology Development Corporation.

The Agribusiness Development Corporation; High Technology Development Corporation; Pacific International Space Center for Exploration Systems; Oceanit Laboratories, Inc.; Chamber of Commerce Hawaii; Aloha Shoyu Company, Ltd.; Meadow Gold Dairies; Hawaii Farm Bureau; Asia-Pacific Center for Regenerative Design; Hawaii Food Manufacturers Association; Hawaii Fish Company, Inc.; 3D Innovations; Kōloa Rum Company; Hawaii Food Industry Association; Impact Hub Honolulu; Hawaii Aquaculture & Aquaponic Association; KaiKini, LLC; Maui Gold Pineapple Company; Hyperspective; KYD, Inc. dba K. Yamada Distributors; Diamond Bakery Co., Ltd; Ko Bakery Kauai; Island Maid, Inc.; Studio Kinection, Inc.; Pac Build; Manini Holdings LLC; Hawaii Kai Technologies LLC; LHX Industries LLC dba Grant Writing & Consulting; Paradise Meadows; O Ka Aina Fuel, LLC; Hawaii Coffee Company; Kauai Coffee Company, LLC; Hawaiian Candies & Nuts, Ltd.; Haute Confectionery Boutique; and several individuals testified in support of this measure. Hawaii-Solutions opposed this measure. Two 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. 2262, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 676-16 Finance on H.B. No. 2264

The purpose of this measure is to appropriate funds to the High Technology Development Corporation for the provision of technology internship grants and the development of programs to further the pipeline of talent in Hawaii for technology fields.

The Chamber of Commerce Hawaii supported this measure. The High Technology Development Corporation 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. 2264, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 677-16 Finance on H.B. No. 2668

The purpose of this measure is to appropriate funds for operational expenses to ensure the continuation of the Small Business Innovation Research Program of the High Technology Development Corporation.

The High Technology Development Corporation; Hawaii Aquaculture and Aquaponic Association; Chamber of Commerce Hawaii; Makai Ocean Engineering; 3D Innovations; Hyperspective Inspire Belief; Oceanit Laboratories, Inc.; Sun, Sky Surface Radiation Measurements; Studio Kinection, Inc.; Hawaii Evolutionary Development, LLC; Referentia Systems Incorporated; LiveAction Inc.; In2lytics LLC; Experiad; Hawaii Fish Company, Inc.; Tissue Genesis; Nalu Scientific, LLC; Binary Habitat; Hawaii Biotech Inc.; and several 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. 2668, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 678-16 Finance on H.B. No. 1752

The purpose of this measure is to appropriate funds for one full-time equivalent position as grant administrative support personnel in the Office of Community Services for fiscal year 2016-2017.

The Chamber of Commerce Hawaii and an individual provided testimony in support of this measure. The Department of Labor and Industrial Relations, Office of Community 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. 1752, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 679-16 Finance on H.B. No. 1849

The purpose of this measure is to address the aging of the state's workforce and resultant workforce vacancies due to mass retirements by creating a pilot project within the Department of Human Resources Development that expedites the recruitment and hiring process for vacancies within state departments.

The United Public Workers provided testimony in opposition to this measure. The Department of Human Resources Development 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 H.B. No. 1849, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 680-16 Finance on H.B. No. 2010

The purpose of this measure is to require the Director of Labor and Industrial Relations to permit the operation of First Job Training Programs that provide on-the-job training and education to first time hires and may pay participant-employees a special minimum wage that is less than the minimum wage.

The Hawaii Food Industry Association provided testimony in support of this measure. The Hawaii State AFL-CIO and ILWU Local 142 provided testimony in opposition. The Department of Labor and Industrial Relations 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. 2010, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 681-16 Finance on H.B. No. 2016

The purpose of this measure is to require retirees and their beneficiaries to pay their share of the cost of health benefit plans provided through the Hawaii Employer-Union Health Benefits Trust Fund through withholding from benefit amounts paid by the Employees' Retirement System.

Several individuals testified in support of this measure. An individual opposed this measure. The Hawaii Employer-Union Health Benefits Trust Fund and the Employees' Retirement 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. 2016, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 682-16 Finance on H.B. No. 2161

The purpose of this measure is to expedite hearings, decisions, and resolutions of workers' compensation claims by appropriating funds to:

- (1) Hire six full-time equivalent hearings officer positions and support staff within the Department of Labor and Industrial Relations' Disability Compensation Division; and
- (2) Provide the hearings officers and staff with legal and medical training.

The Department of Human Resources Development, Hawaii Injured Workers Association, Pacific Resource Partnership, The Chamber of Commerce Hawaii, ILWU Local 142, Work Injury Medical Association of Hawaii, and two individuals testified in support of this measure. The Department of Labor and Industrial Relations 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. 2161, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 683-16 Finance on H.B. No. 2186

The purpose of this measure is to assist sugar workers affected by the cessation of sugar production on Maui by:

- (1) Appropriating funds to the Department of Labor and Industrial Relations (DLIR) for workforce development, worker training and retraining, and other assistance programs for these workers; and
- (2) Requiring DLIR to seek assistance from the United States Department of Labor to provide such support to these workers.

The Mayor of the County of Maui; a Councilmember of the County of Maui; Chamber of Commerce Hawaii; Alexander & Baldwin, Inc.; Hawaii Farm Bureau; and International Brotherhood of Electrical Workers Local Union 1260 testified in support of this measure. DLIR, Department of Agriculture, and ILWU Local 142 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. 2186, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 684-16 Finance on H.B. No. 2307

The purpose of this measure is to provide fund authorizations and appropriations for collective bargaining cost items for Unit 14 and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative, for fiscal biennium 2015-2017.

The Office of Collective Bargaining and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. The Department of Budget and Finance 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. 2307, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 685-16 Finance on H.B. No. 2363

The purpose of this measure is to amend Hawaii's laws on workers' compensation (WC) and temporary disability insurance (TDI) to:

- (1) Exclude services performed by owners of at least 50 per cent of a corporation, members and partners of limited liability corporations and partnerships with at least a 50 per cent interest, partners in a partnership, and sole proprietors from the definition of employment for purposes of triggering requirements to provide TDI;
- (2) Allow the Director of Labor and Industrial Relations to receive electronic copies of injury and other reports related to WC claims; and
- (3) Amend penalty amounts for failure to provide required TDI coverage, failure to timely pay TDI benefits or improper termination of TDI benefits, failure of a physician to file medical reports required for a WC claim, failure of an employer to provide employee access to medical records required for a WC claim, failure to provide required WC insurance coverage, and improperly requiring an employee to pay the cost of WC insurance coverage.

The Department of Labor and Industrial Relations, Pacific Resource Partnership, ILWU Local 142, and Hawaii Construction Alliance provided testimony in support of this measure. 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. 2363, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 686-16 Finance on H.B. No. 2472

The purpose of this measure is to restore positions that were cut during the reduction-in-force of 2009 by appropriating funds for five positions in the Wage Standards Division of the Department of Labor and Industrial Relations.

The Hawaii State AFL-CIO, Hawaii Construction Alliance, Pacific Resource Partnership, and an individual provided testimony in support of this measure. The Department of Labor and Industrial Relations and General Contractors 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. 2472, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 687-16 Finance on H.B. No. 2475

The purpose of this measure is to:

- (1) Establish a Maritime Industry Grant Program within the Department of Labor and Industrial Relations to award grants to qualified shipyards for capital improvements, workforce development projects, and purchases of machinery and equipment; and
- (2) Appropriate funds for awarding grants under the Program.

The Chamber of Commerce Hawaii, Pacific Shipyards International, and several individuals provided testimony in support of this measure. The Department of Labor and Industrial Relations 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. 2475, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 688-16 Finance on H.B. No. 2714

The purpose of this measure is to assess the viability of basalt rebar as a new emerging high-tech industry and workforce development opportunity for the State by appropriating funds for a basalt rebar market assessment study.

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. 2714, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 689-16 Finance on H.B. No. 2199

The purpose of this measure is to:

- (1) Establish the Transit Oriented Development Infrastructure Authority (Authority) within the Department of Business, Economic Development, and Tourism to facilitate, oversee, and manage the development of all infrastructure on state property within a quarter mile of any rail station constructed as part of the high-capacity transit corridor project in the City and County of Honolulu;
- (2) Establish the Transit Oriented Development Infrastructure Authority Special Fund (Special Fund), into which shall be deposited a percentage of Transient Accommodations Tax revenues, appropriations, and other public and private funds; and
- (3) Appropriate general funds for deposit into the Special Fund.

The Department of Budget and Finance, Office of Planning, City and County of Honolulu Department of Planning and Permitting, The Chamber of Commerce Hawaii, Hawai'i Association of REALTORS®, Building Industry Association of Hawaii, Land Use Research Foundation of 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 H.B. No. 2199 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 690-16 Finance on H.B. No. 2491

The purpose of this measure is to honor the men and women who served, and to reflect on and appreciate the sacrifices they made, during the Vietnam War by appropriating funds to commemorate the 50th Anniversary of the Vietnam War with programs, ceremonies, and activities.

The Department of Defense, Office of Veterans' Services, and an individual provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2491, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 691-16 Finance on H.B. No. 2741

The purpose of this measure is to provide greater access to the arts for the military community and to make a significant contribution to the quality of life of the military community in Hawaii by appropriating funds to establish an Arts in the Military Program.

The State Foundation on Culture and the Arts, Hawaii Opera Theater, and an individual provided testimony in support of this measure. The Department of Defense and Office of Veterans' 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. 2741, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 692-16 Finance on H.B. No. 1814

The purpose of this measure is to provide a safe learning environment for students by:

- (1) Requiring the Department of Education to report to the Legislature no later than 20 days prior to the convening of the Regular Session of 2018 regarding the Department's progress and expenditure of funds to comply with statutory requirements prohibiting physical punishment of students and limiting the use of seclusion and chemical, mechanical, or physical restraint of students; and
- (2) Appropriating funds for fiscal year 2016-2017 to fund a full-time equivalent position (1.0 FTE) to provide training and data accountability to assist with the effective implementation of such statutory prohibitions and limits.

The Department of Education, the State Council on Developmental Disabilities, the Special Education Advisory Council, and one individual testified in support of this measure. Hawaii Disability Rights Center 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. 1814, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 693-16 Finance on H.B. No. 1744

The purpose of this measure is to, among other things:

- (1) Require Department of Education (Department) school principals to make the athletic facilities of Department schools available for use by public charter schools under certain circumstances;
- (2) Provide public charter schools with the right of first refusal for the use of Department athletic facilities within the complex area in which the public charter school is located and on available dates; and
- (3) Require Department school principals to provide public charter schools with schedules of available dates for the use of athletic facilities.

The State Public Charter School Commission, the Hawaii Public Charter Schools Network, and two individuals testified in support. Hawaii Academy of Arts and Science Public Charter School 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. 1744, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 694-16 Finance on H.B. No. 2453

The purpose of this measure is to help strengthen public education in Hawaii by appropriating funds for start-up grants for one or more new pre-opening public charter schools that will meet the priority needs identified by the State Public Charter School Commission in its request for proposals for new schools.

The State Public Charter School Commission, Kamehameha Schools, the Hawaii Public Charter School Network, the Office of Hawaiian Affairs, and two individuals testified in support of this measure. The Hawaii State Teachers Association and IMUAlliance 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. 2453, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 695-16 Finance on H.B. No. 2510

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

The Department of Education, Hawaii State Teachers Association, and many concerned individuals supported this measure. The Hawaii Housing Finance and Development Corporation 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. 2510, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 696-16 Finance on H.B. No. 2524

The purpose of this measure is to ensure a fair allocation of funds meant to benefit students who attend public schools established and maintained by the Department of Education and students who attend public charter schools by:

- (1) Mandating that incentive bonuses and other compensation required by law or collective bargaining beyond regular wages shall not be paid from the charter school's facilities funding or per-pupil funds; and
- (2) Appropriating funds to pay for teacher bonuses for hard-to-fill placement incentives and Teacher National Board Certification Incentive Program bonuses for public charter school teachers.

The Office of Hawaiian Affairs, the State Public Charter School Commission, the Hawaii Public Charter School Network, Aha Punana Leo, Kamehameha Schools, the Hawaii State Teachers Association, and four individuals testified in support of this measure. The Department of Budget and Finance testified in opposition. Kanu O Ka Aina New Century Public Charter School 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. 2524, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 697-16 Judiciary on H.B. No. 2494

The purpose of this measure is to allow the Department of Education (DOE) to permit:

- (1) The self-administration of blood glucose monitoring by a student; and
- (2) DOE employees and agents to volunteer to administer or to assist a student with blood glucose monitoring.

The Department of Health, American Diabetes Association, and numerous individuals testified in support of this measure. DOE commented 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. 2494 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Morikawa and Nakashima.

SCRep. 698-16 Judiciary on H.B. No. 2082

The purpose of this measure is to simplify the access to adoption records process by removing lengthy and burdensome procedural requirements, thereby providing adopted individuals and their natural parents direct access to the adopted individual's sealed adoption records:

- (1) Upon order of the family court supported by a showing of good cause;
- (2) After the adopted individual attains the age of eighteen, upon submission to the family court of a written request for inspection by the adopted individual, the adoptive parents, or the natural parents;
- (3) Upon request by the adopted individual or the adoptive parents for information contained in the records concerning ethnic background and necessary medical information; or
- (4) Upon request by a natural parent for a copy of the original birth certificate.

The Adoption Circle of Hawaii, National Center on Adoption and Permanency, Cornucopia Consulting, LLC, Bastard Nation: the Adoptee Rights Organization, and many concerned individuals testified in support of the measure.

Your Committee notes that the stigma that was commonly associated with adoption in the past has largely diminished due to cultural changes that have affected society's attitudes and perceptions and have supported the trend toward more access to adoption records by adoptees, adoptive parents, and birthparents.

The adoptee has a substantial interest in accessing the adoptee's familial medical history. Recent genetics research has highlighted the importance of genetic history to an individual's medical care. This measure ensures that adoptees have better access to information that could affect their wellness.

Furthermore, contrary to critics' claims, the experience in countries with open access laws and states that have restored open access to adoption records indicates there are no significant negative consequences to the birthparent.

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. 2082, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Woodson.

SCRep. 699-16 Finance on H.B. No. 2489

The purpose of this measure is to address the various problems and needs of all veterans, with a primary focus on female veterans who served on active duty for the full period they were activated, by appropriating funds to establish one full-time equivalent permanent Veterans Services Counselor IV position in the Office of Veterans' Services.

The State Adjutant General and Director of the Hawaii Emergency Management Agency, The Hawaii Military Women's Task Sub-Committee, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, The Sex Abuse Treatment Center, and an individual testified in support of this measure. The Office of Veterans' 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. 2489 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 700-16 Finance on H.B. No. 2492

The purpose of this measure is to support the Department of Theatre and Dance at the University of Hawaii at Manoa by appropriating funds for:

- (1) One full-time equivalent tenure track professor (1.0 FTE) in the Hawaiian theatre program;
- (2) Two full-time staff positions (2.0 FTE), one of whom shall serve the department's costume shop, and one of whom shall serve the department's scene shop;
- (3) The hiring of guest artists and instructors;
- (4) The department's Asian theatre program; and
- (5) Production support, including basic shop supplies.

The Department of Theatre and Dance at the University of Hawaii at Manoa and many individuals provided testimony in support of this measure. 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 H.B. No. 2492, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 701-16 Finance on H.B. No. 1852

The purpose of this measure is to clarify that eligible nonprofit organizations may receive loans from the State's Water Pollution Control Revolving Fund for activities that are consistent with the Federal Water Pollution Control Act, including the planning, designing, and construction of wastewater treatment works.

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. 1852, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 702-16 Finance on H.B. No. 2171

The purpose of this measure is to assist the City and County of Honolulu Emergency Medical Services Division to expand emergency medical and ambulance services in the Moanalua, Aliamanu, Red Hill, Salt Lake, and Foster Village communities by appropriating funds to authorize an additional emergency medical services unit.

The Honolulu Emergency Services Department, Emergency Medical Services Division; United Public Workers, AFSCME, Local 646, and AFL-CIO; and an individual provided testimony 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2171, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 703-16 Finance on H.B. No. 2252

The purpose of this measure is to require hospitals to adopt and maintain written discharge policies that include patient designation of a caregiver who may participate in planning for and carrying out after-care following a patient's discharge from a hospital, consistent with recent updates to federal requirements.

The Healthcare Association of Hawaii; ILWU Local 142; the Queen's Health Systems; Hawaii Health Systems Corporation; Hawaii Pacific Health; Project Dana; Self-Advocacy Advisory Council; and several concerned individuals supported this measure. The State Council on Developmental Disabilities; Policy Advisory Board for Elder Affairs; AARP Hawaii; Hawaii Family Caregiver Coalition; Hawaii Government Employees Association; AFSCME Local 152, AFL-CIO; and many 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 H.B. No. 2252, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 704-16 Finance on H.B. No. 2434

The purpose of this measure is to augment and expand the emergency medical services system on the island of Hawaii for the health and safety of residents and visitors by appropriating funds:

- (1) To establish and staff an advanced life support ambulance unit in Puna; and
- (2) For the operation of emergency medical services in North Kona.

The East Hawaii Region of the Hawaii Health Systems Corporation, Office of the Prosecuting Attorney of the County of Hawaii, Hawaii Fire Department, Hawaii Fire Fighters Association, United Public Workers, AFSCME, Local 646, AFL-CIO, Hawaiian Shores Community Association, Malama O Puna, Brave Ventures, and numerous concerned individuals testified in support of this measure. The Department of Health 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. 2434, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 705-16 Finance on H.B. No. 2659

The purpose of this measure is to require that a percentage of funds in the Housing First Special Fund be used for housing for residents who qualify for Social Security disability benefits and are diagnosed with a lifelong serious mental illness.

Mental Health Kokua testified in support of this measure. The Governor's Coordinator on Homelessness 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. 2659, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 706-16 Finance on H.B. No. 2744

The purpose of this measure is to amend certain statutes relating to the low-income housing tax credit provided by the State. Among other things, this measure:

- (1) Increases the aggregate state housing credit dollar amount available for award annually;
- (2) Bases the amount of the tax credit on whether or not a building is financed by tax-exempt bonds;
- (3) Increases funding for affordable rental housing development by making the state low-income housing tax credit more valuable; and
- (4) Increases the value of the state low-income housing tax credits by shortening the term over which the credits are taken to five years.

The Chamber of Commerce Hawaii, Building Industry Association of Hawaii, and InState Partners provided testimony in support of this measure. The Department of Taxation, Hawaii Housing Finance and Development Corporation, 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. 2744, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 707-16 Finance on H.B. No. 1958

The purpose of this measure is to incentivize the renting of units to Section 8 holders by exempting rental subsidy payments for Section 8 and Housing First Programs from the state general excise tax.

The Hawaii Public Housing Authority provided testimony in support of this measure. The Department of Taxation, Department of Human Services, the Governor's Coordinator on Homelessness, Tax Foundation of Hawaii, and Hawaii Association of Realtors 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. 1958, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 708-16 Finance on H.B. No. 2638

The purpose of this measure is to amend the eligibility requirements and terms of tenancy for state low-income housing projects administered by the Hawaii Public Housing Authority (Authority) by:

- (1) Establishing a five-year maximum term of tenancy with rental rate fixed as a percentage of the tenant's income for individuals who are less than sixty-five years old and not disabled;
- (2) Requiring individuals subject to the five-year maximum tenancy term to participate in the Family Self Sufficiency Program and a trust savings account program, wherein the tenant's rental payments are deposited in a trust account administered by the Authority, matched with state funds, and released to the tenant upon vacation of the dwelling unit;
- (3) Conditioning the Authority's authorization to renovate and rent vacant dwelling units in state low-income housing projects on occupancy by individuals subject to the five-year maximum tenancy period;
- (4) Authorizing the issuance of general obligation bonds to finance repair and maintenance of state low-income housing projects; and
- (5) Appropriating funds to the Department of Human Services for repair and maintenance of state low-income housing projects, provision of matching funds for tenant trust accounts, and establishment of positions in the Hawaii Public Housing Authority to manage trust account funds.

The General Contractors Association of Hawaii testified in support of this measure. An individual opposed this measure. The Governor's Coordinator on Homelessness, Department of Human Services, and Hawaii Public Housing Authority 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. 2638, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 709-16 Finance on H.B. No. 2704

The purpose of this measure is to establish exemptions from Hawaii securities law for limited intrastate investments with Hawaii businesses, of which the maximum dollar amount does not exceed \$1,000,000.

The Chamber of Commerce Hawaii, Hawaii Food Industry Association, and National Federation of Independent Business testified in support of this measure. The United Public Workers, AFSCME, Local 646, AFL-CIO 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2704, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 710-16 Consumer Protection & Commerce on H.B. No. 2639

The purpose of this measure is to require a wireless telecommunications service provider who receives an opt-out request from a victim of domestic abuse to either transfer to the victim the billing authority and all rights to the shared wireless plan or remove the victim from the shared wireless plan and assign the victim a substitute telephone number, without charge, penalty, or fee.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Hawaii and the Office of the Prosecuting Attorney of the County of Kauai.

Your Committee finds that unlike in previous years, a broad consensus among the community now exists for this issue and, in particular, the language of this measure. Your Committee further finds that victims of domestic abuse often find themselves struggling to escape their abusive situations. Access to an independent wireless phone and service, along with a voice mailbox, can help victims rebuild their lives by providing them the means to communicate with family, friends, agency and shelter support staff, and current or prospective employers.

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. 2639 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Yamane.

SCRep. 711-16 Consumer Protection & Commerce on H.B. No. 2311

The purpose of this measure is to facilitate the appropriate transfer of information regarding deceased persons to a limited scope of state agencies.

More specifically, the measure:

- (1) Extends for two years the sunset date of Act 27, Session Laws of Hawaii 2014, which requires the Department of Health to provide quarterly a list of the names of deceased individuals recorded by the department to certain state agencies;
- (2) Establishes use and confidentiality requirements for state agencies that receive names of deceased individuals; and
- (3) Requires the last four digits of each decedent's social security number, if known, as part of the information that the Department of Health is required to disclose in its quarterly list to qualifying state agencies.

The Department of Human Services and the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees testified in support of this measure.

Your Committee finds that the extension of the sunset date of Act 27, Session Laws of Hawaii 2014, is warranted. The Act is helpful in the timely termination of coverage of certain employee and beneficiary benefits. Your Committee also finds that requiring the Department of Health to share the last four digits of a decedent's social security number will improve the ability of receiving state agencies to identify decedents.

Your Committee approved of the measure due to no opposing testimony. However, your Committee notes that a legal check revealed that the proposed language on page 2, line 22, and page 3, line 1 of the measure that amends Act 27, Session Laws of Hawaii 2014, does not comport with recommended legislative drafting procedures, which recommend that proposed language to be added to an existing law be underscored. Your Committee requests that the Senate address this technical error, which was included in this measure as received by your 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. 2311 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Yamane.

SCRep. 712-16 Judiciary on H.B. No. 1517

The purpose of this measure is to address the situation in which certain offenses of assault are committed in the presence of the victim's minor child by requiring the situation to be considered as an aggravating factor in the sentencing of the person convicted of the offense.

The County of Hawaii Office of the Prosecuting Attorney, The League of Women Voters of Hawaii, and one concerned individual testified in support of this measure. The Judiciary and Honolulu's Department of the Prosecuting Attorney provided comments.

Your Committee finds that several states, including Arkansas, Idaho, Minnesota, Montana, New Jersey, Oregon, and Utah, elevate the offense or sentencing for various crimes that are committed in the presence of minors.

In Hawaii, courts are required to consider certain factors, such as the "nature and circumstances of the offense," for all defendants and, in particular by a specific statute, for the offenses involving the abuse of a family or household member in the presence of a minor. This measure is modeled after the sentencing statute for offenses that involve abuse of a family or household member in the presence of a minor, section 706-606.4, Hawaii Revised Statutes. Since 1999, courts have been required to apply an identical factor in the family abuse context. The presence of a minor is considered only for the determination of sentencing; the factor does not elevate the seriousness of the offense charged.

Your Committee has amended this measure to focus on assault crimes by deleting the offense of sexual assault in the first degree as an offense for which the commission in the presence of the victim's minor child is an aggravating factor in the sentencing of the person convicted of the offense.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1517, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1517, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 713-16 Judiciary on H.B. No. 1592

The purpose of this measure is to prevent the cruel treatment of animals by:

- (1) Prohibiting the deprivation of adequate shelter for an animal;
- (2) Prohibiting tethers and restraints that endanger or unreasonably restrict the movements of a dog; and
- (2) Establishing penalties for the first and subsequent repeated violations of the offense of cruelty to animals in the second degree.

The West Hawaii Humane Society, Molokai Humane Society, and numerous concerned individuals testified in support of this measure. The Honolulu Police Department, Hawaii Cattlemen's Council, Inc., Animal Rights Hawaii, The Humane Society of the United States, Hawaiian Humane Society, Pacific Pet Alliance, and several concerned individuals provided comments.

Your Committee notes the community's support for a prohibition on the unreasonable tethering or restraints on dogs that are cruel or dangerous. However, the measure must be practical to enforce and must not restrict supervised tethering practices that do not endanger the dog.

Your Committee has amended this measure by:

- (1) Deleting the term "adequate shelter" and its definition and instead using the phrase "necessary sustenance", a term that is defined by section 711-1100, Hawaii Revised Statutes;
- (2) Clarifying the types of restraints and tethers on dogs that are prohibited and making an exception for dogs that are engaged in supervised activities;
- (3) Establishing the penalties for using the prohibited restraints and tethers on dogs; 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 H.B. No. 1592, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1592, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Brower, Woodson and McDermott.

SCRep. 714-16 Judiciary on H.B. No. 2448

The purpose of this measure is to amend 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 and the Disability and Communication Access Board.

Your Committee acknowledges the testimony of the Disability and Communication Access Board, which requested amendments to modernize outdated references to "handicapped" individuals. While worthwhile, the suggested amendments are beyond the scope of the measure's intent of technical statutory revision in fulfillment of the Legislative Reference Bureau's duty.

Your Committee finds that this statutory revision measure is submitted by the Legislative Reference Bureau pursuant to chapter 23G, Hawaii Revised Statutes. All of the statutory amendments proposed by this measure are intended to be technical in nature to correct errors, omissions, or obsolete laws. Your Committee also notes that this measure was reviewed by the Attorney General prior to its submission to the Legislature. A memorandum explaining the proposed amendments was submitted as part of the testimony of the Legislative Reference Bureau.

Your Committee has amended this measure by:

- (1) Deleting technical amendments to section 347-17, Hawaii Revised Statutes; 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 H.B. No. 2448, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2448, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 715-16 Economic Development & Business on H.B. No. 2295

The purpose of this measure is to increase the effectiveness and efficiency of the Aerospace Advisory Committee (Advisory Committee) by:

- (1) Reducing the number of members on the Committee from 15 to 13 by eliminating the membership of a representative from the investment banking sector and an individual with experience, knowledge, and expertise in the aerospace related activities and development to serve as chair of the Advisory Committee; and
- (2) Allowing the Advisory Committee to elect one of its members as chairperson of the Advisory Committee.

The Department of Business, Economic Development, and Tourism testified in support of this measure.

The Advisory Committee was established to advise and assist the Legislature and state agencies in monitoring, assessing, and promoting aerospace development statewide. However, your Committee finds that it has been difficult for the Advisory Committee to recruit a member representing the investment banking sector, as well as to recruit and appoint an individual qualified to serve as chairperson of the Advisory Committee. Removing these individuals from membership in the Advisory Committee and allowing the Advisory Committee to select a chairperson from its remaining membership will increase the efficiency and effectiveness of the Advisory Committee.

Your Committee has amended this measure by changing its effective date to February 19, 2022, to facilitate 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. 2295, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2295, H.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 716-16 Economic Development & Business on H.B. No. 2296

The purpose of this measure is to increase the effectiveness and efficiency of the Board of Directors of the Pacific International Space Center for Exploration Systems (PISCES) by reducing the number of members on the Board from 10 to nine through the elimination of an invited representative from the National Aeronautics and Space Administration (NASA) to serve as an ex-officio nonvoting member on the Board.

The Department of Business, Economic Development, and Tourism testified in support of this measure.

Since Hawaii's geographic location has long made it an ideal place for space exploration technology development, PISCES was established to serve as a catalyst for collaborative multinational programs to advance space exploration technologies and develop Hawaii's aerospace technology industry. While a NASA representative is invited to serve on the Board of Directors of PISCES, historically, a NASA official has not participated in PISCES Board meetings. This makes it difficult for the PISCES Board to achieve quorum. Your Committee finds that removing the NASA representative from the PISCES Board will increase the PISCES Board's efficiency and effectiveness.

Your Committee has amended this measure by changing its effective date to February 19, 2022, to facilitate 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. 2296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2296, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Tokioka.
(Representative Ward voted no.)

SCRep. 717-16 Judiciary on H.B. No. 1581

The purpose of this measure is to provide for the expedited judicial review of certain contested cases decided under the Administrative Procedure Act.

Specifically, this measure:

- (1) Requires that an appeal of a decision and order following a contested case hearing by the Land Use Commission, Hawaii Community Development Authority, and those involving conservation districts be made directly to the Supreme Court;
- (2) Authorizes a court to reserve jurisdiction to appoint a master or monitor to ensure compliance with its orders, when remanding a matter to an agency for the purpose of conducting a contested case hearing; and
- (3) Requires the court that is hearing an appeal of a decision in a contested case, conducted by one of the aforementioned entities, to give priority to appeals of significant statewide importance or in which constitutional issues are raised.

The Building Industry Association of Hawaii, The Chamber of Commerce Hawaii, Hawaii Association of Realtors, Hawaii Farm Bureau, and two individuals provided testimony in support of this measure. One individual provided testimony in opposition to this measure. The Judiciary and the Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Expanding the measure to also apply to contested case decisions and orders of the Commission on Water Resource Management and the Public Utilities Commission;
- (2) Clarifying that oral arguments shall only be heard at the Supreme Court's discretion; and
- (3) Deleting language requiring that priority be given to contested case appeals that raise constitutional issues.

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. 1581, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1581, H.D. 2, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 718-16 Judiciary on H.B. No. 2079

The purpose of this measure is to protect the privacy of the location information of an electronic device by requiring government entities to obtain a search warrant for such information, with exceptions for certain circumstances.

The American Civil Liberties Union of Hawaii, Ho'omana Pono, LLC, and two concerned individuals testified in support of this measure. The Honolulu Prosecuting Attorney testified in opposition. The Department of the Attorney General provided comments.

Your Committee has amended this measure to:

- (1) Clarify that location information that is subject to a search warrant is the real-time location of the electronic device and not the previous locations of the device;
- (2) Specify that a search warrant or court order is not required when the real-time location information is not obtained from an internet service provider or the manufacturer of the device during an urgent situation that poses a threat to life, requires immediate action, and a search warrant or court order cannot be obtained in a timely manner;
- (3) Define the term "real-time location information"; 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. 2079, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2079, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 719-16 Judiciary on H.B. No. 2245

The purpose of this measure is to increase the penalties for animal desertion by subjecting a person who leaves an animal without intending to return to it to:

- (1) A \$1,000 fine and a petty misdemeanor charge for animal desertion; and
- (2) A \$2,000 fine and a misdemeanor charge for animal desertion if the deserted animal suffers death or substantial bodily injury.

This measure also provides that each instance of a violation constitutes a separate offense.

The Department of Land and Natural Resources, Department of Agriculture, Conservation Council for Hawai'i, Hawaii Cat Foundation, Hawaiian Humane Society, The Humane Society of the United States, Poi Dogs & Popoki, Animal Rights Hawai'i, University of Hawai'i William S. Richardson School of Law Student Animal Legal Defense Fund, and numerous individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Specifying that a person who is guilty of animal desertion is subject to a \$2,000 fine and misdemeanor charge not only if the deserted animal suffers death or substantial bodily injury, but also if the deserted animal causes the death or injury of livestock;
- (2) Specifying that the offense of animal desertion does not apply to the release of an animal as part of a population management program; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

It is your Committee's intent that this measure not apply to dogs that fail to return to their owners after engaging in the act of hunting. Your Committee also wishes to note that a trap-neuter-return management program, even if conducted by an individual in an unofficial capacity, is considered a population management program for purposes 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. 2245, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2245, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 720-16 Judiciary on H.B. No. 1813

The purpose of this measure is to promote public safety by:

- (1) Prohibiting a person who is listed on the federal Terrorist Screening Database from owning, possessing, or controlling a firearm or ammunition;
- (2) Requiring the surrender or disposal of firearms and ammunition; and
- (3) Establishing a violation of the prohibition and surrender and disposal requirements as a class C felony.

The Honolulu Police Department, Americans for Democratic Action, IMUAlliance, Americans for Responsible Solutions, and several concerned individuals testified in support of this measure. The Department of the Attorney General testified in support of the intent of this measure and provided comments. The American Political Party, National Rifle Association of America, Valley Isle Sport Shooters, Institute for Rational and Evidence-based Legislation, Hawaii Rifle Association, and many concerned individuals testified in opposition.

Your Committee finds that the Terrorist Screening Database, informally referred to as the terrorist watchlist, was established under President George W. Bush in 2003 as a response to the September 11, 2001 terrorist attacks. Several different federal agencies can submit information to the watchlist, which is administered by the Federal Bureau of Investigation's Terrorist Screening Center. Individuals are placed on the watchlist when there is a

reasonable suspicion that they are a known or suspected terrorist. According to the Federal Bureau of Investigation, to meet the reasonable suspicion standard, nominating agencies must rely upon articulable intelligence or information which, taken together with rational inferences from those facts, reasonably warrants a determination that an individual is known, or suspected to be, or have been knowingly engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or terrorist activities. Based on the totality of the circumstances, a nominating agency must provide an objective factual basis to believe an individual is a known or suspected terrorist. Your Committee concludes that inclusion on the Federal Bureau of Investigation's Terrorist Screening Database indicates that an individual poses a serious and potentially threatening risk to public safety that warrants disqualification from firearms ownership, possession, or control under Hawaii law.

Currently, when an individual applies for a firearms permit, a background check is conducted through the Federal Bureau of Investigation's National Instant Criminal Background Check System (NICS) which searches the Federal Bureau of Investigation's files, including the watchlist, and informs the authority conducting the check if there is a match. However, a loophole exists because an individual listed on the watchlist is not prohibited from firearms ownership under federal or Hawaii law. This measure seeks to close that loophole. As with any denial, individuals who fail a background check may appeal to the Federal Bureau of Investigation for information.

The proposed disqualification from ownership, possession, or control of a firearm or ammunition due to inclusion on the watchlist is based on similar prohibitions in other jurisdictions. New Jersey imposed a disqualification in 2013. Connecticut did so in late 2015. Similar measures are under consideration in several other states, including Massachusetts, New York, Pennsylvania, and Illinois, and in the United States Congress. According to the United States Government Accountability Office, an audit, evaluation, and investigative arm of Congress, individuals on the watchlist have attempted to purchase firearms from firearms dealers in the United States at least 2,233 times and succeeded in 91 percent of those attempts.

Your Committee acknowledges that an individual may be placed on the watchlist only for a short duration and, therefore, has amended this measure to impose the disqualification temporarily and only for the length of time that the individual is included on the watchlist. An individual who is subsequently removed from the watchlist or if the federal government otherwise indicates that there is no basis for disqualification from firearms ownership will no longer be subject to the disqualification.

Your Committee has amended this measure by:

- (1) Inserting a preamble that explains the watchlist and provides justification for this measure;
- (2) Establishing that a person's inclusion on the watchlist results in a temporary disqualification that will be removed when the individual is removed from the watchlist or the federal government otherwise indicates that there is no basis for disqualifying the individual from owning or possessing a firearm;
- (3) Deleting the class C felony penalties for a person on the watchlist who fails to surrender or dispose of all firearms and ammunition; 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 H.B. No. 1813, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1813, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kawakami, Morikawa, Nakashima and Woodson.
(Representative McDermott voted no.)

SCRep. 721-16 Judiciary on H.B. No. 2773

The purpose of this measure is to help incarcerated individuals remain aware of the issues that are important to society by allowing those individuals who were Hawaii residents immediately prior to incarceration to vote in Hawaii elections, but only by absentee ballot.

The Office of Hawaiian Affairs, a Councilmember of the Maui County Council, American Civil Liberties Union of Hawaii, Hawaii Friends of Restorative Justice, Ho'omana Pono, LLC, We Are One, Inc., The CHOW Project, LGBT Caucus of the Democratic Party of Hawaii, Ka Lahui Hawaii Political Action Committee, and many concerned individuals testified in support of the measure. The Center for Hawaiian Sovereignty Studies testified in opposition. The Department of the Attorney General, Department of Public Safety, and a concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Specifying that voting by incarcerated persons shall be by absentee mail in ballots only;
- (2) Specifying that a person may not vote if incarcerated for class A felonies; class B felonies; or class C felonies for one or more violent crimes or voter fraud offenses;
- (3) Specifying that a person placed on probation or parole after commitment to imprisonment, during the period of probation or parole, may vote unless sentenced for voter fraud;
- (4) Specifying that a person may not vote if incarcerated for concurrent sentences for a class A felony; class B felony; or class C felony for one or more violent crimes or voter fraud offenses; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that voting can be an opportunity for incarcerated persons to engage in civic education and prepare for reintegration into society. Allowing certain incarcerated persons to retain their right to vote, but only by absentee mail in ballot, will benefit the State by helping inmates remain aware of the issues that are important to society so that they may participate more fully in their communities upon release.

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. 2773, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2773, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Morikawa and Nakashima.
(Representative McDermott voted no.)

SCRep. 722-16 Judiciary on H.B. No. 2645

The purpose of this measure is to establish the offense of theft of a bicycle in recognition of the serious nature of an act that may deprive its victim of the victim's sole means of transportation.

The Hawaii Bicycling League and Bikeshare Hawaii testified in support of the measure. The Office of the Public Defender testified in opposition.

Your Committee has amended this measure by:

- (1) Deleting language that would have established theft of a bicycle as a new offense;
- (2) Inserting new language into existing statutes that establish the offenses of theft in the first, second, third, and fourth degrees to specify that the defendant's knowledge that the bicycle was used by the victim to commute to work or for the victim's employment shall be an aggravating factor in the court's determination of sentencing;
- (3) Inserting a savings clause stating that this measure does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that the dollar value of property that is stolen does not always reflect the injuries suffered by the victim of the crime. The theft of a bicycle is one such instance of this situation. Where the victim used the bicycle for travel to or from work, or used it in work, the victim's loss of use of the bicycle may have adverse consequences substantially beyond the cost of a replacement. While this loss might be redressed by an order for restitution to the victim under section 706-646, Hawaii Revised Statutes, your Committee finds that the court should be required to consider the victim's loss of use of the bicycle as an aggravating factor when imposing a sentence for the crime.

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. 2645, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2645, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Woodson.

SCRep. 723-16 Judiciary on H.B. No. 625

The purpose of this measure is to prohibit a person convicted of misdemeanor stalking or sexual assault in the fourth degree from owning, possessing, or controlling any firearm or ammunition.

The Honolulu Police Department, Americans for Responsible Solutions, Domestic Violence Action Center, Center for American Progress, BradyHawaii, IMUAlliance, and many concerned individuals testified in support of this measure. The Department of the Attorney General supports the intent and provided comments. The Hawaii Rifle Association, National Rifle Association, Babooze Bowstrings, and many concerned individuals testified in opposition. The Honolulu Department of the Prosecuting Attorney and The Sex Abuse Treatment Center provided comments.

Your Committee finds that certain actions such as stalking and misdemeanor sexual assault are precursors to more extreme acts of domestic violence and that precautions are necessary to prevent individuals convicted of these offenses from accessing firearms.

Sexual assault in the fourth degree encompasses conduct by the perpetrator that is threatening and is committed with the intent to compel sexual conduct, expose oneself in a way that is "likely to alarm the other person or put the other person in fear of bodily injury," or trespass for the purpose of "surreptitious surveillance." These acts should not be dismissed as mere annoyances. Similarly, harassment by stalking requires that the offender act with intent to harass, annoy, or alarm the victim. Though the offending conduct may include nonconsensual contact in the form of text messages or emails, the perpetrator must be shown to have acted with the intent to cause the result of harassing, annoying, or alarming the victim.

Your Committee notes that disqualification from firearms ownership for a misdemeanor offense requires a conviction, unlike disqualification for a felony offense which only requires an indictment.

Your Committee has amended this measure by:

- (1) Amending the preamble to include additional information, including citations to the references used, to substantiate the need for the measure;
- (2) Deleting the amendment to section 134-7, Hawaii Revised Statutes (HRS) and replacing it with an amendment to section 134-1, HRS, to specify that a crime of violence that triggers disqualification from gun ownership includes sexual assault in the 4th degree and harassment by stalking; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 625, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 625, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Nakashima.
(Representative McDermott voted no.)

SCRep. 724-16 Judiciary on H.B. No. 626

The purpose of this measure is to promote public safety by prohibiting the physical possession of any firearm while consuming or under the influence of an intoxicant.

The Honolulu Police Department, Ho‘omana Pono, LLC, IMUAlliance, and three concerned individuals testified in support of this measure. The Department of the Attorney General supports the intent and provided comments. The National Rifle Association, Hawaii Rifle Association, Valley Isle Sport Shooters, and many concerned individuals testified in opposition. The Kauai Police Department provided comments.

Your Committee finds that 46 states have laws restricting or prohibiting the possession of a firearm while consuming or under the influence of alcohol and other intoxicants. Additionally, several county law enforcement agencies have adopted policies that prohibit their law enforcement officers from handling firearms while consuming or under the influence of alcohol.

Your Committee has amended this measure by:

- (1) Limiting the prohibition to drinking alcohol in public, specifically, to the "actual physical possession of any firearm outside of a residence, temporary residence, and place of sojourn while consuming alcohol," thereby deleting from the measure a broad application to all intoxicants and all locations, including private homes;
- (2) Establishing the offense as a petty misdemeanor; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

This measure has been amended to establish reasonable limitations on the possession of a firearm in public places while the possessor is consuming alcohol.

It is the Committee's intent that "actual physical possession" means that the firearm is on the person, in the person's holster, belt, hand, briefcase, bag, backpack, or within arm's length.

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. 626, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 626, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Nakashima.
(Representative McDermott voted no.)

SCRep. 725-16 Judiciary on H.B. No. 27

The purpose of this measure is to repeal the prohibition against willfully exhibiting one's own election ballot.

One concerned individual testified in support of this measure. One concerned individual testified in opposition. The Office of Elections provided comments.

In accordance with this measure, voters may photograph their voted ballot in the voting booth or at home and disseminate the photograph by electronic device or electronic media; provided that the voter's act is not an election offense, including vote buying or voter coercion. While this bill clarifies that a voter may take a photograph of the voter's own ballot, it does not remove the prohibition of displaying a voter's marked ballot or a photograph of a marked ballot to other voters while in the polling place. According to a recent case, voters' disclosure of their voted ballots, including "ballot selfies," is speech that may be protected by the United States Constitution First Amendment. Rideout v. Gardner, 2015 WL 4743731 (D.N.H. Aug. 11, 2015).

Voters may use an electronic device, including mobile phone, in the voting booth to assist them to vote their ballot; provided that the voter is not committing an election offense, including vote buying or voter coercion, which is still subject to section 19-4, Hawaii Revised Statutes, with penalties that include a fine of not less than \$1,000 nor more than \$5,000, or imprisonment for not more than two years, or both.

Voters do not forfeit their ballot because the voter disseminates a photograph of their voted ballot.

Campaigning and electioneering at the polling place and voter coercion are prohibited by federal and state law and is a misdemeanor.

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. 27 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 Creagan and McDermott.

SCRep. 726-16 Judiciary on H.B. No. 1668

The purpose of this measure is to facilitate the testimony of a vulnerable witness by authorizing the court to permit the use of a trained and credentialed facility dog that provides the witness with emotional support without causing a distraction during the court proceedings.

The Honolulu Prosecuting Attorney, Kauai County Prosecuting Attorney, Hawaii County Prosecuting Attorney, Hawaii Youth Services Network, Courthouse Dogs Foundation, Pacific Pet Alliance, Hawaiian Humane Society, Humane Society of the United States – Hawaii, The Children's Alliance of Hawaii, Dogs that Help, and one concerned individual testified in support of this measure. One concerned individual testified in opposition.

Your Committee recognizes that testifying in court may be a very stressful situation for traumatized or vulnerable witnesses and victims of crime. A facility dog can aid in testimony by comforting these 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. 1668 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, Kawakami, Morikawa and Nakashima.

SCRep. 727-16 Judiciary on H.B. No. 2327

The purpose of this measure is to clarify that Office of Consumer Protection investigators have service of process and service of subpoena powers to conform with Hawaii law governing process servers.

The Office of Consumer Protection and 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. 2327 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 Morikawa and Nakashima.

SCRep. 728-16 Judiciary on H.B. No. 2281

The purpose of this measure is to amend the Uniform Parentage Act to clarify that service by publication is allowed in situations where defendants in paternity cases cannot be located or personally served.

The Department of the Attorney General supported this measure. A concerned individual provided comments.

Your Committee notes that this measure is not intended to preclude other forms of notice by publication authorized by statute, rule, or court order, including but not limited to posting of the complaint and summons on an appropriate notification board at the courthouse where the action is being heard.

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. 2281 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 Nakashima.

SCRep. 729-16 Judiciary on H.B. No. 2284

The purpose of this measure is to require the courts to provide information relating to adult guardianships to the Hawaii Criminal Justice Data Center to:

- (1) Disclose to the Federal Bureau of Investigation for inclusion in the National Instant Criminal Background Check System (NICS) database; and
- (2) Maintain the information for disclosure to law enforcement for the purpose of firearms permitting and registration.

The Department of the Attorney General supported this measure.

Your Committee finds that there is a need to ensure that those who are mentally incapacitated do not have the opportunity to possess a firearm. Though the county police departments are required to conduct a background check using NICS to help identify those who are prohibited from legally possessing a firearm, the State does not require information to be submitted to NICS when an adult is subject to a guardianship order by the court. This measure will address that gap in reporting. Should the court later terminate an adult guardianship order, the individual has the opportunity under state law to reinstate eligibility for firearms possession.

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. 2284 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 Nakashima.

SCRep. 730-16 Judiciary on H.B. No. 1561

The purpose of this measure is to remedy the situation of an unlawful occupation of real property by amending the nuisance abatement law to authorize civil lawsuits that seek, among other things, an order of abatement that permanently prohibits the trespassers from residing on or entering onto the subject real property.

The Hawaii Association of REALTORS and numerous concerned individuals testified in support of this measure.

Your Committee finds that "squatting", to settle on land without title, right, or payment of rent, has become common in certain areas of this State and is a serious nuisance to the owners of the property, adjoining landowners, and neighboring residents. Squatting presents significant legal issues for land owners because the legal process to evict a squatter is costly and time consuming. The problems multiply when the squatter locates on property that has been abandoned by the owner. Because neighboring landowners and residents do not have a property interest in the abandoned parcel, they usually do not have effective legal tools to remove the squatter. Your Committee received testimony from numerous individuals that attest to the lack of effective remedies to protect against noise, drug use, unsanitary conditions, and other illegal activities in their neighborhoods.

This measure is intended to provide the landowners and the affected communities with a means to obtain relief from the nuisance created by squatters.

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. 1561 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, Woodson and McDermott.

SCRep. 731-16 Consumer Protection & Commerce on H.B. No. 260

The purpose of this measure is to authorize the Insurance Commissioner to issue a limited license for the solicitation or sale of insurance to a self-storage facility customer for the loss of, or damage to, personal effects or property stored at a self-service storage facility.

Your Committee received testimony in support of this measure from the Self Storage Association. Your Committee received testimony in opposition to this measure from the Insurance Commissioner of the Department of Commerce and Consumer Affairs.

Your Committee finds that a self-storage limited lines license for self-storage insurance may be justified. There is a definite need for this line of insurance in areas with high rates of transiency such as West Maui and Waikiki, because many residents in those areas do not have homeowner's or renter's insurance. Your Committee also finds that twenty other states already offer self-storage insurance and that authorizing a new line of insurance will expand the alternatives available to consumers in Hawaii, without being misleading. In light of the foregoing reasons, your Committee is unpersuaded by the Insurance Commissioner's testimony expressing concerns regarding the establishment of a new limited lines license for self-storage insurance. Your Committee therefore believes that this measure merits further consideration.

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. 260, H.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 Yamane.

SCRep. 732-16 Finance on H.B. No. 1543

The purpose of this measure is to authorize the issuance of general obligation bonds to finance capital improvement projects authorized in designated appropriation measures, including the supplemental appropriations act for the Executive Branch and the Judiciary.

This measure also makes a declaration of findings with respect to the authorizations for the bonds as required under the State Constitution.

The Department of Budget and Finance provided testimony in support of the measure.

Your Committee finds that the measure is a necessary legislative vehicle for the issuance of general obligation bonds to fund state capital improvement projects.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1543 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 LoPresti.

SCRep. 733-16 Finance on H.B. No. 2094

The purpose of this measure is to incorporate the tax abatement disclosure requirements of Governmental Accounting Standards Board Statement No. 77 into the State's Comprehensive Annual Financial Report, thereby facilitating a better understanding of the limitations and expectations of the State's ability to raise capital.

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 H.B. No. 2094 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 LoPresti.

SCRep. 734-16 Finance on H.B. No. 2259

The purpose of this measure is to ensure that the State receives the maximum benefits from its tourism industry by requiring the Department of Business, Economic Development, and Tourism to prepare a report that examines the leakages between the State's tourism industry and other local industries of the State for the purposes of reducing economic leakage and improving the State's economic input-output model.

The Hawaii State Teachers Association, IMUAlliance, and an individual provided testimony in support of this measure. The Department of Business, Economic Development, and Tourism 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. 2259, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 735-16 Finance on H.B. No. 2424

The purpose of this measure is to control and prevent invasive species threats to the State by:

- (1) Allowing the Department of Agriculture to establish or participate in public-private partnerships to enhance the Department's Biosecurity Program and quarantine inspection process; and
- (2) Appropriating funds for the Biosecurity Program.

The Coordinating Group on Alien Pest Species, Hawaii Crop Improvement Association, Conservation Council for Hawaii, Hawaii Tropical Flower Council, Hawaii Tropical Flowers and Foliage Association, Hawaii Floriculture and Nursery Association, Hawaii Academy of Arts and Science Public Charter School, Maui County Farm Bureau, Orchid Growers of Hawaii, Hawaii Farmers and Ranchers United, and a few individuals provided testimony in support of this measure. The Department of Agriculture, Department of Land and Natural Resources, and Hawaii Farm 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. 2424, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 736-16 Finance on H.B. No. 2308

The purpose of this measure is to appropriate or authorize funds for collective bargaining cost items for collective bargaining unit 11 and their excluded counterparts, including salary increases and cost adjustments, for fiscal biennium 2015-2017.

The Department of Budget and Finance and Office of Collective Bargaining provided testimony in support of this measure. The Hawaii Fire Fighters 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. 2308, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 737-16 Finance on H.B. No. 1599

The purpose of this measure is to:

- (1) Require and appropriate funds for medical assistance programs, including Medicaid and Quest, to provide coverage for chiropractic care for up to 24 visits in a calendar year;
- (2) Require the Department of Human Services to submit a request to the Centers for Medicare and Medicaid Services to amend the state Medicaid plan to include chiropractic services as a benefit, allowing the State to receive federal reimbursement; and
- (3) Require the Department of Human Services to report to the Legislature upon receiving a response from the Centers for Medicare and Medicaid Services on the requested amendment to the state Medicaid plan.

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. 1599, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 738-16 Finance on H.B. No. 1772

The purpose of this measure is to appropriate funds to the Department of Human Services to restore basic adult dental benefits to Medicaid and QUEST integration enrollees.

The State Council on Developmental Disabilities, Disability and Communication Access Board, Waikiki Health, Hawaii Primary Care Association, Self-Advocacy Advisory Council, Hana Health, Ho'ola Lahui Hawaii, Kokua Kalihi Valley Comprehensive Family Services, Waianae Coast Comprehensive Health Center, Healthcare Association of Hawaii, Hawaii Dental Association, Waimanalo Health Center, Hawaii Public Health Association, DentaQuest, and several concerned individuals testified in support of this measure. The Department of Human Services, Department of Health, and The Queen's Health Systems 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. 1772, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 739-16 Finance on H.B. No. 1774

The purpose of this measure is to appropriate funds to:

- (1) The Department of Human Services for additional outreach to homeless individuals and families with children; and
- (2) The Office of Youth Services for outreach to unaccompanied homeless youth.

The County of Maui Department of Housing and Human Concerns, a County of Hawaii Council Member, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Youth Services Network, Hale Kipa, Hawaii Children's Action Network, Catholic Charities Hawaii, Phocused, Partners in Care, Rainbow Family 808, Hawaii Appleseed Center for Law and Economic Justice, Kauai Community Alliance, Community Health Outreach Work Project, American Civil Liberties Union of Hawaii, and many individuals provided testimony in support of this measure. The Department of Human Services, Office of Youth Services, the Governor's Coordinator on Homelessness, 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. 1774, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 740-16 Finance on H.B. No. 1773

The purpose of this measure is to appropriate funds to the Department of Human Services to:

- (1) Continue to administer Housing First Programs for chronically homeless individuals; and
- (2) Support the Shallow Rent Subsidy Program to assist homeless working individuals and families in obtaining or maintaining permanent housing, and cover housing stabilization services and administrative costs to operate the program.

The County of Maui Department of Housing and Human Concerns, a Hawaii County Council Member, Kauai Community Alliance, Hawaii Appleseed Center for Law and Economic Justice, Helping Hands Hawaii, Hawaii Children's Action Network, Partners in Care, Mental Health America of Hawaii, Catholic Charities Hawaii, PHOCUSED, Community Health Outreach Work Project and a few individuals provided testimony in support of this measure. The Department of Human Services and the Governor's Coordinator on Homelessness 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. 1773, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 741-16 Finance on H.B. No. 1943

The purpose of this measure is to preserve access to health care for Medicaid recipients by:

- (1) Providing an inflationary adjustment to the long-term care reimbursement methodology used to reimburse facilities for Medicaid recipients for fiscal year 2016-2017; and
- (2) Appropriating funds for the inflationary adjustment.

Hale Makua Health Services, Healthcare Association of Hawaii, Chamber of Commerce Hawaii, One Kalakaua Senior Living, Ann Pearl Rehabilitation and Healthcare, Ohana Pacific Management Company, Inc., Hawaii Health Systems Corporation, Pu'uwai 'O Makaha, Hale Kapuna Heritage Home, Maunalani Nursing and Rehabilitation Center, The Queen's Health Systems, the Clarence T.C. Ching Villas at St. Francis, Garden Isle Rehabilitation and Healthcare Center, Aloha Nursing Rehab Centre, and many individuals provided testimony in support of 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. 1943, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 742-16 Finance on H.B. No. 2093

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Goodwill Industries of Hawaii, Inc., and its affiliates with the planning, acquisition, construction, furnishing, and renovation of its facilities, as well as assist them with other capital improvement projects in the State.

Goodwill Industries of Hawaii, Inc. 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. 2093, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 743-16 Finance on H.B. No. 2162

The purpose of this measure is to appropriate funds to the Homeless Programs Office of the Department of Human Services to develop or expand homeless services, including assistance and public outreach for individuals to obtain and maintain government issued identification.

The Department of Human Services, Helping Hands Hawaii, and an individual provided testimony in support of the measure. The Governor's Coordinator on Homelessness 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. 2162, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 744-16 Finance on H.B. No. 2540

The purpose of this measure is to encourage individuals with disabilities to gain employment and improve their employment opportunities by establishing a medicaid buy-in program for workers with disabilities.

The State Council on Developmental Disabilities, Lanakila Pacific, and a few individuals provided testimony in support of the measure. The Department of Human Services and Hawaii Disability Rights Center 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. 2540, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 745-16 Finance on H.B. No. 2060

The purpose of this measure is to improve oversight, openness, and transparency of the State procurement process by:

- (1) Requiring all Chief Procurement Officers to assist and cooperate with any compliance review by the State Procurement Administrator; and
- (2) Clarifying that the State Procurement Administrator has the authority to perform periodic compliance reviews of all governmental bodies.

The State Procurement Office supported this measure. The Department of Budget and Fiscal Services 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. 2060, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 746-16 Finance on H.B. No. 2263

The purpose of this measure is to make an appropriation for the Department of Business, Economic Development, and Tourism, in conjunction with the Pacific International Space Center for Exploration Systems and Hawaii Island Economic Development Board, Inc., to conduct an economic assessment of the establishment of a small satellite launch and processing facility on the Island of Hawaii.

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. 2263, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 747-16 Finance on H.B. No. 2550

The purpose of this measure is to continue to diversify Hawaii's economy and promote Hawaii's manufacturing industry. Specifically, this measure appropriates funds to the Department of Business, Economic Development and Tourism for promotion, regulation, and administration of the Made in Hawaii Brand Program.

The Department of Agriculture; Hawaii Farm Bureau; Chamber of Commerce Hawaii; Meadow Gold Dairies; KYD, Inc. dba K. Yamada Distributors; and an individual provided testimony in support of this measure. The Department of Business, Economic Development and Tourism 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. 2550, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 748-16 Finance on H.B. No. 2669

The purpose of this measure is to continue the diversification of Hawaii's economy through development of the technology industry by authorizing the issuance of special purpose revenue bonds for TruTag Technologies, Inc.

TruTag Technologies, Chamber of Commerce Hawaii, and a few individuals 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. 2669, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 749-16 Finance on H.B. No. 2020

The purpose of this measure is to appropriate funds for the Department of Land and Natural Resources to conduct and contract for studies to identify the causes of decline in limu and reef fish along the Ewa coast of Oahu.

Hoomana Pono, LLC and a few individuals testified in support of this measure. The Department of Land and Natural Resources, the Kalihi Palama Hawaiian Civic Club, the Ewa Limu Project, and Kuaaina Ulu Auamo 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. 2020, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 750-16 Finance on H.B. No. 2034

The purpose of this measure is to appropriate funds to the Kaho'olawe Island Reserve Commission for restoration and preservation projects and to require submission of a financial self-sufficiency and sustainability plan to the Legislature.

The Kaho'olawe Island Reserve Commission, Aha Moku Advisory Committee, County of Maui Department of Planning, and many individuals provided testimony in support of this measure. The Center for Hawaiian Sovereignty Studies provided testimony in opposition. 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. 2034, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 751-16 Finance on H.B. No. 2035

The purpose of this measure is to establish a three-year pilot project to promote photovoltaic powered desalinization on the island of Kaho'olawe and to study the benefits of the technology's use.

The Kaho'olawe Island Reserve Commission, County of Maui Department of Planning, and many individuals provided testimony in support of this measure. The Department of Business, Economic Development, and Tourism 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. 2035, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Lowen.

SCRep. 752-16 Finance on H.B. No. 2180

The purpose of this measure is to appropriate funds to the Judiciary to establish, in collaboration with the University of Hawaii System, Hawaiian language resources for the Judiciary.

The Judiciary, Hawai'iuniūākea School of Hawaiian Knowledge at the University of Hawai'i at Mānoa, Ka Haka 'Ula O Ke'elikōlani College of Hawaiian Language at the University of Hawai'i at Hilo, Kamehameha Schools, Kalihi Palama Hawaiian Civic Club, 'Aha Pūnana Leo, and many concerned individuals supported this measure. The Center for Hawaiian Sovereignty Studies 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. 2180, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 753-16 Finance on H.B. No. 2736

The purpose of this measure is to require that Hawaiian language ballots be made available upon request by a voter for elections held after January 1, 2021.

Common Cause Hawaii and several concerned individuals supported this measure. The Office of Elections and Kamehameha Schools 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. 2736, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 754-16 Finance on H.B. No. 1608

The purpose of this measure is to appropriate funds to the University of Hawaii for the Graduation Pathway System for fiscal year 2016-2017.

The University of Hawaii System 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. 1608, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 755-16 Finance on H.B. No. 1609

The purpose of this measure is to require the Board of Regents of the University of Hawaii (UH) to develop procedures for the utilization of university facilities by:

- (1) Requiring the administration of the different UH campuses to collect and report data relating to facilities utilization; and
- (2) Prohibiting the UH Board of Regents from approving the construction of a new university building until a public hearing is held to discuss facility utilization and cost.

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. 1609, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 756-16 Finance on H.B. No. 1800

The purpose of this measure is to enhance legislative oversight of the University of Hawaii by ensuring that appropriations to the University are expended for the specific purposes intended by the Legislature by:

- (1) Requiring that any appropriation made by the Legislature to the University of Hawaii for a specific purpose as described in an appropriations vehicle must be expended by the University for the specific purpose described in that appropriations vehicle;
- (2) Providing that if the University of Hawaii does not expend all of the funds for the specific purpose described by the Legislature, the University must submit a report to the Legislature no later than 20 days before the convening of the next regular session that includes, among other things, a detailed explanation of why the funds were not expended or, if the funds were expended for a different purpose, why they were expended for that purpose; and
- (3) Requiring that during the fiscal year following the submission of the report identified in paragraph (2), an amount equal to any funds appropriated for the prior fiscal year that were not expended in accordance with the specific purpose as described by the Legislature, plus any related recurring appropriations, must be returned by the Director of Finance or the University of Hawaii to the general fund.

The University of Hawaii provided testimony in opposition to 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. 1800, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 757-16 Finance on H.B. No. 1894

The purpose of this measure is to help the Hawaii Post-secondary Education Authorization Program to carry out its duties more effectively by:

- (1) Specifying that when a private institution of post-secondary education ceases to operate in the State, it must deposit with the Department of Commerce and Consumer Affairs only those educational records that have been requested by the Department;
- (2) Clarifying that when a private institution of post-secondary education ceases to operate in the State, the student transcripts permanently retained by the Department shall be in a form prescribed by the Director of Commerce and Consumer Affairs; and
- (3) Allowing any other records requested and obtained by the Department from a private institution of post-secondary education that has ceased to operate in the State, to be retained for the length of time of prescribed by the Director.

The Department of Commerce and Consumer Affairs 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. 1894, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 758-16 Finance on H.B. No. 2213

The purpose of this measure is to establish the First-generation Matching Grant Program to provide private donors with a matching grant incentive to make financial contributions toward grant-based student financial aid for undergraduate University of Hawaii students with financial need and whose parents have not earned a baccalaureate or higher degree.

The University of Hawai'i 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. 2213, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 759-16 Finance on H.B. No. 2772

The purpose of this measure is to promote a safe environment free from sexual harassment, sexual assault, domestic violence, dating violence, and stalking at the University of Hawaii by requiring the University to, among other things:

- (1) Train all employees and students on sexual harassment, sexual assault, domestic violence, dating violence, and stalking laws and policies;
- (2) Designate a confidential advocate for students at each of its campuses;
- (3) Inform victims in writing of the right to report all sexual-assault cases to the county police department for investigation and assist victims in submitting the police report;
- (4) Require the confidential advocate to annually provide general statistics to the Title IX coordinator on the number and type of incidents received by the confidential advocate;
- (5) Prohibit romantic relationships between a student or graduate assistant and faculty or staff; and
- (6) Conduct a campus climate survey of all students every two years, beginning no later than December 31, 2016.

Parents and Children Together and Planned Parenthood Votes Northwest and Hawaii provided testimony in support of this measure. The University of Hawai'i provided testimony in opposition. The Hawaii State Commission on the Status of Women, University of Hawai'i President's Commission on the Status of Women, and Sex Abuse Treatment Center 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. 2772, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 760-16 Finance on H.B. No. 1625

The purpose of this measure is to require the University of Hawaii Board of Regents to:

- (1) Establish program and salary funding requirements for organized research units of the University of Hawaii; and
- (2) Report to the Legislature regarding the funding requirements.

The University of Hawaii, University of Hawaii Professional Assembly, Spectrum Photonics, Inc., and many individuals provided testimony in opposition to 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. 1625, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 761-16 Finance on H.B. No. 1653

The purpose of this measure is to:

- (1) Adopt elections by mail for the entire State by expanding the procedures used for absentee voting to transition all voters to permanent absentee status by 2022. The transition to all mail elections will occur incrementally as follows: the County of Kauai in 2018; the County of Hawaii and County of Maui in 2020; and all counties in 2022; and
- (2) Require that a person who registers to vote acknowledge that providing false information is a class C felony.

The Office of Hawaiian Affairs, County of Hawaii Office of the County Clerk, County of Kauai Office of the County Clerk, County of Maui Office of the County Clerk, League of Women Voters of Hawaii, Planned Parenthood Votes Northwest and Hawaii, and an individual provided testimony in support of this measure. The Office of Elections, City and County of Honolulu Office of the City Clerk, 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. 1653, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 762-16 Finance on H.B. No. 2555

The purpose of this measure is to authorize industrial hemp to be grown as part of research conducted under an agricultural pilot program or other agricultural research to study the growth, cultivation, or marketing of industrial hemp under specific agreement with and under the authority of the Board of Agriculture.

ILWU Local 142; Maui Hemp Institute for Research and Innovation; the Kihei Community Association; We Are One, Inc.; Vote Hemp; Nellie's Rentals; the Hawaii Farmers Union United; and numerous individuals testified in support of this measure. The Department of Agriculture, the Department of the Attorney General, 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. 2555, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 763-16 Finance on H.B. No. 2561

The purpose of this measure is to implement recommendations made by the Penal Code Review Committee. Specifically, this measure amends various chapters of the Hawaii Penal Code and makes conforming amendments to several related statutes outside of the Hawaii Penal Code.

Community Alliance on Prisons provided testimony in support of the measure. The Department of the Attorney General, Crime Victim Compensation Commission, City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, and the Sex Abuse Treatment Center 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. 2561, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.
(Representative Ward voted no.)

SCRep. 764-16 Finance on H.B. No. 2235

The purpose of this measure is to:

- (1) Authorize the Board of Land and Natural Resources to transfer the operation, administration, management, and maintenance of Honokohau Small Boat Harbor to a community-based board of Hawaii County, a public-private partnership, or a private organization; and
- (2) Appropriate funds for repairs and maintenance of the Honokohau Small Boat Harbor.

The Aha Moku Advisory Committee, County of Hawaii Office of the Mayor, Hawaii Fishing and Boating Association, Ocean Tourism Coalition, Kona-Kohala Chamber of Commerce, and many individuals provided testimony in support of this measure. The United Public Workers, AFSCME, Local 646, and AFL-CIO, and a few individuals provided testimony in opposition. The Department of Land and Natural Resources 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. 2235, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 765-16 Finance on H.B. No. 2675

The purpose of this measure is to appropriate funds to help to continue pathology research by the United States Department of Agricultural Research Service and other organizations to combat rapid ohia death.

The Aha Moku Advisory Committee, University of Hawaii System, Hawaii Farm Bureau, Aloha Arborist Association, The Nature Conservancy, and a few individuals provided testimony in support of this measure. The Department of Agriculture and 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. 2675, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 766-16 Finance on H.B. No. 1597

The purpose of this measure is to address the rapid ohia death disease that is devastating the critically important ohia forests in the State, especially on the island of Hawaii, by:

- (1) Requiring the Department of Agriculture to submit a report to the Legislature that includes information about the nature of the rapid ohia death disease, status of plans and strategies to combat the disease, and the funds necessary to eliminate, control, or prevent the disease; and
- (2) Appropriating funds to research preventative and treatment methods and to control and contain damage caused by the disease.

The Aha Moku Advisory Committee, the Council Chair of the Hawaii County Council, University of Hawaii System, The Nature Conservancy, Hawaii Farm Bureau, Oahu Invasive Species Committee, Aloha Arborist Association, Coordinating Group on Alien Pest Species, and an individual provided testimony in support of this measure. The Department of Agriculture and 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. 1597, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 767-16 Finance on H.B. No. 1474

The purpose of this measure is to establish the designation of "Kiwila Pono" or "Champion of Democracy" for employers who permit employees to be absent with pay on Election Day to work at a polling place and for employees who do so.

The Office of Elections 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. 1474, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 768-16 Finance on H.B. No. 2582

The purpose of this measure is to establish and implement the Agricultural Food Safety Certification Program within the Department of Agriculture to support the agricultural industry and assist farmers and ranchers who are subject to the requirements of the Food and Drug Administration Food Safety Modernization Act, including by appropriating funds to the Department for the program and for four full-time equivalent program staff positions.

The Hawai'i Farm Bureau, Land Use Research Foundation of Hawaii, and a few individuals provided testimony in support of the 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. 2582, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 769-16 Finance on H.B. No. 2460

The purpose of this measure is to help the recruitment of personnel for law enforcement positions within state government and standardize law enforcement training among various state departments and agencies by establishing and appropriating funds for a State Law Enforcement Training Academy within the Department of Public Safety to train candidates for law enforcement positions within the state government.

The Department of Public Safety and Honolulu Police Department testified in opposition to 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. 2460, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 770-16 Finance on H.B. No. 1839

The purpose of this measure is to authorize the issuance of general obligation bonds for the planning, design, and construction of a visitor and interpretive center at Diamond Head State Monument.

The Department of Land and Natural Resources, Diamond Head Citizens Advisory Committee, and a few individuals provided testimony in support of this measure. 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. 1839, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 771-16 Finance on H.B. No. 1840

The purpose of this measure is to require the Director of Commerce and Consumer Affairs, in consultation with the Comptroller, to develop strategies for the upkeep, repair, and maintenance of Sunset Memorial Park.

The Pearl City Neighborhood Board No. 21 and several individuals provided testimony in support of this measure. 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 H.B. No. 1840, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 772-16 Finance on H.B. No. 2027

The purpose of this measure is to increase the capacity of the State's sewer, water, drainage, road, telecommunications, and broadband infrastructure 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 by the Department of Accounting and General Services.

The City and County of Honolulu Department of Planning and Permitting, Land Use Research Foundation of Hawaii, Chamber of Commerce Hawaii, Building Industry Association of Hawaii, and an individual 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. 2027 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 773-16 Finance on H.B. No. 2028

The purpose of this measure is to:

- (1) Exempt personal income tax income and general excise tax income in an amount up to an unspecified percentage of the costs of construction and operation of projects entered into under a public-private partnership with the Employees' Retirement System to improve water infrastructure or water supply, or to promote clean energy; and
- (2) Authorize the Employees' Retirement System to invest in such projects.

The United Public Workers, AFSCME, Local 646, and AFL-CIO provided testimony in opposition to the measure. The Employees' Retirement System, Department of Taxation, Hawaii Fresh Water Initiative, Hawaii Green Growth, 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. 2028, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 774-16 Finance on H.B. No. 2029

The purpose of this measure is to establish the framework, as well as provide short- and long-term funding mechanisms for the creation of the Hawaii Water Infrastructure Authority, which shall be purposed with loan-making for water infrastructure development, repair, and maintenance.

The Land Use Research Foundation of Hawaii and Hawaii Farm Bureau provided testimony in support of this measure. The Department of Land and Natural Resources and Aha Moku Advisory Committee provided testimony in opposition. The Department of Agriculture, Department of Health, Department of Budget and Finance, State Procurement Office, Hawaii Fresh Water Initiative, and Hawaii Green Growth 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. 2029, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 775-16 Finance on H.B. No. 2036

The purpose of this measure is to extend the 180-day processing period for conservation district use applications an additional 90 days beyond the time necessary to complete an environmental impact statement or contested case hearing.

The Department of Land and Natural Resources, Hawaii Island Economic Development Board, Hawaii Leeward Planning Conference, Chamber of Commerce Hawaii, Kona-Kohala Chamber of Commerce, 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. 2036, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 776-16 Finance on H.B. No. 2040

The purpose of this measure is to establish a two-year pilot program for a Water Security Advisory Group in the Department of Land and Natural Resources that would enable public-private partnerships to increase water security by providing matching state funds for relevant projects and programs.

The City and County of Honolulu Board of Water Supply, Hawaii Green Growth, Surfrider Foundation Oahu Chapter, Surfrider Foundation Hawaii Chapters, Land Use Research Foundation of Hawaii, Hawaii Fresh Water Initiative, Hawaii Farm Bureau, and an individual provided testimony 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2040 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 777-16 Finance on H.B. No. 2041

The purpose of this measure is to fund and establish a five-year program aimed at conducting standardized water audits of public water systems in accordance with recommendations for water audits and loss control programs by the American Water Works Association.

The Hawaii Fresh Water Initiative, Surfrider Foundation Hawaii Chapters, Surfrider Foundation Oahu, Hawaii Green Growth, and an individual provided testimony in support of this measure. The Department of Land and Natural Resources, Department of Agriculture, and the City and County of Honolulu Board of Water Supply 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. 2041, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 778-16 Finance on H.B. No. 2047

The purpose of this measure is to improve the electrical infrastructure at Kalaeloa by requiring the Hawaii Community Development Authority to undertake and complete the Kalaeloa Energy Corridor Project.

The Department of Defense, Hunt Companies, and an individual provided testimony in support of this measure. The Hawaii Community Development Authority provided comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2047, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 779-16 Finance on H.B. No. 2051

The purpose of this measure is to appropriate funds to support the operations and duties of the State Building Code Council.

The State Building Code Council, Hawaii State Fire Council, Maui Fire Department, Honolulu Fire Department, Land Use Research Foundation of Hawaii, General Contractors Association of Hawaii, American Council of Engineering Companies of Hawaii, American Public Works Association Hawaii Chapter, and American Institute of Architects provided testimony in support of this measure. The Department of Accounting and General Services and Department of Business, Economic Development, and Tourism 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. 2051, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 780-16 Finance on H.B. No. 2221

The purpose of this measure is to establish fines for owners of parking facilities with one hundred spaces or more who do not comply with state law requirements for the minimum provision of parking spaces equipped exclusively with electric vehicle charging equipment.

Blue Planet Foundation and one individual testified in support of this measure. The Department of Business, Economic Development, and Tourism; Disability and Communication Access Board; Kauai Office of Economic Development; and Ulupono Initiative 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. 2221, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 781-16 Finance on H.B. No. 2348

The purpose of this measure is to assist the Department of Human Services in the effective management of Department programs, thereby assisting Hawaii residents who are in need of the Department's benefits and services, by:

- (1) Restoring the second Deputy Director position within the Department;
- (2) Establishing the positions of Community/Project Development Director and Policy Director within the Office of the Director of Human Services; and
- (3) Funding the Deputy Director, Community/Project Development Director, and Policy Director positions and one private secretary position for the second Deputy Director.

The Department of Human Services testified in support of this measure. The 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 H.B. No. 2348, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 782-16 Finance on H.B. No. 2163

The purpose of this measure is to help reduce youth violence and delinquency in the State by appropriating funds to the Department of Human Services to fund the operational costs of providing therapeutic prevention and mental health programs including in-school centered group counseling for high risk youth.

Adult Friends for Youth; International Brotherhood of Electrical Workers Local Union 1186; Ho‘omaluhia, Family Violence & Sexual Assault Institute, Hawaii Branch; Institute on Violence, Abuse and Trauma; and numerous individuals testified in support of this measure. The Office of Youth Services and the City and County of Honolulu Department of the Prosecuting Attorney 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. 2163, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 783-16 Finance on H.B. No. 1987

The purpose of this measure is to address the problem of youth gangs in the State by appropriating funds for:

- (1) The Office of Youth Services to provide and develop prevention and intervention services and programs statewide for youth at risk; and
- (2) The police departments of the City and County of Honolulu and the Counties of Hawaii, Kauai, and Maui to monitor gang activities and establish new gang prevention strategies and projects.

The Kalihi Community Youth Violence and Gang Prevention and Intervention Task Group testified in support of this measure. The Office of Youth Services and Adult Friends for Youth 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. 1987, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 784-16 Finance on H.B. No. 1787

The purpose of this measure is to establish the Erin's Law Task Force (Task Force) to guide the establishment of a program to educate public school students on sexual abuse prevention through the use of age-appropriate curricula. Specifically, this measure:

- (1) Requires the Task Force to review current policies, programs, and curricula for educating public school students about sexual abuse prevention, and make recommendations for the establishment of the program; and
- (2) Appropriate funds for the operations of the Task Force.

Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, The Sex Abuse Treatment Center, Hawaii Children's Action Network, and IMUAlliance testified in support of this measure. The Department of Education, State Public Charter School Commission, and Executive Office on Early Learning 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. 1787, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 785-16 Judiciary on H.B. No. 2559

The purpose of this measure is to require the family courts to consider assisted community treatment as an alternative to commitment to a psychiatric facility for a person subject to a petition for involuntary hospitalization. This measure also repeals the sunset date of current statutes establishing criteria and procedures for family court-ordered assisted community treatment.

One concerned individual testified in support of this measure. The Department of the Attorney General testified in opposition. The Judiciary, Department of Health, Hawaii Disability Rights Center, and one concerned individual provided comments.

Your Committee notes that this measure makes it easier for the courts and mental health agencies to assist persons who can benefit from mental health treatment, but who are on the borderline between involuntary hospitalization and outpatient Assisted Community Treatment (ACT).

Under current law, section 334-60.2(3), Hawaii Revised Statutes (HRS), the court must release a person who is the subject of a petition for involuntary hospitalization if the court determines that the person should not be hospitalized and there is no suitable alternative treatment that is available through existing facilities and programs.

However, current law does not appear to authorize a court to order a person into an ACT program if the person is the subject of a petition solely for involuntary hospitalization. Instead, current law requires a new petition to be filed under section 334-123, HRS, to require the person to participate in an ACT program. This bifurcated process is not efficient, and it fails to provide vulnerable people with treatment between the time of release after a petition for involuntary hospitalization is denied and the time that the person is brought into an ACT program.

Your Committee believes that, by combining the proceedings for involuntary hospitalization and for ACT, this measure will enable the courts to immediately direct people who will benefit from outpatient treatment into an ACT program if they do not meet the criteria for involuntarily hospitalization. Your Committee believes that this measure will save time and resources, and it will better serve both those persons who need treatment, and can do so in an outpatient setting, as well as better serving the entire community. Accordingly, your Committee recommends this measure be passed without amendments.

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. 2559, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Woodson.

SCRep. 786-16 Judiciary on H.B. No. 1672

The purpose of this measure is to authorize a beneficiary of a prescription drug benefit plan to obtain a prescription without penalty from a non-network retail community pharmacy located within a certain distance of the beneficiary's residence, if the nearest network retail community pharmacy is located more than fourteen miles away from the beneficiary's residence.

The Queen's Health Systems and one concerned individual testified in support of this measure. The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, Hawaii Medical Service Association, Kaiser Permanente Hawaii, Express Scripts Holding Company, and Hawaii Association of Health Plans testified in opposition. The Department of Commerce and Consumer Affairs, Ohana Health Plans, and CVS 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 is in accord with the intent and purpose of H.B. No. 1672, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 787-16 Judiciary on H.B. No. 2092

The purpose of this measure is to authorize the Hawaii Community Development Authority to prohibit or restrict the stopping, standing, or parking of vehicles on sidewalks fronting private streets in the Kakaako Community Development District.

The Department of Transportation Services of the City and County of Honolulu and several individuals supported this measure. The Department of the Attorney General, Chamber of Commerce Hawaii, and an 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. 2092, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 788-16 Judiciary on H.B. No. 2356

The purpose of this measure is to amend provisions relating to the use of collected information related to birth defects studies.

Specifically, this measure:

- (1) Authorizes the Department of Health (DOH) to communicate with the primary care provider of a child identified with a birth defect, as a result of information collected pursuant to birth defect studies, to provide information about programs and resources that may help the child; and
- (2) Clarifies that an Institutional Review Board may exempt an activity using birth defects data.

DOH and the American Congress of Obstetricians and Gynecologists, Hawaii Section, testified in support of this measure.

Your Committee recognizes that DOH's ability to communicate to primary care physicians regarding programs and resources available to children with birth defects is necessary to ensure that these children receive the appropriate support early in their lives to maximize their health and learning potential.

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. 2356, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 789-16 Judiciary on H.B. No. 2604

The purpose of this measure is to clarify that acceptance by the Territorial Legislature or the Legislature of a dedication of land in the Kakaako Community Development District by a private owner is sufficient to convey title to the State.

Many individuals supported this measure. The Department of Land and Natural Resources and Department of Corporation Counsel of the City and County of Honolulu opposed this measure. The Chamber of Commerce Hawaii and an 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. 2604, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 790-16 Judiciary on H.B. No. 2626

The purpose of this measure is to help protect Hawaii's marine environment and underground aquifers in the face of climate change by prohibiting the permitting of new underground storage tanks within 100 yards of the shoreline. Also allows holders of permits for existing underground storage tanks within 100 yards of the shoreline to renew their permits.

The Department of Health; Par Hawaii, Inc.; and Sierra Club of Hawaii supported this measure.

Your Committee finds that climate change and rising sea levels threaten to inundate underground storage tanks. Prohibiting the permitting of new underground storage tanks within 100 yards of the shoreline will help to prevent these tanks from adversely affecting aquifers, coastal water quality, and marine ecosystems.

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. 2626, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 791-16 Finance on H.B. No. 2546

The purpose of this measure is to support certain agricultural practices by establishing an Agriculture Grant Program and a special fund for the Program to provide grants to qualifying farmers for:

- (1) Expanding farm operations and improving productivity;
- (2) Changing or adding crops;
- (3) Investing in food safety; and
- (4) Providing for workforce development.

The Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, Chamber of Commerce Hawaii, Ulupono Initiative, North Shore Economic Vitality Partnership, and an individual provided testimony in support of the measure. The Department of Agriculture and 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. 2546, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 792-16 Finance on H.B. No. 2593

The purpose of this measure is to support sustainable food production and the development and use of renewable energy by authorizing the issuance of special purpose revenue bonds to assist Hawaii Renewable Resources, LLC, with the development of facilities for food crops, animal feed, and renewable non-fossil fuel production on Oahu.

The Department of Agriculture, Agribusiness Development Corporation, Hawaii Renewable Resources, LLC, and Renewable Energy Action Coalition of Hawaii provided testimony 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2593, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 793-16 Finance on H.B. No. 2596

The purpose of this measure is to protect Hawaii's macadamia nuts including against the threat of the macadamia felted coccid by appropriating funds for:

- (1) The Department of Agriculture (DOA), 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 the macadamia felted coccid;
- (2) CTAHR, in cooperation with DOA, to research and develop methods for the prevention and treatment of the macadamia felted coccid, including new chemical research on cultivating macadamia nuts; and
- (3) Hiring an extension agent at CTAHR to work on macadamia nut cultivation, post-harvest handling, and processing concerns, consistent with the Hawaii Macadamia Nut Association research priority goals.

The University of Hawaii System, Royal Hawaiian Orchards, ILWU Local 142, Hawaii Farm Bureau, Hawaii Crop Improvement Association, Hawaii Macadamia Nut Association, and several individuals provided testimony in support of the 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. 2596 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 794-16 Finance on H.B. No. 2160

The purpose of this measure is to preserve the quality of Hawaii's night sky by reducing light pollution. Specifically, this measure establishes a Dark Night Skies Protection Advisory Committee to assist the Department of Business, Economic Development, and Tourism in the development of a statewide dark night skies protection strategy to preserve dark night skies and reduce light pollution.

The Department of Land and Natural Resources, University of Hawaii System, Conservation Council for Hawaii, and a few individuals provided testimony in support of the measure. The Department of Business, Economic Development, and Tourism 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. 2160, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 795-16 Finance on H.B. No. 2545

The purpose of this measure is to stimulate and diversify Hawaii's economy by establishing the High-growth Grant Program to assist qualified businesses through the provision of grants for specific business development purposes.

The Chamber of Commerce Hawaii, Ulupono Initiative, and one individual testified in support of this measure. The Department of Budget and Finance and the Department of Business, Economic Development, and Tourism 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. 2545, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 796-16 Finance on H.B. No. 2416

The purpose of this measure is to:

- (1) Repeal chapter 201N, Hawaii Revised Statutes, relating to the renewable energy facility siting process, due to lack of implementation;
- (2) Allow any employee hired as renewable energy facility siting process staff before July 1, 2016, and transferred to another Department of Business, Economic Development, and Tourism (DBEDT) position as a consequence of this measure, to retain the employee's exempt status; earned service, vacation, and sick leave credits; and employee benefits and privileges; and require that the employee not be appointed to a civil service position as a result of this measure;
- (3) Authorize the Director of Business, Economic Development, and Tourism to prescribe the duties and qualifications of the employee and set the employee's salary without regard to laws on compensation and collective bargaining;
- (4) Require that proceeds in the Renewable Energy Facility Siting Special Fund be deposited into the general fund on July 1, 2016; and
- (5) Specify that all records, equipment, and other personal and real property of the renewable energy facility siting process be maintained by the Hawaii State Energy Office or transferred to an appropriate DBEDT agency.

DBEDT testified in support of this measure. The Office of the Auditor 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. 2416 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 797-16 Finance on H.B. No. 2749

The purpose of this measure is to establish a Sewage Runoff and Infrastructure Review Task Force in the Department of Health to examine the extent of sewage runoff and sewage infrastructure in each county.

Surfrider Foundation Hawaii Chapters and a few individuals provided testimony in support of the measure. The City and County of Honolulu Department of Environmental Services provided testimony in opposition. The Department of Health, County of Hawaii Department of Environmental Management, Building Industry Association of Hawaii, 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. 2749, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 798-16 Finance on H.B. No. 1878

The purpose of this measure is to appropriate funds for:

- (1) The Kupuna Care Program;
- (2) The Aging and Disability Resource Center;
- (3) Fall prevention and early detection services for the elderly;
- (4) The Healthy Aging Partnership Program;
- (5) An Alzheimer's disease and related dementia services coordinator position; and
- (6) An Alzheimer's disease and related dementia public awareness campaign.

The Maui County Office of Aging, City and County of Honolulu Department of Community Services, Policy Board for Elderly Affairs, Alzheimer's Association Aloha Chapter, AARP Hawaii, ILWU Local 142, Healthcare Association of Hawaii, Project Dana, Hawaii Alliance for Retired Americans, Zonta Club of Hilo, Lanakila Pacific, Catholic Charities Hawaii, The Queen's Health Systems, and many individuals provided testimony in support of the measure. The Executive Office on Aging and 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. 1878, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 799-16 Finance on H.B. No. 1897

The purpose of this measure is to ensure that annual screenings for sexually transmitted diseases, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome, are included under insurance coverage.

Planned Parenthood Votes Northwest and Hawaii testified in support of this measure. The Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund, Hawaii Medical Association, Hawaii Medical Service Association, and Hawaii Section of the American Congress of Obstetricians and Gynecologists 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. 1897, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 800-16 Finance on H.B. No. 2227

The purpose of this measure is to support ongoing efforts to improve access to government services and programs for limited English proficient individuals by appropriating funds to operate the Statewide Language Access Resource Center and the Multilingual Website Pilot Project.

The Ethnic Education Foundation of Hawaii, Hawaii Friends of Civil Rights, Filipinos for Affirmative Action, and three individuals testified in support of this measure. The Office of Language Access 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. 2227, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 801-16 Finance on H.B. No. 2539

The purpose of this measure is to facilitate the establishment of health savings accounts, in addition to group health insurance, and employer-sponsored group health insurance under the Prepaid Health Care Act.

The Hawaii Medical Association, Alexander & Baldwin, Inc., and Outrigger Enterprises, Inc. testified in support of this measure. The Hawaii State AFL-CIO and ILWU Local 142 testified in opposition to this measure. The Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs, Department of the Attorney General, and Hawaii Medical Service 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. 2539, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 802-16 Finance on H.B. No. 2244

The purpose of this measure is to appropriate funds for the following housing programs and services:

- (1) The Rental Housing Revolving Fund to be used for rental housing units;
- (2) The State's Housing First Program to be used for the continued implementation of the Program and expansion of the Program outside Oahu;
- (3) The repair and maintenance of the Hawaii Public Housing Authority's existing public housing stock; and
- (4) A rental assistance program, also known as the Shallow Subsidy Program, within the Department of Human Services to be used for homeless working individuals and their families who are ready to rent permanent housing, with certain eligibility requirements.

The Land Use Research Foundation of Hawaii, Hawaii Children's Action Network, Catholic Charities Hawaii, Ali'i Pauahi Hawaiian Civic Club, Community Health Outreach Work Project, Hawaii Appleseed Center for Law and Economic Justice, Partners in Care, Kalihi Palama Hawaiian Civic Club, Phocused, and several individuals provided testimony in support of this measure. The Department of Human Services, State Procurement Office, Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, the Governor's Coordinator on Homelessness, Faith Action for Community Equity, and Hawaii Association of Realtors 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. 2244, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 803-16 Finance on H.B. No. 1346

The purpose of this measure is to support the positive development of youth by:

- (1) Requiring the Office of Youth Services to implement a positive youth development program to establish, support, and enhance after-school and school break programs focused on positive youth development, and evaluate the efficacy and impact of the programs; and
- (2) Appropriating funds to establish and operate the positive youth development program.

The Office of Youth 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. 1346, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 804-16 Finance on H.B. No. 2226

The purpose of this measure is to appropriate funds for three full-time equivalent permanent positions within the Office of Language Access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's Language Access Law.

The Hawai'i Friends of Civil Rights; Freely Associated States Empowerment; Hawaii Filipino Lawyers Association; Filipinos for Affirmative Action; National Federation of Filipino American Associations Region 12; Filipino American Citizens League; Nursing Advocates & Mentors, Inc.; Asian American Network for Cancer Awareness Research and Training; and two individuals testified in support of this measure. The Office of Language Access 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. 2226, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 805-16 Finance on H.B. No. 2179

The purpose of this measure is to appropriate funds for the administration and operation of the Aha Moku Advisory Committee and for community outreach.

The Aha Moku Advisory Committee, Association of Hawaiian Civic Clubs, Ali'i Pauahi Hawaiian Civic Club, Makaha Hawaiian Civic Club, Kalihi Palama Hawaiian Civic Club, Foundation for Island of Harmony, and many individuals provided testimony in support of the measure. Aha Moku o Wailuku and an individual provided testimony in opposition. 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. 2179, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 806-16 Finance on H.B. No. 2750

The purpose of this measure is to establish a Native Hawaiian Housing Task Force, administratively attached to the Office of Hawaiian Affairs, to identify duplicative housing-related services among state agencies that serve Native Hawaiians to improve efficiency in the delivery of those services.

An individual supported this measure. The Department of Hawaiian Home Lands, Office of Hawaiian Affairs, and an individual opposed this measure. The Department of Human Services and Department of the Attorney General 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. 2750, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 807-16 Finance on H.B. No. 1041

The purpose of this measure is to establish a Game Management Advisory Commission to serve in an advisory role to the Board of Land and Natural Resources to, among other things:

- (1) Recommend policies and criteria regarding the management, protection, and promotion of public hunting in Hawaii;
- (2) Make recommendations relating to the process of hunting rules modification; and
- (3) Collaborate with others who gather information and implement hunting programs and data.

The Aha Moku Advisory Committee, County of Hawaii Office of the Mayor, two councilmembers of the Hawaii County Council, Hawaii Crop Improvement Association, Hawaii Farm Bureau, The Society for Hawaii Heritage Animals, Hawaii Rifle Association, Pig Hunters Association of Oahu, Hawaii Hunting Association, and many individuals provided testimony in support of this measure. The Department of Land and Natural Resources and Hunting Farming and Fishing 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. 1041, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Cachola.

SCRep. 808-16 Finance on H.B. No. 2037

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for hosting the 2016 International Union for Conservation of Nature World Conservation Congress meeting at the Hawaii Convention Center in September 2016.

The Hawaii Lodging & Tourism Association; Aha Moku Advisory Committee; World Conservation Congress, National Host Committee/Hawaii 2016; Ulupono Initiative; Conservation Council for Hawaii; Hawaii's Thousand Friends; and many individuals supported this measure. The Department of Land and Natural Resources, Trust for Public Land, Nature Conservancy, Diamond Head State Monument Foundation, 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. 2037, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 809-16 Finance on H.B. No. 2617

The purpose of this measure is to require the counties to submit adopted general plan amendments to the Land Use Commission (LUC) for review and petition the LUC to approve regional district boundary amendments. This measure also requires the LUC to conduct the five year regional boundary change review.

The Land Use Commission, County of Kauai Planning Department, Land Use Research Foundation of Hawaii, Hawaii Association of Realtors, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii provided testimony in support of the measure. The League of Women Voters of Hawaii, Conservation Council for Hawaii, Hawaii's Thousand Friends, and many individuals provided testimony in opposition. The Office of Planning, Office of Hawaiian Affairs, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2617, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 810-16 Finance on H.B. No. 2721

The purpose of this measure is to require the Department of Land and Natural Resources to implement a management plan, to be developed by the Hawaiian Islands Land Trust, for the Lipoa Point area on the Island of Maui, and appropriate funds for the costs associated with the implementation of the Lipoa Point Management Plan.

The Hawaiian Islands Land Trust, Save Honolua Coalition, and many individuals supported this measure. The Department of Land and Natural Resources, Aha Moku Advisory Committee, 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. 2721, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 811-16 Finance on H.B. No. 1683

The purpose of this measure is to amend the Hawaii Family Leave Law to allow an employee to use family leave to care for a sibling with a serious health condition.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; ILWU Local 142; Hawaii State AFL-CIO; United Public Workers, AFSCME, Local 646, AFL-CIO; and a few individuals provided testimony in support of this measure. The Chamber of Commerce Hawaii, Society for Human Resource Management Hawaii Chapter, and Hawaii Food Industry Association provided testimony in opposition. The Department of Labor and Industrial Relations 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. 1683, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 812-16 Finance on H.B. No. 1940

The purpose of this measure is to establish a collective bargaining unit for graduate student assistants employed at the University of Hawaii.

The ILWU Local 142, Hawaii State AFL-CIO, University of Hawaii at Manoa Graduate Student Organization, and numerous individuals supported this measure. The Office of Collective Bargaining, Department of Budget and Finance, and University of Hawaii opposed this measure. The 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 H.B. No. 1940, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 813-16 Finance on H.B. No. 2009

The purpose of this measure is to:

- (1) Repeal the Hoisting Machine Operators' Certification Revolving Fund and the position of the executive director for the Hoisting Machine Operators Advisory Board (Board);
- (2) Require that the Department of Labor and Industrial Relations provide administrative support and staff for the Board; and
- (3) Authorize the Board to establish fees for the issuance of permits or certificates by administrative rule.

The Hawaii Construction Alliance provided testimony in support of the measure. The Board and General Contractors Association of Hawaii 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 H.B. No. 2009, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 814-16 Finance on H.B. No. 2012

The purpose of this measure is to specify that the benefits of the Hawaii Employer-Union Health Benefits Trust Fund are subject to collective bargaining negotiation.

The Hawaii Government Employees' Association, AFSCME Local 152, AFL-CIO and University of Hawaii Professional Assembly provided testimony in support of the measure. The Department of Budget and Finance, Department of the Attorney General, and United Public Workers, AFSCME, Local 646, and AFL-CIO provided testimony in opposition. The Department of Education, Office of Collective Bargaining, City and County of Honolulu Department of Human Resources, and University of Hawaii System 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. 2012, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 815-16 Finance on H.B. No. 2015

The purpose of this measure is to amend the management and administrative structure of the Hawaii Employer-Union Health Benefits Trust Fund (EUTF). Specifically, this measure:

- (1) Exempts procurement of plan carriers, administrators, and professional service providers from the State Procurement Code;
- (2) Specifies the fiduciary duties of EUTF trustees;
- (3) Amends the composition, appointing authorities, vacancy-filling procedure, quorum requirements, and voting procedures of the EUTF board of trustees;
- (4) Authorizes the establishment of sub-boards of the EUTF board for the negotiation of contributions that apply only to particular bargaining units;
- (5) Authorizes the EUTF board to appoint attorneys independent of the Attorney General; and
- (6) Amends the administration of EUTF moneys and transfers control of the EUTF to the Office of Collective Bargaining.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and University of Hawaii Professional Assembly supported this measure. The Department of Budget and Finance opposed this measure. The State Procurement Office, Office of Collective Bargaining, and City and County of Honolulu's Department of Budget and Fiscal Services and Department of Human 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. 2015, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 816-16 Finance on H.B. No. 2124

The purpose of this measure is to:

- (1) Authorize the Board of Trustees of the Employees' Retirement System to appoint investment professionals and investment support staff;
- (2) Exempt appointed investment officers and investment professionals, including investment specialists, from civil service and collective bargaining laws; and
- (3) Authorize incumbent investment specialists, as of the effective date of this measure, the option to remain subject to civil service law, so long as the person remains an investment specialist.

The Employees' Retirement System provided testimony in support of the measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO 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 H.B. No. 2124, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 817-16 Finance on H.B. No. 2204

The purpose of this measure is to repeal statutory provisions that are related to annual increment and longevity step salary increases for Department of Education teachers and educational officers that have become obsolete because these increases are determined through collective bargaining.

The Office of Collective Bargaining, Department of Budget and Finance, Department of Education, and Department of the Attorney General provided testimony in support of this measure. The Hawaii State Teachers Association 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 H.B. No. 2204, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 818-16 Finance on H.B. No. 2445

The purpose of this measure is to ensure that a public employee whose position is privatized by an action of the State or a county remains eligible for continued participation in the pension benefits provided by the Employees' Retirement System.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME, Local 646, and AFL-CIO; and many individuals provided testimony in support of the measure. The Department of Budget and Finance provided testimony in opposition. The Employees' Retirement System and a few 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. 2445, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 819-16 Finance on H.B. No. 2605

The purpose of this measure is to support workers affected by the closure of the Hawaiian Commercial & Sugar Company on Maui by appropriating funds to the Department of Labor and Industrial Relations to establish, administer, and support on-the-job training for dislocated workers.

The County of Maui Department of Management; Hawaii State AFL-CIO; ILWU Local 142; Alexander & Baldwin, Inc.; Maui Hotel & Lodging Association; Chamber of Commerce Hawaii; and an individual supported this measure. The Department of Labor and Industrial Relations 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 H.B. No. 2605, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 820-16 Finance on H.B. No. 2722

The purpose of this measure is to authorize the payment of an additional 13 weeks of unemployment insurance benefits for eligible individuals whose regular unemployment insurance benefits expire during the period between September 4, 2016, and October 28, 2017, subject to the availability of funds from the Unemployment Compensation Trust Fund.

The United Public Workers, AFSCME, Local 646, and AFL-CIO; ILWU Local 142; and Hawaii State AFL-CIO supported this measure. The Building Industry Association of Hawaii and Hawaii Credit Union League opposed this measure. The Department of Labor and Industrial Relations 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. 2722, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 821-16 Finance on H.B. No. 1869

The purpose of this measure is to address the damage to agricultural crops and local ecology and the potential health threats to residents due to the increasing population of rose-ringed parakeets on Kauai by appropriating funds to the Department of Agriculture to assist the National Wildlife Research Center of the United States Department of Agriculture (Research Center) with:

- (1) Completion of the Research Center's research on the negative impacts of the rose-ringed parakeet on the island of Kauai; and
- (2) Development and implementation of an effective control plan to reduce those negative impacts.

The Kauai County Farm Bureau, Syngenta, Kauai Invasive Species Committee, Hawai'i Farm Bureau, Hawaii Crop Improvement Association, and several individuals provided testimony in support of the measure. The Department of Land and Natural Resources and 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. 1869, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 822-16 Finance on H.B. No. 2224

The purpose of this measure is to provide additional resources to the University of Hawaii Pamantasan Council to help the State and University of Hawaii meet strategic goals for greater access to and diversity in higher education by appropriating funds for four full-time equivalent positions for the system-wide Pamantasan Council, including instructional faculty, student personnel, and graduate assistantships.

The Pamantasan Council, Hawaii Friends of Civil Rights, Nursing Advocates and Mentors, Inc., Asian American Network for Cancer Awareness Research and Training, Filipino American Citizens League, and many individuals provided testimony in support of the measure. 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. 2224, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 823-16 Finance on H.B. No. 2229

The purpose of this measure is to strengthen and diversify Hawaii's economy through the promotion of sporting events. Specifically, this measure creates the Hawaii Sports Task Force to plan and coordinate efforts to:

- (1) Keep the National Football League's annual Pro Bowl in Hawaii;
- (2) Establish Aloha Stadium as a host site for a National Football League pre-season game, world-title soccer tournaments, mixed martial arts Ultimate Fighting Championship tournaments, and other international sporting events; and
- (3) Establish and maintain Hawaii as a host site for other sporting and sports entertainment events statewide including but not limited to golf tournaments, kickboxing events, professional wrestling events, motor-cross races, tennis tournaments, beach volleyball tournaments, sailboat races, marathons, triathlons, and cycling events.

Two concerned individuals testified in support of this measure. The Department of Business, Economic Development and Tourism, Hawaii Tourism Authority, Stadium Authority, Hawaii Lodging and Tourism Association 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 H.B. No. 2229, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 824-16 Finance on H.B. No. 2049

The purpose of this measure is to address questions regarding responsibility for the repair and maintenance of privately owned highways. Specifically, this measure:

- (1) Requires the counties to accept the surrender of a private road if there has been no act of private ownership for five years;
- (2) Specifies that a private road is surrendered if the State or county initiates condemnation proceedings to acquire the road; and
- (3) Exempts the State and counties from maintaining surrendered roads and from liability for lack of maintenance or for maintenance performed prior to assuming ownership.

The Department of Land and Natural Resources, Hawaii Association of Realtors, Bank of Hawaii, and Chamber of Commerce of Hawaii provided testimony in support of the measure. The Department of the Attorney General, Department of Transportation, and City and County of Honolulu Department of Facility Maintenance 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. 2049, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 825-16 Finance on H.B. No. 2250

The purpose of this measure is to repair, maintain, and improve privately owned roadways by appropriating funds for repair work and resurfacing of Kalani Street, Auld Lane, and Rawlins Lane on the island of Oahu.

The Bank of Hawaii provided testimony in support of the measure. The City and County of Honolulu Department of Facility Maintenance 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. 2250, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 826-16 Finance on H.B. No. 1892

The purpose of this measure is to:

- (1) Require all State agencies to reasonably provide and maintain onsite collection methods at buildings and facilities under the agency's jurisdiction for the collection of recyclable materials; and
- (2) Appropriate funds for the provision and maintenance of onsite collection methods for recyclable materials at State facilities and buildings.

Sierra Club 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 H.B. No. 1892 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 827-16 Finance on H.B. No. 1983

The purpose of this measure is to help protect public health and the environment by:

- (1) Authorizing the Department of Health to establish a cesspool upgrade, conversion, or connection rebate program to offset qualified expenses incurred by low-income households;
- (2) Providing that a taxpayer who has already received a rebate and who claims a cesspool upgrade, conversion, or connection income-tax credit will have 50 percent of the dollar amount of the rebate received by the taxpayer deducted from the amount of the tax credit that the taxpayer may claim;
- (3) Allowing the Department of Health to certify, as a pilot program, no more than two residential large capacity cesspools as eligible for the cesspool upgrade, conversion, or connection income-tax credit;
- (4) Prohibiting taxpayers whose adjusted gross income exceeds certain amounts from claiming the income-tax credit;
- (5) Providing that a non-compliant cesspool will not be subject to penalty because the cesspool's owner claimed an income tax credit; and
- (6) Deleting the definition of "qualified cesspool".

The Sierra Club of Hawaii provided testimony in support of this measure. The Department of Taxation, Department of Health, 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. 1983, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 828-16 Finance on H.B. No. 2528

The purpose of this measure is to appropriate funds for public outreach, planning, and an environmental impact statement for a Hawaii island public shooting facility.

The Aha Moku Advisory Committee; County of Hawaii Game Management Advisory Commission; On Target, Inc.; Hunting, Farming and Fishing Association; the Society for Hawaii Heritage Animals; Hawaii Hunting Association; National Rifle Association; and numerous individuals testified in support of this measure. Hilton Hawaii; Hilton Worldwide; ILWU Local 142; Marriott International, Waikoloa Beach Marriott Resort & Spa; the Hawaii Lodging & Tourism Association Hawaii Island Chapter; Waikoloa Resort Association; Dolphin Quest Hawaii; Hawaii Care and Cleaning; Mauna Kea Beach Hotel; Hapuna Beach Prince Hotel; Fairmont Orchid, Hawaii; Mauna Lani Resort Association; SpeediShuttle and Arthur's Limousine; Hawaii, Enterprise Holdings; Suisan Company, Ltd.; Vista Waikoloa AOA; Waikoloa Colony Villas AOA; Halii Kai AOA; Waikoloa Beach Villas AOA; the Shores at Waikoloa AOA; Mauna Lani Resort (Operation), Inc.; Mauna Lani Bay Hotel & Bungalows; Roberts Hawaii; Kolea HOA; Kohala Coast Resort Association; and numerous individuals testified in opposition. The Department of Land and Natural Resources; Hawaii Lodging & Tourism Association; 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. 2528, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 829-16 Finance on H.B. No. 2205

The purpose of this measure is to make amendments to certain statutory provisions governing public charter schools by:

- (1) Prohibiting the State Public Charter School Commission from providing technical support to prospective public charter school applicants that would directly and substantially affect its decision related to the approval or denial of the charter application;
- (2) Establishing requirements for State Public Charter School Commission board meetings;
- (3) Providing a nonprofit organization that serves as the governing body of a conversion charter school with the same protections that are afforded to all other governing boards;
- (4) Exempting the State Public Charter School Commission from certain public meeting requirements; and
- (5) Authorizing public charter schools to assess fees and charges for co-curricular activities.

The State Public Charter School Commission provided testimony in support of this measure. The Board of Education, Kamehameha Schools, Kanu o ka 'Āina Learning 'Ohana, Aha Punana Leo, Connections Public Charter School, and some individuals provided testimony in opposition. The Office of Hawaiian Affairs, Hawaii Public Charter Schools Network, and Hawaii Educational Policy Center 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. 2205, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.
(Representative Ward voted no.)

SCRep. 830-16 Finance on H.B. No. 2267

The purpose of this measure is to support digital learning and the use of technology in public schools by:

- (1) Authorizing the expenditure of moneys allocated for printed curricular materials for the purchase of digital formats of the curricular materials;
- (2) Defining "curricular materials" to include instructional material in both printed and digital formats and replacing references to "school textbooks, instructional materials, library books, equipment, or supplies" with references to "curricular materials"; and
- (3) Appropriating funds for digital devices for teachers and students to use in Department of Education school classrooms.

The Computing Technology Industry Association, TechNet, and three individuals testified in support of this measure. The Department of Education, the State Public Charter School Commission and the 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 H.B. No. 2267, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 831-16 Finance on H.B. No. 2023

The purpose of this measure is to help sustain nearshore resources by requiring the Department of Land and Natural Resources to designate and adopt rules for the management of no fewer than five community-based subsistence fishing areas throughout the State by December 31, 2020.

The Office of Hawaiian Affairs and Kuaaina Ulu Auamo testified in support of this measure. The Department of Land and Natural Resources, Hawaii Crop Improvement Association, Hunting Farming and Fishing Association, Hawaii Fishermen's Alliance for Conservation and Tradition, Hawaii Crop Improvement Association, and three individuals testified in opposition. The Aha Moku Advisory Committee 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. 2023, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.
(Representatives Tokioka and Ward voted no.)

SCRep. 832-16 Finance on H.B. No. 2025

The purpose of this measure is to convene a task force to identify the ten most vital marine species to Hawaii's reef ecosystems that would be vulnerable to extinction if the take level of those species increases and to assist the Department of Land and Natural Resources in determining possible actions to preserve those species.

The Department of Land and Natural Resources, Hawaii Crop Improvement Association, and three individuals testified in opposition to this measure. The Office of Hawaii 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 H.B. No. 2025, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 833-16 Finance on H.B. No. 1757

The purpose of this measure is to authorize pharmacies to provide customized patient medication packages to patients of institutional facilities or to members of the general public; provided that:

- (1) The pharmacy has obtained the consent of the patient, patient's caregiver, patient's guardian, or prescribing practitioner, and the consent is accompanied with the patient's current prescription; and
- (2) The customized patient medication package meets the prescription dispensing requirements pursuant to state law.

The State Council on Developmental Disabilities, Adult Foster Homecare Association of Hawaii, and several 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. 1757, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 834-16 Finance on H.B. No. 2478

The purpose of this measure is to maintain continued availability of affordable health insurance coverage in Hawaii as recommended by the State Innovation Waiver Task Force by:

- (1) Authorizing the State to submit a proposal for a State Innovation Waiver (Waiver) pursuant to section 1332 of the federal Patient Protection and Affordable Care Act of 2010; and
- (2) Implementing the Waiver, upon approval by the United States Secretaries of Health and Human Services and the Treasury, on or after January 1, 2017.

The Department of Commerce and Consumer Affairs, Department of Labor and Industrial Relations, the Chair of the Hawaii ACA State Innovation Waiver Task Force, ILWU Local 142, Healthcare Association of Hawaii, Hawaii Medical Service Association, Chamber of Commerce Hawaii, Planned Parenthood Votes Northwest and Hawaii, and The Queen's Health Systems provided testimony in support of the measure. 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. 2478 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 835-16 Finance on H.B. No. 2707

The purpose of this measure is to improve the operation and oversight of the State's medical marijuana program. Among other things, this measure:

- (1) Establishes the Medical Marijuana Advisory Commission to advise the Department of Health and report to the Legislature regarding the oversight, operation, and regulation of medical marijuana;
- (2) Amends various definitions and provisions establishing procedures and restrictions regarding medical marijuana dispensary operations, products, paraphernalia, data collection, transportation, and testing;
- (3) Clarifies the prescriptive authority and responsibilities of health care professionals and advanced practice registered nurses regarding medical marijuana use;
- (4) Clarifies business procedures for dispensaries, including excluding dispensaries from enterprise zone tax exemptions and setting restrictions for dispensaries in the utilization of subcontracting operators and service contractors;
- (5) Excludes medical marijuana from certain federal tax and state general excise tax provisions; and
- (6) Authorizes certain University of Hawaii branches to conduct marijuana-related testing and research.

The University of Hawaii System, NuWayve Unlimited, Drug Policy Action Group, Hawaii Dispensary Alliance, Drug Policy Forum of Hawaii, Hawaii Association of Professional Nurses, and many individuals provided testimony in support of the measure. The Honolulu Police Department, Coalition for a Drug-Free Hawaii, and a few individuals provided testimony in opposition. The Department of Health, Department of Taxation, Department of Business, Economic Development, and Tourism, Department of the Attorney General, Board of Nursing, Tax Foundation of Hawaii, 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. 2707, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 836-16 Finance on H.B. No. 1527

The purpose of this measure is to require the Department of Taxation to evaluate and make recommendations regarding the repeal of certain tax credits and tax exemptions and to report to the Legislature before the Regular Session of 2018. This measure also requires, beginning on July 1, 2018 and every five years thereafter, the Department to evaluate and make recommendations regarding new tax credits and exemptions.

The United Public Workers, AFSCME, Local 646, and AFL-CIO provided testimony in support of this measure. The Department of Business, Economic Development and Tourism; Kaua'i County Housing Agency; Land Use Research Foundation of Hawaii; Hawai'i Association of Realtors; and Mutual Housing Association of Hawai'i, Inc. provided testimony in opposition. The Department of Taxation and Tax Foundation of Hawaii 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 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. 1527, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1527, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative LoPresti.

SCRep. 837-16 Finance on H.B. No. 1702

The purpose of this measure is to increase the household and dependent care services income tax credit by changing the basis for calculating the applicable percentage for the credit and providing a credit ranging from 15 to 25 percent of the employment-related expenses paid by the taxpayer.

The ILWU Local 142, Catholic Charities Hawaii, Phocused, and Hawaii Appleseed Center for Law and Economic Justice provided testimony in support of the measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the taxpayer's applicable percentages to unspecified amounts;
- (2) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (3) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1702, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1702, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative LoPresti.

SCRep. 838-16 Finance on H.B. No. 1735

The purpose of this measure is to require the Economic Research Organization at the University of Hawaii to study the effects of Hawaii's low property tax rates and to submit a report to the Legislature prior to the 2017 Regular Session on the findings of the study.

The Hawaii State Teachers Association testified in support of this measure. The University of Hawaii, Tax Foundation of Hawaii, and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Department of Business, Economic Development, and Tourism (DBEDT), rather than the Economic Research Organization at the University of Hawaii, to conduct the study and report to the Legislature;
- (2) Requiring that the effect of low property tax rates in Hawaii on funding for public education be included in the report to the Legislature; and
- (3) Changing the expending agency for the appropriation to DBEDT.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1735, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1735, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative LoPresti.

SCRep. 839-16 Finance on H.B. No. 2217

The purpose of this measure is to delete obsolete or unnecessary provisions of the Hawaii real property tax laws.

The Department of Taxation 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 encourage further discussion; and
- (2) Making technical, nonsubstantive amendments to conform existing law with the amendments proposed by this measure and for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2217, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2217, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative LoPresti.

SCRep. 840-16 Finance on H.B. No. 2218

The purpose of this measure is to delete obsolete or unnecessary provisions affecting Hawaii Income Tax Law by:

- (1) Repealing sections 235-2, 235-2.1, and 235-2.2, Hawaii Revised Statutes (HRS), which include tables enumerating Internal Revenue Code provisions adopted by the State since 1957, since it is no longer a requirement to enumerate conforming amendments to the Internal Revenue Code in the HRS; and

- (2) Removing references to the repealed sections in section 235-2.3(a), HRS, and instead referring to prior law.

The Department of Taxation and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Making technical, nonsubstantive amendments for clarity, consistency, and style; and
- (2) Changing its 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 H.B. No. 2218, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2218, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative LoPresti.

SCRep. 841-16 Finance on H.B. No. 2527

The purpose of this measure is to establish a committee on progress of construction projects to monitor certain state construction projects and bring impediments to the attention of the decision-makers.

The Office of the Governor and Department of Accounting and General Services (DAGS) provided comments on this measure.

Your Committee has amended this measure by:

- (1) Including special interest projects designated by the Governor for inclusion in monitoring by the committee;
- (2) Allowing the committee to elect one or more vice chairpersons;
- (3) Allowing the committee to require that reports prepared by the expending agencies be in a standardized format;
- (4) Clarifying that DAGS must support the committee with funds appropriated for that purpose;
- (5) Clarifying that each expending agency will bear its own costs in reporting to the committee;
- (6) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (7) 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. 2527, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2527, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative LoPresti.

SCRep. 842-16 Finance on H.B. No. 1355

The purpose of this measure is to establish the State Commission on Fiscal Responsibility, with the authority to review and make recommendations on expenditures, revenue enhancement, and improving tax policy.

Several individuals provided testimony in support of the measure. The Department of Taxation and Tax Foundation of Hawaii 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 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. 1355, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1355, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 843-16 Finance on H.B. No. 1684

The purpose of this measure is to exempt operations of the Natural Energy Laboratory of Hawaii from bidding requirements for concessions or space on public property.

The Department of Business, Economic Development, and Tourism and the Natural Energy Laboratory of Hawaii Authority testified in support of this measure.

Your Committee has amended this measure by changing its 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 H.B. No. 1684, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1684, H.D. 2, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 844-16 Finance on H.B. No. 2166

The purpose of this measure is to expand the low income-household renter's income tax credit based on adjusted gross income, filing status, and the Consumer Price Index for All Urban Consumers published by the United States Department of Labor.

PHOCUSED, Community Alliance on Prisons, Progressive Democrats of Hawaii, Americans for Democratic Action Hawaii Chapter, Catholic Charities Hawaii, Hawaii Appleseed Center for Law & Economic Justice, Hawaii Women's Coalition, the CHOW Project, the League of Women Voters of Hawaii, Hawaii Children's Action Network, IMUAlliance, and two individuals testified in support of this measure. The Department of Taxation, Tax Foundation of Hawaii, and Honolulu Community Action Program, Inc. provided comments.

Your Committee has amended this measure by:

- (1) Changing various credit per exemption amounts to unspecified amounts;
- (2) Changing its 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. 2166, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2166, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 845-16 Finance on H.B. No. 2465

The purpose of this measure is to repeal, reclassify, amend, or abolish various non-general funds and accounts and to transfer any unencumbered balances of repealed funds, as recommended by the Auditor in Auditor's Report No. 15-19.

The Office of the Auditor testified in support of this measure. The Department of Health and Hawaii State Coalition Against Domestic Violence testified in opposition to this measure. The Department of Human Services and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by including unspecified general fund appropriations for expenditure by the Department of Human Services and Hawaii Public Housing Authority to fund programs adversely affected by the repeal or amendment of various non-general funds and accounts by 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. 2465, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2465, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 846-16 Finance on H.B. No. 2317

The purpose of this measure is to appropriate funds for fiscal year 2016-2017 to be deposited into the Emergency and Budget Reserve Fund.

The Department of Budget and Finance supported this measure.

Your Committee has amended this measure by:

- (1) Removing the findings and purpose provision;
- (2) Changing the appropriation to the Emergency and Budget Reserve Fund to an unspecified amount; and
- (3) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2317, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2317, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 847-16 Finance on H.B. No. 2415

The purpose of this measure is to:

- (1) Repeal the Kapolei Recreational Sports Complex Special Fund (Special Fund) and, on July 1, 2016, lapse all unencumbered remaining balances in the Special Fund to the general fund;
- (2) Reclassify the Prepaid Airport Use Charge Fund from a special fund to a trust fund; and
- (3) Abolish the Photo Enforcement Revolving Fund (Revolving Fund) and transfer any unencumbered remaining balances in the Revolving Fund to the general fund.

The Office of the Auditor testified in support of this measure. The Stadium Authority 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. 2415 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 848-16 Finance on H.B. No. 2146

The purpose of this measure is to:

- (1) Require the Department of Accounting and General Services to develop a comprehensive Wailuku state office master plan to address the shortage of space in the Wailuku state office building and old courthouse building;
- (2) Appropriate funds for the Wailuku state office master plan; and
- (3) Appropriate funds for the purchase of certain properties in or near Wailuku.

The County of Maui Office of the Mayor, Maui Redevelopment Agency, and an individual provided testimony in support of the measure. The Department of Accounting and General Services and Judiciary provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount for the Wailuku state office master plan from \$250,000 to an unspecified amount;
- (2) Changing the appropriation amount for the purchase of certain properties in or near Wailuku from \$10,000,000 to an unspecified amount;
- (3) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (4) 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. 2146, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2146, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 849-16 Finance on H.B. No. 2576

The purpose of this measure is to establish a three-year pilot parametric disaster insurance program within the Department of Accounting and General Services.

The Ala Wai Watershed Partnership, Hawaii Green Growth, and an individual provided testimony in support of the measure. The Department of Accounting and General Services, Department of Budget and Finance, and Department of Defense 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 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. 2576, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2576, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 850-16 Finance on H.B. No. 2006

The purpose of this measure is to classify judges who begin service or who are reappointed or promoted on or after July 1, 2016, as hybrid members of the Employees' Retirement System subject to a two percent benefit multiplier and retirement age of sixty.

The Judiciary and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposed this measure. The Employees' Retirement System provided comments.

Your Committee has amended this measure by:

- (1) Adopting the amendments proposed by the Employees' Retirement System that specifically:
 - (A) Remove language reclassifying judges as class H, hybrid, members; and
 - (B) Insert new language which preserves judges' classification as class A members and applies the two percent benefit multiplier and sixty year retirement age to service credit earned by judges who entered service or were reappointed or promoted on or after July 1, 2016; 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. 2006, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2006, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 851-16 Finance on H.B. No. 2466

The purpose of this measure is to repeal, amend, and abolish various non-general funds and accounts of the Department of Health, including the transfer of any unencumbered balances, as recommended by the Auditor in Report No. 15-17.

The Office of the Auditor testified in support of this measure. The Department of Health; Hawaii State Commission on the Status of Women; Magsingal Association of Hawaii; Nursing Advocates & Mentors, Inc.; Filipino American Citizens League; Filipino Coalition for Solidarity; Hawaii Friends of Civil Rights; Hawaii Women's Coalition; March of Dimes Hawaii Chapter; Ho'ola Lahui Hawaii; Hana Health; Waimanalo Health Center; Waianae Coast Comprehensive Health Center; Waikiki Health; Kokua Kalihi Valley Comprehensive Family Services; Hawaii Primary Care Association, and numerous individuals testified in opposition to this measure. The Department of Human Services, Hawaii Community Development Authority, Tax Foundation of Hawaii, The Sex Abuse Treatment Center, Domestic Violence Action Center, and Ala Kuola provided comments.

Your Committee has amended this measure by adding an unspecified general fund appropriation for expenditure by the Department of Health to fund programs adversely affected by the repeal, amendment, or abolishment of the various non-general funds and accounts.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2466, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2466, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 852-16 Finance on H.B. No. 1850

The purpose of this measure is to establish a framework allowing transient accommodations brokers to register as tax collection agents for the collection and remittance of general excise and transient accommodations taxes owed by transient accommodations operators and plan managers using the broker's services.

The Maui Hotel & Lodging Association, Airbnb, and numerous individuals testified in support of this measure. Councilmembers from Districts VII and IX of the City and County of Honolulu, Kailua Neighborhood Board No. 31, Faith Action for Community Equity, SONHawai'i, Keep It Kailua, UNITE HERE Local 5, Hawaii Appleseed Center for Law & Economic Justice, Aloha Aina No Koolauloa, and numerous individuals testified in opposition to this measure. The Department of Taxation (Department), County of Kauai Planning Department, County of Maui Department of Planning, Tax Foundation of Hawaii, Rental By Owner Awareness Association, Hawaii Lodging & Tourism Association, and several individuals provided comments.

Your Committee has amended this measure by:

- (1) Expanding the reasons the Department may deny an application for registration to include failure to meet minimum criteria set forth by the Department in accordance with the administrative rules process;
- (2) Specifying that registration as a tax collection agent is non-transferable;
- (3) Authorizing the Department to cancel a registration for any cause, rather than any cause authorized by law;
- (4) Removing provisions specifying that registered transient accommodations broker tax collection agents shall not assume the duties, obligations, or liabilities of an operator, plan manager, or provider of transient accommodations solely because of actions authorized under state or county law;

- (5) Permitting registered transient accommodations broker tax collection agents to inquire and ensure that a transient accommodation is in compliance with all pertinent land use laws; and
- (6) Changing the applicable tax dates to begin after December 31, 2016, to allow the Department sufficient time to create and adopt necessary forms and rules.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1850, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1850, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative LoPresti.

SCRep. 853-16 Consumer Protection & Commerce on H.B. No. 254

The purpose of this measure is to allow for the regulation of biosimilar medicines to ensure patient safety and access to medicines at lower prices.

The Alliance for Patient Access, Express Scripts, Global Healthy Living Foundation, Alliance for Safe Biologic Medicines, American Autoimmune Related Diseases Association, Inc., International Cancer Advocacy Network, National Hispanic Medical Association, National Patient Advocate Foundation, Biosimilars Council, Pharmaceutical Research and Manufacturers of America, Hawaii Medical Association, Alliance of Specialty Medicine, Global Colon Cancer Association, Lupus and Allied Diseases Association, Coalition of State Rheumatology Organizations, National Psoriasis Foundation, Biotechnology Innovation Organization, American Cancer Society Cancer Action Network, Arthritis Foundation, Pacific Region, National Organization for Rare Disorders, and a few individuals testified in support of this measure. The Department of the Attorney General, Hawaii Medical Service Association, and CVS Health provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that within five business days following the dispensing of a biological product, the dispensing pharmacist or the pharmacist's designee shall communicate to the prescriber the specific product provided to the patient;
- (2) Changing the effective date to July 1, 2112; 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. 254, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 254, H.D. 2.

Signed by all members of the Committee except Representative Yamane.

SCRep. 854-16 Finance on H.B. No. 2030

The purpose of this measure to prohibit the discharge of treated wastewater into state waters after December 31, 2049, except when used to create clean energy.

The City and County of Honolulu Department of Environmental Services and City and County of Honolulu Department of Design and Construction provided testimony in opposition to this measure. The Department of Health and Hawaii Fresh Water Initiative 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 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. 2030, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2030, H.D. 1.

Signed by all members of the Committee except Representative Cachola.

SCRep. 855-16 Finance on H.B. No. 2059

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to provide financing to assist RCFC Kehalani, LLC, with Kehalani offsite retention basin improvement work.

The Department of Land and Natural Resources provided testimony in support of this measure. The Department of Budget and Finance and Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Changing the authorized amount of special purpose revenue bonds to an unspecified sum;

- (2) Clarifying that the statutory authorization to issue the special purpose revenue bonds is pursuant to Act 147, Session Laws of Hawaii 2012;
- (3) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment 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. 2059, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2059, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 856-16 Finance on H.B. No. 2069

The purpose of this measure is to:

- (1) Authorize Community Improvement Districts as an innovative means of accelerating appropriate development in certain areas of the State;
- (2) Establish a Community Improvement District Revolving Fund to provide innovative financing for development within Community Improvement Districts;
- (3) Establish a Kapalama Community Improvement District Pilot Project; and
- (4) Require the Department of Accounting and General Services, in cooperation with the City and County of Honolulu, to submit an annual report to the Legislature relating to the Kapalama Community Improvement District Pilot Project.

A few individuals provided testimony in support of this measure. The Department of Budget and Finance, City and County of Honolulu Department of Planning and Permitting, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii 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 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. 2069, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2069, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 857-16 Finance on H.B. No. 2198

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to provide financing to assist West Maui Investors, LLC, with two Ukumehame reservoirs.

The Department of Land and Natural Resources provided testimony in support of this measure. The Department of Budget and Finance and Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Changing the authorized amount of special purpose revenue bonds to an unspecified sum;
- (2) Clarifying that the statutory authorization to issue the special purpose revenue bonds is pursuant to Act 147, Session Laws of Hawaii 2012;
- (3) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment 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. 2198, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2198, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 858-16 Finance on H.B. No. 2680

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to provide financing to assist the Mary N. Lucas Estate with the Kaloko Reservoir.

The Department of Land and Natural Resources and Kauai Organic Farms provided testimony in support of this measure. The Department of Budget and Finance and Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Changing the authorized amount of special purpose revenue bonds to an unspecified sum;
- (2) Clarifying that the statutory authorization to issue the special purpose revenue bonds is pursuant to Act 147, Session Laws of Hawaii 2012;
- (3) Changing the effective date to July 1, 2030, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2680, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2680, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 859-16 Finance on H.B. No. 2681

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to provide financing to assist Spencer Homes, Inc. with Wailuku Reservoir #6.

The Department of Land and Natural Resources provided testimony in support of this measure. The Department of Budget and Finance and Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Changing the authorized amount of special purpose revenue bonds to an unspecified sum;
- (2) Clarifying that the statutory authorization to issue the special purpose revenue bonds is pursuant to Act 147, Session Laws of Hawaii 2012;
- (3) Changing the effective date to July 1, 2030, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2681, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2681, H.D. 2.

Signed by all members of the Committee except Representative Cachola.

SCRep. 860-16 Finance on H.B. No. 1749

The purpose of this measure is to amend the goals of the Hawaii Water Plan to include the 100 percent utilization of reclaimed water in all State and county facilities.

The Surfrider Foundation and two concerned individuals testified in support of this measure. The Department of Land and Natural Resources and Department of Design and Construction of the City and County of Honolulu 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 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. 1749, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1749, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 861-16 Finance on H.B. No. 1750

The purpose of this measure is to require the State and counties to consider stormwater management, reuse, reclamation, and remediation in the development of the Hawaii Water Resource Protection Plan.

The Hawai'i Farm Bureau and several concerned 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) 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. 1750, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1750, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 862-16 Finance on H.B. No. 2671

The purpose of this measure is to assist the Attorney General in the reporting of critical criminal justice data and to clarify the responsibilities of county police departments to provide data in a timely manner by:

- (1) Requiring the county chiefs of police and state and county agencies with arrest powers to provide crime incident reports and other related crime information to the Attorney General to operate a statewide crime reporting program and to cooperate with the Federal Bureau of Investigation's Uniform Crime Reporting Program; and
- (2) Establishing penalties for state and county agency noncompliance with the requirements of this measure.

The Department of the Attorney General submitted 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 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. 2671, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2671, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 863-16 Finance on H.B. No. 2694

The purpose of this measure is to ensure fair participation of all political parties on the Reapportionment Commission by providing that if there are no members belonging to the minority party or parties in a house of the Legislature, the members belonging to the same minority party or parties in the other house of the Legislature shall nominate persons to serve on the Commission.

The League of Women Voters 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. 2694, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2694, H.D. 1.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 864-16 Finance on H.B. No. 1055

The purpose of this measure is to encourage voter registration by:

- (1) Accepting, for purposes of identification for voter registration, an applicant's Hawaii driver's license number, Hawaii state identification card number, or, if no license or identification card has been issued, the last four digits of the applicant's social security number; and
- (2) Requiring the State to issue an applicant a unique voter registration identification number for voter registration purposes if the applicant does not have a driver's license, Hawaii state identification card number or social security number and enroll the applicant in the State's computerized voter registration records.

Common Cause Hawaii supported this measure. The Office of Elections and City Clerk of the City and County of Honolulu 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 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. 1055, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1055, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 865-16 Finance on H.B. No. 1580

The purpose of this measure is to appropriate \$400,000 to maintain and expand the United States Department of Justice's Weed and Seed Strategy to prevent, control, and reduce violent crime, drug abuse, and gang activity in targeted neighborhoods by weeding out the criminal element in the community and replacing it with human services that include prevention, intervention, treatment, and neighborhood revitalization.

Meadow Gold Dairies and many individuals provided testimony in support of the measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum; 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 H.B. No. 1580, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1580, H.D. 1.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 866-16 Finance on H.B. No. 1590

The purpose of this measure is to create a process to make the advantage of being the first candidate listed on a ballot a random event by requiring the Chief Election Officer to:

- (1) Select a letter of the alphabet by lot and arrange the candidate names on ballots in alphabetical order by last name, beginning with the randomly selected letter;
- (2) Provide notice to voters and candidates of the order that the candidates will be listed on the ballot by a method suited for the voting system; and
- (3) Establish procedures to implement the foregoing process for elections beginning January 1, 2018.

A concerned individual supported this measure. The League of Women Voters of Hawaii 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. 1590, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1590, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 867-16 Finance on H.B. No. 1651

The purpose of this measure is to require a person applying for late registration or registration at an absentee polling place to acknowledge that providing false information on the signed affidavit is a Class C felony.

The Office of Elections, League of Women Voters of Hawaii, and Common Cause Hawaii testified 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. 1651, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1651, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 868-16 Finance on H.B. No. 1652

The purpose of this measure is to increase voter registration by:

- (1) Requiring an application for voter registration to be included with applications for civil identification cards and driver's licenses;
- (2) Requiring the applicant to accept or decline the voter registration before the identification card or driver's license application may be processed; and
- (3) Giving election officials and the statewide registration system electronic access to the registrant's information to allow for the timely processing of voter registration applications.

The Office of Elections; Kauai Office of the County Clerk; the Office of Hawaiian Affairs; Planned Parenthood Votes Northwest and Hawaii; the League of Women Voters of Hawaii; and one individual testified in support of this measure. The Department of Transportation 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 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. 1652, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1652, H.D. 1.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 869-16 Finance on H.B. No. 1654

The purpose of this measure is to:

- (1) Adopt a process for permanent absentee voters to receive a ballot at both their address of record and an alternate address inside or outside the State for different elections occurring within the same election cycle without affecting their permanent absentee status or permanent on record mailing address; and
- (2) Allow voters to receive an absentee ballot by electronic transmission if the voter requires a replacement ballot within five days of an election or would otherwise not be able to return their properly issued ballot by the close of polls, and to return the voted replacement ballot and executed forms by electronic transmission.

The Office of Elections, Office of the City Clerk of the City and County of Honolulu, Office of the County Clerk of the County of Kauai, Office of the County Clerk of the County of Maui, and the 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 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. 1654, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1654, H.D. 1.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 870-16 Finance on H.B. No. 2019

The purpose of this measure is to establish instant runoff voting procedures for any federal, state, or county election not held on the date of a regularly scheduled primary or general election.

Common Cause Hawaii testified in support of this measure. The Office of Elections and the Office of the City Clerk for the City and County of Honolulu 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 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. 2019, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2019, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 871-16 Finance on H.B. No. 2247

The purpose of this measure is to require the State and the counties to pay approved travel costs incurred by their respective officers and employees for official state or county business directly to either:

- (1) The vendor providing the goods or services; or
 (2) The officer or employee by cash advance prior to the date of purchase,

unless otherwise provided by collective bargaining agreement.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and numerous individuals testified in support of 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. 2247, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2247, H.D. 1.

Signed by all members of the Committee.

SCRep. 872-16 Finance on H.B. No. 2279

The purpose of this measure is to appropriate funds to satisfy claims against the State, its officers, or its employees, including claims for legislative relief, judgments against the State, settlements, and miscellaneous claims.

The Department of the Attorney General submitted testimony in support of this measure.

Your Committee has amended this measure based on the recommendation of the Department of the Attorney General to add one new claim that has been resolved since the introduction of this measure for an additional general fund appropriation request of \$58,286.00.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2279, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2279, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 873-16 Finance on H.B. No. 2554

The purpose of this measure is to establish and designate American Sign Language (ASL) as a language distinct from English and Hawaiian, which are the official languages of the State.

The Disability and Communication Access Board, Aloha State Association of the Deaf, Isle Interpret, LLC, Hawaii Deaf Surfriders Association, and numerous concerned individuals testified in support of 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. 2554, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2554, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 874-16 Finance on H.B. No. 2085

The purpose of this measure is to reduce and ultimately eliminate Hawaii's dependence on fossil fuels for electrical generation and ground transportation by 2045 by creating goals and targets in the Hawaii Clean Energy Initiative Program and State Planning Act, including establishing an incremental timeline for the reduction of fossil fuels in electrical generation and ground transportation in the Hawaii Clean Energy Initiative Program.

The County of Kauai Office of Economic Development, Blue Planet Foundation, Americans for Democratic Action Hawaii Chapter, IMUAlliance, and a few individuals provided testimony in support of the measure. An individual provided testimony in opposition. The Department of Business, Economic Development, and Tourism and Chamber of Commerce Hawaii 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 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. 2085, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2085, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 875-16 Finance on H.B. No. 2543

The purpose of this measure is to enhance access to broadband internet by permanently extending the provisions of Act 151, Session Laws of Hawaii 2011, and Act 264, Session Laws of Hawaii 2013, which expedite the approval process for broadband-related permit applications and exempt the installation, improvement, construction, or development of broadband infrastructure from most state and county permitting and approval requirements.

The Department of Commerce and Consumer Affairs, Department of Business, Economic Development, and Tourism, Oceanic Time Warner Cable, Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, Chamber of Commerce Hawaii, and Hawaiian Telcom provided testimony in support of the 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. 2543, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2543, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 876-16 Finance on H.B. No. 2569

The purpose of this measure is to accelerate the goals of the Department of Education (Department) to cool Hawaii's schools, reduce energy costs, meet Hawaii's clean energy goals, and provide all students with better classrooms in which to learn by:

- (1) Requiring the Department to establish a goal of becoming net-zero with respect to energy use by January 1, 2035;
- (2) Requiring the Department to establish in each county at least one microgrid pilot project at public schools that also serve as emergency shelters;
- (3) Requiring the Department to expedite the cooling of all public school classrooms to a temperature acceptable for student learning; and
- (4) Authorizing the issuance of general obligation bonds and the use of funds from the Green Infrastructure Loan Program to implement cooling measures in public school classrooms.

Pursuant to the requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 8 to the Legislature, requested immediate consideration and passage of this measure by the Legislature to appropriate emergency funds needed for the energy efficiency and heat abatement initiatives of the Department of Education.

The Board of Education; Department of Education; IMUAlliance; Blue Planet Foundation; and one concerned individual supported this measure. The Hawaii Green Infrastructure Authority; State Adjutant General; Hawaii Emergency Management Agency; Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Hawaii State Teachers Association; and Hawaiian Electric Company and its subsidiaries, Maui Electric and Hawaii Electric Light provided comments.

Your Committee has amended this measure by:

- (1) Changing the authorized general obligation bond issuance and Green Infrastructure Loan Program loan amounts to unspecified amounts;

- (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. 2569, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2569, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 877-16 Finance on H.B. No. 2646

The purpose of this measure is to protect public health and the quality of Hawaii's drinking water by establishing a Fuel Tank Advisory Committee within the Department of Health to study, monitor, and address issues stemming from underground fuel storage tank leaks.

The Department of Land and Natural Resources, a City and County of Honolulu City Councilmember, City and County of Honolulu Board of Water Supply, Conservation Council for Hawaii, Surfrider Foundation Hawaii Chapter, Surfrider Foundation Oahu Chapter, Surfrider Foundation Kauai Chapter, Sustainable Coastlines Hawaii, and several individuals provided testimony in support of the measure. The Department of Health, Navy Region Hawaii, World Centric, and Hawaii Green Growth 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 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. 2646, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2646, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 878-16 Finance on H.B. No. 2648

The purpose of this measure is to reduce waste in Hawaii by:

- (1) Requiring commercial and business entities that generate over one ton of commercial food waste annually to reduce such waste to zero by January 1, 2025;
- (2) Establishing an advisory committee to investigate existing solid waste management infrastructure and resources necessary to support a food waste disposal reduction program; and
- (3) Appropriating funds to the counties to comply with the waste reduction mandates imposed under this measure.

Zero Waste Kauai, Kokua Hawaii Foundation, Times Supermarkets, Oahu Fresh, Sustainable Coastlines Hawaii, Surfrider Foundation Kauai, World Centric, Surfrider Foundation Hawaii Chapters, Surfrider Foundation Oahu Chapter, and numerous individuals testified in support of this measure. The Honolulu Department of Environmental Services testified in opposition. The Department of Health, Kauai Office of Economic Development, Hawaii Green Growth, and Hawaii Food Industry Association provided comments.

Your Committee has amended this measure by:

- (1) Removing the contents except for the advisory committee;
- (2) Changing its 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. 2648, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2648, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 879-16 Finance on H.B. No. 2649

The purpose of this measure is to protect electricity ratepayers from potentially unnecessary additional costs. More specifically, this measure requires the Public Utilities Commission to establish performance incentive mechanisms that directly tie an electric utility's revenues to the utility's achievement on the performance metrics.

Distributed Energy Resources Council, Hawaii Renewable Energy Alliance, Hawaii Solar Energy Association, and several individuals provided testimony in support of the measure. The Public Utilities Commission, Division of Consumer Advocacy, Hawaii Energy Policy Forum, Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, and Blue Planet Foundation 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 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. 2649, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2649, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 880-16 Finance on H.B. No. 212

The purpose of this measure is to establish a nonrefundable income tax credit for taxpayers who install and place in service a battery backup system that uses batteries to store electrical energy generated by a solar energy system.

An individual testified in support of this measure. The Division of Consumer Advocacy opposed this measure. The Department of Taxation; Department of Business, Economic Development, and Tourism; Tax Foundation of Hawaii; Hawaiian Electric Company; Maui Electric; Hawaii Electric Light; and an individual commented on this measure.

Your Committee has amended this measure by inserting unspecified amounts for:

- (1) The amount of the tax credit for each battery backup system installed; and
- (2) The cap amount of credit allowed for each battery backup system for single-family residential property and for commercial property.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 212, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 212, H.D. 2.

Signed by all members of the Committee except Representative LoPresti.

SCRep. 881-16 Finance on H.B. No. 1853

The purpose of this measure is to extend the authorization for the issuance of special purpose revenue bonds to BioEnergy Hawaii, LLC, for the purpose of establishing a cogeneration facility and related energy production facilities for an additional five years.

The Department of Transportation; BioEnergy Hawaii, LLC; Ulupono Initiative; Pacific Waste, Inc.; and Hawaii Gas testified in support of this measure.

Your Committee has amended this measure by changing its 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 H.B. No. 1853, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1853, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 882-16 Finance on H.B. No. 2165

The purpose of this measure is to protect public health by:

- (1) Appropriating funds to the Department of Health (Department) to establish five full-time positions and to contract with consultants to monitor the United States Navy's and the United States Defense Logistics Agency's compliance with the Administrative Order on Consent requiring evaluation and mitigation of environmental damage caused by leaks of fuel at the Red Hill Fuel Storage Facility;
- (2) Requiring the Department to seek reimbursement from the United States Navy and the United States Defense Logistics Agency for funds appropriated for personnel and consultants;
- (3) Appropriating funds for the siting and installation of two monitor wells to test the condition of the groundwater aquifer underneath and surrounding the Red Hill Bulk Fuel Storage Facility; and
- (4) Requiring the Department to submit annual reports to the Legislature on the status of the Navy and the Defense Logistics Agency's compliance with the Administrative Order on Consent.

The Board of Water Supply and Sierra Club of Hawaii testified in support of this measure. The Department of Health and Navy Region Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Inserting an unspecified number for the positions to be established; 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. 2165, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2165, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 883-16 Finance on H.B. No. 2231

The purpose of this measure is to clarify that special purpose revenue bonds issued pursuant to part VI of Chapter 39A, Hawaii Revised Statutes, may be used to finance publicly owned energy cooperatives by amending the definitions of "energy project" and "project party" to include a publicly owned energy cooperative.

Kauai Island Utility Cooperative and Sierra Club of Hawaii testified 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 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. 2231, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2231, H.D. 1.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 884-16 Finance on H.B. No. 2237

The purpose of this measure is to further the State's waste management goals and ensure progress toward managing the State's waste by appropriating funds to support the revision of the State Integrated Solid Waste Management Plan.

The Office of the Auditor; Surfrider Foundation; Surfrider Foundation, Kauai and Oahu Chapters; Hawai'i Green Growth; Sierra Club of Hawaii; Ulupono Initiative; 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) Making the appropriation an unspecified amount;
- (2) Changing the effective date to July 1, 2030, to facilitate further discussion; and
- (3) 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 H.B. No. 2237, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2237, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 885-16 Finance on H.B. No. 2517

The purpose of this measure is to:

- (1) Enable a cesspool certified by the county in which it is located as being within 200 feet of an existing sewer system, to qualify for the cesspool upgrade, conversion, or connection income tax credit (tax credit); and
- (2) Allow a maximum of one tax credit per tax map key for a large capacity cesspool.

The Department of Health and Sierra Club of Hawaii testified in support of this measure. The Department of Taxation and the Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the maximum amount of the tax credit equal to the qualified expenses of the taxpayer, including a residential large capacity cesspool, to an unspecified amount;
- (2) Changing its effective date to July 1, 2030, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2517, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2517, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 886-16 Finance on H.B. No. 1870

The purpose of this measure is to create an income tax credit for businesses that hire totally disabled individuals.

The State Council on Developmental Disabilities, Hawaii Disability Rights Center, and several concerned individuals testified in support of this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by changing:

- (1) The amount of the tax credit to an unspecified percent of qualified wages; and
- (2) Its 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 H.B. No. 1870, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1870, H.D. 2.

Signed by all members of the Committee.

SCRep. 887-16 Finance on H.B. No. 2122

The purpose of this measure is to enhance employment security by:

- (1) Increasing the maximum potential unemployment benefits from 26 to 39 times the eligible individual's weekly benefit amount for individuals who are separated from service on or after March 7, 2016; and
- (2) Requiring eligible individuals terminated or laid-off by Hawaiian Commercial and Sugar Company to complete a training or retraining program to receive the maximum potential unemployment benefits.

The Department of Labor and Industrial Relations, Hawaii Credit Union League, and Building Industry Association of Hawaii opposed this measure. The Hawaii Lodging & Tourism Association, ILWU Local 142, and The Chamber of Commerce 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 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. 2122, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2122, H.D. 2.

Signed by all members of the Committee.

SCRep. 888-16 Finance on H.B. No. 2446

The purpose of this measure is to provide options to assist public employees who may be displaced through a reduction-in-force or workplace restructuring plan, including the privatization or closure of a state or county facility, and to reduce the need for layoffs. Specifically, this measure authorizes public employers to offer a voluntary severance or special retirement benefit to employees who elect to separate from service when their positions are identified for abolishment, reduction-in-force, or workforce restructuring.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; and numerous individuals testified in support of this measure. The Department of Budget and Finance testified in opposition. The Employees' Retirement System and two 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 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. 2446, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2446, H.D. 2.

Signed by all members of the Committee.

SCRep. 889-16 Finance on H.B. No. 2606

The purpose of this measure is to establish a temporary retirement benefit incentive for public employees who are working in Maui Regional System Facilities, are otherwise eligible to retire, and whose positions are subject to layoff due to the consolidation or abolition of functions, or the privatization of the functions of the position as a result of Act 103, Session Laws of Hawaii 2015.

The United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and many individuals provided testimony in support of the measure. The Department of Budget and Finance provided testimony in opposition. The Employees' Retirement System and an individual provided comments.

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 H.B. No. 2606, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2606, H.D. 2.

Signed by all members of the Committee.

SCRep. 890-16 Finance on H.B. No. 2542

The purpose of this measure is to enhance the State's efforts to ensure biosecurity and reduce the introduction of invasive species to Hawaii by requiring the Auditor to conduct a financial and performance audit of the duties and facilities of the Plant Quarantine Branch of the Department of Agriculture, including the Branch's Biosecurity Program and related programs.

The Hawaii Tropical Flowers Council, Hawaii Floriculture and Nursery Association, Orchid Growers of Hawaii, and two concerned individuals testified in support of this measure. The Department of Agriculture 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 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. 2542, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2542, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 891-16 Finance on H.B. No. 2473

The purpose of this measure is to amend the penalty calculations for first and second violations of wage and hour laws applicable to government contractors. Specifically, this measure sets, in addition to the penalty based on owed back wages, a penalty of \$1,000 per offense for the first violation and a penalty of \$10,000 per offense for a second violation.

The Department of Labor and Industrial Relations, Pacific Resource Partnership, Hawaii Construction Alliance, and Hawaii Regional Council of Carpenters testified in support of this measure. The Chamber of Commerce of Hawaii, General Contractors Association of Hawaii, Swinerton Builders, Healy Tibbitts Builders, Inc., Pacific Power Electrical Contracting, S & M Sakamoto, Inc., JB Construction LLC, King & Neel, Inc., LYZ, Inc., Jayar Construction, Inc., Willocks Construction Corporation, and Building Industry Association of Hawaii testified in opposition to 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. 2473, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2473, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.
(Representative Ward voted no.)

SCRep. 892-16 Finance on H.B. No. 2477

The purpose of this measure is to:

- (1) Limit the maximum number of civil service exempt positions administered by the Department of Human Resources Development (DHRD) within the Executive Branch;
- (2) Require the respective state agency directors to remove civil service exempt positions by a certain amount if the number of civil service exempt employees within their agencies exceed the maximum percentage allowed under this measure; and

- (3) Require the DHRD Director to report on the number of civil service exempt employees administered by DHRD within the Executive Branch.

Two individuals supported this measure. The Department of Budget and Finance opposed this measure. DHRD; 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) Making the percentage amount unspecified with regard to the maximum number of civil service exempt employees the Executive Branch is allowed, excluding the Department of the Attorney General; 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. 2477, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2477, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 893-16 Finance on H.B. No. 2007

The purpose of this measure is to improve government operations and efficiency by establishing a Lean Government Advisory Board within the Department of Human Resources Development.

The Department of Budget and Finance and Hawaii Government Employees Association 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. 2007, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2007, H.D. 2.

Signed by all members of the Committee except Representative Lowen.

SCRep. 894-16 Finance on H.B. No. 2008

The purpose of this measure is to prohibit the State from hiring persons for more than two 89-day terms in a fully or partially general-funded position per the lifetime of the person, with limited exceptions.

The United Public Workers, AFSCME, Local 646, AFL-CIO and Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO supported this measure. The Department of Accounting and General Services; Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; Department of Public Safety; Department of Hawaiian Home Lands; Department of Health; Hawaii State Ethics Commission; Campaign Spending Commission; Department of the Attorney General; City and County of Honolulu Ethics Commission; and the Department of Agriculture opposed this measure. The Department of Human Resources Development; Department of Budget and Finance; Department of Taxation; University of Hawaii; and Department of Education provided comments.

Your Committee has amended this measure by:

- (1) Specifying that the State is prohibited from hiring a person for more than two 89-day terms in a fully general-funded position per the lifetime of the person; 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. 2008, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2008, H.D. 2.

Signed by all members of the Committee except Representative Lowen.

SCRep. 895-16 Finance on H.B. No. 2013

The purpose of this measure is to provide funds for collective bargaining cost items for public employees in collective bargaining unit (8) and their excluded counterparts for fiscal biennium 2015-2017.

The Department of Budget and Finance, Office of Collective Bargaining, University of Hawaii, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provided testimony in support of the 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. 2013, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2013, H.D. 2.

Signed by all members of the Committee except Representative Lowen.

SCRep. 896-16 Finance on H.B. No. 2018

The purpose of this measure is to establish guidelines for the management of capital improvement projects based on the recommendations of the Office of the Auditor in Report No. 15-13, Study of State Departmental Engineering Sections That Manage Capital Improvement Projects.

The Office of the Auditor and Department of Accounting and General Services testified in support of this measure. The Department of Transportation 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 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. 2018, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2018, H.D. 1.

Signed by all members of the Committee except Representative Lowen.

SCRep. 897-16 Finance on H.B. No. 1851

The purpose of this measure is to amend the eligibility requirements to serve on the Public Utilities Commission (Commission) and allow teleconferencing or videoconferencing for public meetings of the Commission. Specifically, this measure:

- (1) Requires at least one of the three Commissioners of the Commission to be a resident of a county other than the City and County of Honolulu and receive a per diem compensation;
- (2) Allows a Commissioner residing on a Neighbor Island to attend a public hearing of the Commission that is held on Oahu by teleconference or videoconference; and
- (3) Allows a Commissioner residing on Oahu to attend a public hearing of the Commission held on a Neighbor Island by teleconference or videoconference.

The Young Brothers, Limited and a concerned individual supported this measure. The Division of Consumer Advocacy, Public Utilities Commission, Hawaii Energy Policy Forum, and two concerned individuals 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 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. 1851, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1851, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 898-16 Finance on H.B. No. 2326

The purpose of this measure is to amend the State's Mortgage Rescue Fraud Prevention Act to conform to the Federal Trade Commission's Mortgage Assistance Relief Services Rule.

The Department of Commerce and Consumer Affairs testified in support of 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. 2326, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2326, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 899-16 Finance on H.B. No. 2115

The purpose of this measure is to modernize fiduciary law for the Internet age by providing internet users with the authority to plan for the management and disposition of their digital assets and to authorize procedures for management and disposition of digital assets in the absence of any specific directive.

The Commission to Promote Uniform Legislation and State Privacy and Security Coalition, Inc. provided testimony in support of the 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. 2115, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2115, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 900-16 Finance on H.B. No. 2319

The purpose of this measure is to improve the State's regulation of money transmitter licensees. More specifically, this measure:

- (1) Broadens the class of persons who may submit an application for approval of a change in control of a money transmitter licensee to include persons other than the licensee;
- (2) Requires criminal background checks of the persons applying to assume control of a money transmitter licensee; and
- (3) Updates a reference to the agency that administers an applicable federal regulation, from the Federal Reserve Board to the Consumer Financial Protection Bureau.

The Department of Commerce and Consumer Affairs and an individual provided testimony in support of 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 a technical, nonsubstantive amendment 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. 2319, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2319, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 901-16 Finance on H.B. No. 1595

The purpose of this measure is to establish a remote testimony task force to develop procedures to allow the public to submit testimony remotely via the Internet during legislative proceedings.

The Office of Enterprise Technology Services, Office of Hawaiian Affairs, Aloha State Association of the Deaf, Common Cause Hawaii, Ulupono Initiative, Democratic Party of Hawaii, and several individuals testified in support of this measure. Ho'omana Pono, LLC opposed this measure. The Disability and Communication Access Board and an individual 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. 1595, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1595, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 902-16 Finance on H.B. No. 2458

The purpose of this measure is to encourage the cultivation of loko i'a, or Hawaiian fishponds, by applying a favorable wholesale general excise tax rate to aquacultural products produced in loko i'a.

The Office of Hawaiian Affairs testified in support of this measure. The Department of the Attorney General 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) Changing the amount of the wholesale general excise tax rate to an unspecified percent; 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. 2458, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2458, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 903-16 Finance on H.B. No. 2080

The purpose of this measure is to encourage the use of alternative energy vehicles and further the State's clean energy goals by:

- (1) Including fuel cell electric vehicles in the definition of electric vehicles for purposes of parking exemptions, High Occupancy Vehicle lane use, registration, and required parking spaces in places of public accommodation; and
- (2) Granting procurement priority for fuel cell electric vehicles purchased by state and county agencies.

The Department of Transportation, Department of Business, Economic Development, and Tourism, High Technology Development Corporation, Hawaii Energy Policy Forum, Alliance of Automobile Manufacturers, Blue Planet Foundation, and Servco Pacific Inc. provided testimony in support of 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. 2080, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2080, H.D. 2.

Signed by all members of the Committee.

SCRep. 904-16 Finance on H.B. No. 2403

The purpose of this measure is to improve the efficiency and effectiveness of the Medical Advisory Board by establishing a more practical composition of Board members.

The Department of Transportation testified in support of 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. 2403, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2403, H.D. 1.

Signed by all members of the Committee.

SCRep. 905-16 Finance on H.B. No. 2484

The purpose of this measure is to improve traffic safety in West Oahu by requiring the Department of Transportation to:

- (1) Conduct a traffic safety study on the roadway from Kunia Road to Wilikina Drive; and
- (2) Determine through the study whether it would be feasible to install an advance warning signal at Exit 5A on the H-1 Freeway.

This measure also requires the Department of Transportation to submit a report of its findings and recommendations to the Legislature.

One individual testified in support of this measure. The Department of Transportation 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 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. 2484, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2484, H.D. 1.

Signed by all members of the Committee.

SCRep. 906-16 Finance on H.B. No. 1736

The purpose of this measure is to honor the memory and legacy of Ellison Onizuka by renaming the Kona International Airport at Keahole to the Ellison Onizuka Kona International Airport at Keahole.

The Department of Transportation testified in support of 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. 1736, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1736, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 907-16 Finance on H.B. No. 2490

The purpose of this measure is to exempt certain disabled veterans from county vehicle taxes and the state annual vehicle registration fee, regardless of whether the disabled veteran is in receipt of military disability retirement pay from any branch of the uniformed armed forces.

An individual testified in support of this measure. The State Office of Veterans Services, Department of Transportation, 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 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 H.B. No. 2490, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2490, H.D. 2.

Signed by all members of the Committee except Representative Lowen.

SCRep. 908-16 Finance on H.B. No. 2755

The purpose of this measure is to address threats of security breaches and cyber-attacks on the Executive Branch's information and communications networks by requiring the Chief Information Officer to develop and maintain an incident response plan for each Executive Branch department.

The State Adjutant General and Director of the Hawaii Emergency Management Agency, and Chief Information Officer testified in support of 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 and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2755, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2755, H.D. 2.

Signed by all members of the Committee except Representative Lowen.

SCRep. 909-16 Finance on H.B. No. 1807

The purpose of this measure is to provide state and county officers and employees who are members of the National Guard or Reserve of the armed forces with paid military leave while on inactive-duty training.

The Department of Defense provided testimony in support of this measure. An individual 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 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. 1807, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1807, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 910-16 Finance on H.B. No. 1397

The purpose of this measure is to continue efforts to achieve the State's overall economic development strategy through the adjustment and expansion of funding mechanisms for community-based economic development initiatives. Among other things, this measure:

- (1) Establishes a new financing framework to assist qualified community development entities that leverage federal new markets tax credits in the provision of investment capital and securitization for low-income communities and individuals; and
- (2) Adjusts loan maximums and expands the financial products offered by the community-based economic development program to facilitate the capitalization of entities providing community development services and the monetization of existing project assets.

Lanai Community Health Center, Pana'ewa Hawaiian Home Lands Community Association, Pacific Growth Associates, and several individuals provided testimony in support of the measure. The Department of Taxation and Department of Business, Economic Development, and Tourism provided comments.

Your Committee has amended this measure by:

- (1) Changing the total maximum funding amount to an unspecified sum;
- (2) Changing the effective date to February 19, 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. 1397, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1397, H.D. 2.

Signed by all members of the Committee.

SCRep. 911-16 Finance on H.B. No. 2610

The purpose of this measure is to amend the qualifications for receipt of the motion picture, digital media, and film production income tax credit to require a production to:

- (1) Hire at least 60 percent of the production's talent and crew, with some exceptions, from the county in which the qualified production costs were incurred; and
- (2) Verify the county of residency of local hires in the sworn statement to the Department of Business, Economic Development, and Tourism for each taxable year in which qualified production costs are expended.

The Office of the Mayor of the County of Hawaii and several individuals testified in support of this measure. The Department of Taxation; Department of Business, Economic Development, and Tourism; Tax Foundation of Hawaii; SAG-AFTRA Hawaii Local; Brand Starks Photography, LLC; and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Changing the requirement that 60 percent of the production's talent and crew, with certain exceptions, be from the county in which the qualified production costs were incurred to an unspecified percentage;
- (2) Changing its 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. 2610, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2610, H.D. 2.

Signed by all members of the Committee except Representative Lowen.

SCRep. 912-16 Finance on H.B. No. 2053

The purpose of this measure is to establish a special innovative procurement process to:

- (1) 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; and
- (2) Be used only when the Chief Procurement Officer determines in writing that it is advantageous to procure new or unique requirements of the State, new technologies, public-private partnerships, or achieve best value.

The State Procurement Office, Department of Accounting and General Services, Department of Agriculture, Ulupono Initiative, Local Food Coalition, Chamber of Commerce of Hawaii, Hawaii Farm Bureau Federation, and Hawaii Green Growth testified in support of this measure. The American Council of Engineering Companies of Hawaii testified in opposition to this measure. The Department of Transportation, Painters 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 Carpet, Linoleum, and Soft Tile Local Union 1926 Market Recovery Trust Fund 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 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. 2053, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2053, H.D. 1.

Signed by all members of the Committee except Representative Lowen.

SCRep. 913-16 Finance on H.B. No. 2269

The purpose of this measure is to:

- (1) Expand the National Board Certification Incentive Program to include school psychologists to provide greater monetary incentives for this profession; and
- (2) Authorize continuing monetary bonuses for public school teachers, counselors, and school psychologists in designated high-need schools that improve and become no longer designated as a high-need school.

The Hawaii State Teachers Association; the Hawaii Association of School Psychologists; the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual testified in support of this measure. The Department of Education and one individual provided comments.

Your Committee has amended this measure by:

- (1) Changing the additional monetary bonus for teachers and school psychologists in designated high-need schools that improve and become no longer designated as such from \$5,000 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. 2269, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2269, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 914-16 Finance on H.B. No. 2266

The purpose of this measure is to ensure that the Executive Office on Early Learning (EOEL) has the necessary staffing and support to ensure a solid foundation for Hawaii's young children by appropriating funds for:

- (1) Travel for the Early Learning Advisory Board;
- (2) A secretary IV position for the EOEL; and
- (3) A data processing systems analyst VI position for the EOEL.

Kamehameha Schools, the State Early Learning Advisory Board, Hawaii Children's Action Network, the Chamber of Commerce Hawaii and one individual testified in support of this measure. EOEL provided comments.

Your Committee has amended this measure by:

- (1) Appropriating funds for a research statistician IV position for the EOEL instead of a data processing systems analyst VI position; 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. 2266, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2266, H.D. 2.

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

SCRep. 915-16 Finance on H.B. No. 539

The purpose of this measure is to support the University of Hawai'i (UH) in complying with the federal Title IX mandate for gender equity by:

- (1) Segregating funding for the UH-Manoa Athletics Department from the greater University budget by requiring that the UH-Manoa Athletics Department be a separate program ID in the state Executive Budget, requiring that scholarship funds paid by the Athletics Department be funneled through the Athletics Department's budget, and allocating all tuition paid by student-athletes to the Athletics Department's budget;
- (2) Prohibiting allocation of general funds to the UH-Manoa Athletics Department, except funds for Title IX compliance;
- (3) Requiring the UH-Manoa men's athletic teams to collectively be financially self-sufficient; and
- (4) Requiring UH to submit an annual report on the finances of the UH-Manoa Athletics Department.

The University of Hawai'i and a concerned individual provided comments.

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. 539, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 539, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 916-16 Finance on H.B. No. 1703

The purpose of this measure is to advance students' mental health treatment by appropriating funds to establish three full-time psychologist positions and one full-time case manager position at the University of Hawaii at Manoa.

The University of Hawaii at Manoa, Associated Students of the University of Hawaii, University of Hawaii Student Caucus, University of Hawaii at Manoa Graduate Student Organization, and many individuals provided testimony in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the number of psychologist and case manager hires to an unspecified number; 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. 1703, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1703, H.D. 2.

Signed by all members of the Committee except Representatives DeCoite and Tokioka.

SCRep. 917-16 Finance on H.B. No. 1111

The purpose of this measure is to:

- (1) Authorize the Hawaii Health Systems Corporation to set rates for copies of records that are protected from certain disclosure requirements; and
- (2) Establish minimum and maximum rates for copies of medical records.

The Hawaii Health Systems Corporation testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the minimum and maximum rates for copies of medical records 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. 1111, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1111, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 918-16 Finance on H.B. No. 1627

The purpose of this measure is to enhance the regulation and enforcement of professional licensing requirements and standards in professions and occupations involving medical issues and health care by:

- (1) Requiring the Department of Commerce and Consumer Affairs Regulated Industries Complaints Office to establish a division that specializes in the investigation of medical cases involving professions and occupations regulated by the Department of Commerce and Consumer Affairs; and
- (2) Appropriating funds for four full-time equivalent (4.0 FTE) field investigators and one full-time equivalent (1.0) staff attorney who specialize in medical cases within the Regulated Industries Complaints Office.

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

Your Committee has amended this measure by:

- (1) Making the number of field investigator and staff attorney positions funded by this measure an unspecified number;
- (2) Changing the means of financing for the positions funded by this measure from general funds to the Compliance Resolution Fund established under section 26-9(o), Hawaii Revised Statutes; 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. 1627, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1627, H.D. 3.

Signed by all members of the Committee except Representative Lowen.

SCRep. 919-16 Finance on H.B. No. 2121

The purpose of this measure is to appropriate funds to the Judiciary to purchase civil legal services for low- and moderate-income persons.

Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Hawaii Access to Justice Commission, the Family Law Section of the Hawaii State Bar Association, Hawaii Disability Rights Center, Catholic Charities Hawaii, and numerous individuals testified in support of this measure. The Judiciary and the Domestic Violence Action Center provided comments.

Your Committee has amended this measure by changing the appropriation from \$2,159,632 to an unspecified amount.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2121, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2121, H.D. 3.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 920-16 Finance on H.B. No. 2647

The purpose of this measure is to appropriate funds to the City and County of Honolulu to establish the Work for a Day Pilot Program to connect homeless individuals willing to work with job opportunities.

The Governor's Coordinator on Homelessness and the City and County of Honolulu Department of Community Services provided comments. A concerned individual opposed this measure.

Your Committee has amended this measure by:

- (1) Adopting the amendments provided by the City and County of Honolulu Department of Community Services, which include:
 - (A) Clarifying the City and County of Honolulu's (City) responsibilities regarding the analysis, administration, and implementation of the pilot program;
 - (B) Allowing the City to designate a service provider to carry out the purposes of the pilot program;
 - (C) Allowing the City to determine the organizations at which homeless individuals may be connected with work opportunities;
 - (D) Specifying that payment to the homeless individuals for work performed shall be paid from the pilot program's funds;
 - (E) Ensuring that homeless individuals who perform work under this pilot program are not considered employees of the State or City;
 - (F) Providing that if the City is unable to come up with a pilot program by a certain date, the remaining funds shall be transferred to the Governor's Coordinator on Homelessness;
 - (G) Indemnifying the State and City from liability arising out of the planning, administration, or implementation of the pilot program; and
 - (H) Requiring that the City submit reports to the Legislature on the progress of the pilot program;
- (2) Requiring that the State and City provide matching funds for the pilot program;
- (3) Changing the pilot program length to an unspecified number of years; and
- (4) Making technical nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2647, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2647, H.D. 2.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 921-16 Finance on H.B. No. 1516

The purpose of this measure is to clarify that the Internet Crimes Against Children fee shall be assessed against every defendant who is convicted of a misdemeanor or felony regardless of the nature of the offense, except when the court determines the defendant is unable to pay the fee, by moving the statute that established that fee and its corresponding special fund and administrative requirements from its own statutory chapter to a more appropriate placement within Chapter 706, Hawaii Revised Statutes, which relates to the disposition of convicted defendants.

The Department of the Attorney General testified in support of 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. 1516, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1516, H.D. 1.

Signed by all members of the Committee.

SCRep. 922-16 Finance on H.B. No. 2293

The purpose of this measure is to enable the Hawaii Housing Finance and Development Corporation to partner with state and county departments and agencies to develop mixed-use developments to ensure that affordable housing will be in close proximity to jobs, shops, and other services.

The Hawaii Housing Finance and Development Corporation, Office of Planning, Department of Business, Economic Development and Tourism, Building Industry Association of Hawaii, Land Use Research Foundation of Hawaii, Hawai'i Association of Realtors, and Chamber of Commerce Hawaii testified in support of 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. 2293, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2293, H.D. 1.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 923-16 Finance on H.B. No. 2305

The purpose of this measure is to provide assistance to state agencies, counties, and private developers with financing for infrastructure improvements by authorizing the Hawaii Housing Finance and Development Corporation, upon request by a county, to establish and operate regional state infrastructure subaccounts within the Dwelling Unit Revolving Fund, to be used for the benefit of housing and mixed-use transit-oriented development projects within the requesting county.

The Hawaii Housing Finance and Development Corporation, Office of Planning, Department of Business, Economic Development and Tourism, Department of Commerce and Consumer Affairs, Land Use Research Foundation of Hawaii, Hawai'i Association of Realtors, and Chamber of Commerce Hawaii testified in support of 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. 2305, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2305, H.D. 1.

Signed by all members of the Committee except Representative DeCoite.

SCRep. 924-16 Consumer Protection & Commerce on H.B. No. 2335

The purpose of this measure is to expedite the disciplinary process of the Hawaii Medical Board by authorizing the Hawaii Medical Board, upon receipt of evidence of license revocation or suspension or other disciplinary action against a Hawaii licensee by another state or federal agency, to issue an order imposing the same disciplinary action upon the licensee under certain conditions.

The Department of Commerce and Consumer Affairs, Hawaii Medical Board, Hawaii Medical Service Association, and Hawaii Medical Association testified in support of this measure.

Your Committee has amended this measure by:

- (1) Authorizing the Hawaii Medical Board to summarily suspend a licensee's license within forty-eight hours of receipt of evidence of revocation, suspension, or other disciplinary action against a licensee by another state or federal agency; 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. 2335, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2335, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Oshiro, Yamane and McDermott.

SCRep. 925-16 Consumer Protection & Commerce on H.B. No. 1751

The purpose of this measure is to expand the definition of "renewable energy" applicable to the Renewable Portfolio Standards Law to include other self-replenishing non-fossil fuel resources.

The Hawaii Solar Energy Association; HP Energy; Ulupono Initiative; Mele Associates, Inc.; Molokai Chamber of Commerce; and an individual testified in support of this measure. The Hawaii Energy Policy Forum testified in opposition to this measure. The Department of Business, Economic Development & Tourism and Public Utilities Commission provided comments on this measure.

Your Committee has amended this measure by amending the definition of "renewable energy" to limit it to the types of energy sources that are listed in the definition.

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. 1751, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1751, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Har, Nakashima, Oshiro, San Buenaventura and Yamane.

SCRep. 926-16 Consumer Protection & Commerce on H.B. No. 2169

The purpose of this measure is to clarify the supervision requirements for licensure of clinical social workers, including permitting the supervision requirements to be met through face-to-face supervision or via a Health Insurance Portability and Accountability Act-compliant videoconferencing service.

The National Association of Social Workers, Hawaii Chapter; Effective Change, LLC; and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs and an individual provided comments.

Your Committee has amended this measure by:

- (1) Deleting licensing requirements clarifying the supervision requirements for licensure of clinical social workers, including provisions permitting the supervision requirements to be met through face-to-face supervision or via a Health Insurance Portability and Accountability Act-compliant videoconferencing service;
- (2) Authorizing the adoption of rules by the Director of Commerce and Consumer Affairs to clarify the supervision requirements for licensure of clinical social workers, including the criteria for supervision by videoconferencing or other electronic means; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that while there was testimony supporting videoconferencing as a means to meet supervision requirements, there were concerns that the change to allow supervision by videoconferencing may affect the mobility of Hawaii licensed clinical social workers and may preclude them from getting licenses in other jurisdictions. However, there may be jurisdictions that allow videoconferencing supervision, therefore, your Committee amended this measure to give the Director of Commerce and Consumer Affairs rulemaking authority to set forth, clarify, and describe acceptable requirements that outline parameters, limitations, or prohibitions for supervision requirements for licensure of clinical social workers.

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. 2169, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2169, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 927-16 Consumer Protection & Commerce on H.B. No. 1733

The purpose of this measure is to amend the requirements for renewing commercial permits for small boat harbors by:

- (1) Authorizing commercial permit holders for small boat harbors to submit permit renewal applications at least 60 days before the expiration of the permit and be informed of any reasons for a nonrenewal prior to the expiration of the commercial permit; and
- (2) Providing a 30-day grace period for persons who fail to timely file a commercial permit renewal application.

The Ocean Tourism Coalition, Maui Dive Shop, Atlantis Adventures Hawaii, Quicksilver Charters, Lahaina Divers, Inc., and an individual testified in support of this measure. The Department of Land and Natural Resources and Activities & Attractions Associations of Hawaii testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Allowing commercial permit holders for small boat harbors to submit renewal applications at least 90 days before the expiration of the permit;
- (2) Removing the provision allowing the Department of Land and Natural Resources to reject a renewal of a commercial permit for reasons other than an incomplete application;
- (3) Removing the provision that requires the applicant to provide additional information to complete the application within 30 days of being notified that the application is incomplete; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1733, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1733, H.D. 2.

Signed by all members of the Committee except Representative Yamane.

SCRep. 928-16 Consumer Protection & Commerce on H.B. No. 2636

The purpose of this measure is to allow a county with a resident population greater than 170,000 but fewer than 500,000 to require a special permit approval process for solar energy facilities with a capacity of more than 25 kilowatts.

Numerous individuals testified in support of this measure. The Office of Planning and an individual testified in opposition to this measure. The Department of Agriculture, Land Use Commission, and an individual provided comments on this measure.

Your Committee has amended this measure by requiring, rather than allowing, a county with a resident population greater than 170,000 but fewer than 500,000 to require a special permit approval process for solar energy facilities with a capacity of more than 25 kilowatts.

Your Committee notes that the term "solar energy production" is not defined in the measure. However, this term refers to energy production generated by the sun.

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. 2636, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2636, H.D. 2.

Signed by all members of the Committee except Representative Yamane.

SCRep. 929-16 Judiciary 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 reinspection 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 Hawaii Automobile Dealers' Association testified in support of this measure. One concerned individual testified in opposition. The Department of Transportation provided comments.

Your Committee has amended this measure by:

- (1) Deleting the repeal of the provision that enabled motor vehicle owners to replace lost, stolen, or destroyed inspection stickers without a reinspection of the motor vehicle; and
- (2) Making technical, nonsubstantive amendments for clarity, style, 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. 970, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 970, H.D. 1.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 930-16 Judiciary on H.B. No. 1731

The purpose of this measure is to prohibit the installation or use of household aerobic units that discharge directly to groundwater unless approved by the Department of Health.

The Department of Health supported this measure and provided comments.

Your Committee has amended this measure by removing the proposed criminal penalty for violating this measure, as the violations are already enforceable under sections 342D-9 and 342D-30 to 342D-35, Hawaii Revised Statutes.

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. 1731, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1731, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 931-16 Judiciary on H.B. No. 1739

The purpose of this measure is to prohibit employers from requiring, requesting, or coercing employees and potential employees to provide access to account usernames and passwords for personal social media accounts, except where such information is:

- (1) Publicly available;
- (2) Required to comply with other applicable laws;
- (3) Necessary to access an account or service provided by or through the employee's relationship with the employer; or
- (4) Necessary for investigations of misconduct related to discriminatory employment practices, fair employment requirements, or an unauthorized transfer of confidential information to the employee's personal account.

Hawaii Civil Rights Commission, LGBT Caucus of the Democratic Party of Hawaii, High Technology Development Corporation, American Civil Liberties Union of Hawaii and a concerned individual testified in support of the measure. The American Council of Life Insurers testified in opposition. Facebook; State Privacy and Security Coalition, Inc.; Chamber of Commerce Hawaii; and Hawaiian Electric Company provided comments.

Your Committee notes that amendments made to this measure help to clarify employer liability regarding the disclosure of personal account information inadvertently captured in the course of the employer's network security plan. Specifically, your Committee recognizes that network security plans often involve consultants and other third parties, which may act as agents, or persons authorized by the employer to act, in the establishment, monitoring, or audit of an employer's security network. The intent of this Committee, in the adoption of amendments addressing the allowable use and disclosure of such personal account information by third parties, is to establish a balance between granting employers flexibility in their network security plans, while also providing adequate privacy protections for employees.

Your Committee has amended this measure by:

- (1) Specifying that an employer may request an employee to divulge personal social media reasonably believed to be relevant to investigations of:
 - (A) Employee misconduct; or
 - (B) Violations of applicable laws and regulations;
- (2) Clarifying the allowable technology and security practices, including restrictions on the disclosure of protected information to or use of information by third parties, that may be utilized by an employer regarding the inadvertent capture of personal account information;
- (3) Removing provisions requiring an employer to delete inadvertently captured personal account data as soon as reasonably practicable; 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 H.B. No. 1739, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1739, H.D. 2.

Signed by all members of the Committee except Representatives Morikawa and Nakashima.

SCRep. 932-16 Judiciary on H.B. No. 1753

The purpose of this measure is to increase public safety by, among other things:

- (1) Requiring the Director of Finance to issue moped number plates and specifying penalties for the fraudulent use of moped number plates;
- (2) Prohibiting the use on public roadways of a moped that is not in good working order;
- (3) Extending certain police powers dealing with vehicle inspections to include mopeds; and
- (4) Requiring the annual registration of mopeds.

Four concerned individuals supported this measure. Two concerned individuals opposed this measure. The Department of Transportation; Moped Noise Mitigation Working Group; Moped Doctors, LLC; and several concerned individuals offered comments.

Mopeds provide a cheaper alternative mode of transportation to driving a motor vehicle, and moped use continues to grow in popularity. According to the City and County of Honolulu, the number of registered mopeds in Honolulu increased every year between 2006 and 2012. With the increase in the use of mopeds, traffic safety concerns grow regarding these types of vehicles.

Your Committee finds that public safety on Hawaii's roadways is paramount and that requiring safety inspections for mopeds increases roadway safety. However, your Committee also finds that the annual registration of mopeds would help to determine if mopeds are being inspected on an annual basis and thus also increase the safety of Hawaii's roadways.

Your Committee has amended this measure by changing its effective date to March 15, 2037, to promote 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. 1753, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1753, H.D. 3.

Signed by all members of the Committee except Representative Nakashima.
(Representative McDermott voted no.)

SCRep. 933-16 Judiciary on H.B. No. 2422

The purpose of this measure is to amend the laws relating to intoxicating liquor licensing to simplify procedures for corporate licensees and applicants for licenses without impeding or decreasing the quality of the county liquor commissions' oversight.

More specifically, this measure:

- (1) Provides that licensees and applicants for licenses that are publicly-traded companies, or entities ultimately solely owned by a publicly-traded company, are required to provide identifying information regarding only those officers designated as primary decisionmakers regarding the purchase and sale of liquor; and
- (2) Clarifies that the requirement of prior approval from a county liquor commission regarding a change in ownership of at least twenty-five percent of a corporation's outstanding capital stock applies only to voting stock.

The Hawaii Food Industry Association, Kona Brewing Company, and a concerned individual testified in support of this measure. The County of Hawaii Department of Liquor Control, County of Kauai Department of Liquor Control, and the City and County of Honolulu Department of Liquor Control provided comments.

Your Committee has amended this measure by allowing the applicant for a liquor license or renewal, or both the transferor and transferee in the case of a liquor license transfer, to present a tax clearance certificate from the Department of Taxation and the Internal Revenue Service evidencing that the applicant, transferor, and transferee do not owe the State or federal government any delinquent taxes, penalties, or interest.

Allowing county liquor commissions to accept an alternative compliance certificate would assure the commissions that the parties meet the tax clearance requirement, while making for a more efficient license renewal process for all licensees, particularly for Neighbor Island licensees who do not have access to a local tax office.

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. 2422, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2422, H.D. 1.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 934-16 Judiciary on H.B. No. 1585

The purpose of this measure is to amend the law relating to guardianships of incapacitated adults by prohibiting guardians of a ward from restricting the personal communication rights of the ward, including the right to receive visitors, telephone calls, and personal mail, unless it is deemed to pose a risk to the safety and well-being of the ward by the guardian.

The Catherine Falk Organization and a concerned individual supported this measure. The Judiciary provided comments.

Your Committee has amended this measure by clarifying that the guardian of a ward is allowed discretion to restrict the personal communication rights of the ward if the personal communication poses a risk to the safety or well-being of the ward.

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. 1585, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1585, H.D. 2.

Signed by all members of the Committee except Representatives Morikawa and Nakashima.

SCRep. 935-16 Judiciary on H.B. No. 1756

The purpose of this measure is to protect public safety by ensuring that licensed nurses are safe to practice and care for patients. Specifically, this measure:

- (1) Requires the Board of Nursing to conduct an investigation of the applicant's background, character, competency, and integrity, and request criminal history records of nurse applicants and licensees;
- (2) Authorizes the Board of Nursing to develop and adopt rules to implement the required criminal history record checks; and
- (3) Requires all applicants for licensing, license renewal, license reinstatement, and license restoration to comply with state and federal criminal history record checks.

The University of Hawaii at Manoa School of Nursing and Dental Hygiene, Hawaii Pacific Health, Hawaii State Center for Nursing, Bradley Kuo, LLC, Prime Care Services Hawaii, Inc., and several concerned individuals testified in support of the measure. The Board of Nursing provided comments.

Your Committee notes that of the fifty-five boards of nursing in the nation, currently Hawaii is one of only twelve states that do not conduct federal and state criminal history background checks. The Board of Nursing and employers need the criminal history information to protect the public's safety by ensuring that a nurse is safe and unlikely to harm patients.

Your Committee has amended this measure by:

- (1) Deleting the provision relating to criminal history record checks from each jurisdiction in which the applicant lived for any substantial period of time. The deleted provision duplicates the information that is already provided by the Hawaii and national criminal history record checks that are conducted by the Hawaii Criminal Justice Data Center;
- (2) Specifying that fingerprints shall be electronic fingerprints; and
- (3) Clarifying that criminal history record checks shall also be required for applicants for the reactivation or restoration of a nursing license.

It is the intent of your Committee that this measure should require the Board of Nursing to conduct criminal history background checks and the applicant to submit electronic fingerprints at each phase of the licensing process: nurse license issuance, renewal, restoration, and reactivation. If this measure should receive further consideration during the legislative process, your Committee respectfully requests that this intent be realized.

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. 1756, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1756, H.D. 3.

Signed by all members of the Committee except Representative Woodson.

SCRep. 936-16 Judiciary on H.B. No. 1578

The purpose of this measure is to prevent the theft of cremation urns by:

- (1) Establishing the offense of theft of an urn as a class C felony; and
- (2) Requiring scrap dealers and persons who sell to scrap dealers to follow the same regulations and provide the same receipts, declarations, and verifications for the purchase of an urn that are required for the purchase of copper or a beer keg.

A Council Member of the Hawai'i County Council and three concerned individuals testified in support of the measure.

Your Committee has amended this measure by:

- (1) Clarifying the elements of the offense of theft of an urn to include any of the acts enumerated in section 708-830, Hawaii Revised Statutes;
- (2) Inserting the effective date of March 15, 2037, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1578, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1578, H.D. 2.

Signed by all members of the Committee except Representatives Morikawa and Nakashima.

SCRep. 937-16 Judiciary on H.B. No. 1705

The purpose of this measure is to allow proof of motor vehicle insurance to be displayed in electronic format on a mobile electronic device.

The Hawaii Insurers Council, Property Casualty Insurers Association of America, and USAA testified in support of this measure. The Department of Commerce and Consumer Affairs and State Farm Mutual Automobile Insurance Company commented 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. 1705 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 938-16 Judiciary on H.B. No. 1713

The purpose of this measure is to:

- (1) Permit state government employees to engage in extracurricular service and receive detached remuneration for the performance of the extracurricular service if certain conditions are met; and
- (2) Repeal section 84-1, Hawaii Revised Statutes, relating to the statutory construction of the State Ethics Code.

The Department of Education, Hawaii State Teachers Association, IMUAlliance, and one concerned individual testified in support of the measure. The Hawaii State Ethics Commission, Common Cause Hawaii, The League of Women Voters of Hawaii, Ho'omana Pono, and several concerned individuals testified in opposition.

Your Committee has amended this measure by:

- (1) Deleting the repeal of section 84-1, Hawaii Revised Statutes, relating to the statutory construction of the State Ethics Code;
- (2) Exempting certain Department of Education and Public Charter School employees from the State Ethics Code relating to gifts, gift reporting, and conflicts of interest when the employees are engaged in a non-publicly funded student educational trip;
- (3) Requiring the Department of Education and State Public Charter School Commission to review any existing policy, procedure, or rule previously adopted for consistency and compliance within 90 days of the measure's effective date;
- (4) Changing its effective date to March 15, 2037, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1713, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1713, H.D. 2.

Signed by all members of the Committee except Representatives Morikawa and Nakashima.

SCRep. 939-16 Judiciary on H.B. No. 2344

The purpose of this measure is to clarify the Department of Human Services' (Department) statutory duty to seek an order for immediate protection where the Department believes that an incident of actual or probable abuse of a vulnerable adult has occurred or will occur. Specifically, this measure specifies that the Department may exercise its discretion in determining whether the provision of an order for immediate protection is necessary.

The Department supported this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to upon its approval; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2344, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2344, H.D. 2.

Signed by all members of the Committee.

SCRep. 940-16 Consumer Protection & Commerce on H.B. No. 2081

The purpose of this measure is to establish a simplified regulatory process for public agencies to use that allows the agencies to propose public purpose projects for the Public Utilities Commission's approval and that directs public utilities to procure electricity or fuel from the approved project at a rate authorized by the commission.

Your Committee received testimony in opposition to this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Hawaiian Electric Company and its subsidiary utilities Maui Electric Company and Hawaii Electric Light Company, and the Hawaii Energy Policy Forum. Comments were received from the Public Utilities Commission.

Your Committee finds that this measure will allow the State and counties to develop public purpose projects that involve a public utility's participation in the procurement of electricity or fuel without the prior approval of the affected public utility.

Your Committee has amended this measure by changing the effective date 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. 2081, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2081, H.D. 2.

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

SCRep. 941-16 Consumer Protection & Commerce on H.B. No. 2077

The purpose of this measure is to:

- (1) Authorize construction of small hydropower facilities as defined by the United States Department of Energy in a manner that combines clean energy infrastructure and irrigation for agricultural lands;
- (2) Require the approval of the Commission on Water Resource Management if the hydroelectric generating capacity of a hydroelectric facility is over 500 kilowatts; and
- (3) Clarify that hydroelectric facilities shall not be required to be an accessory to agricultural land for agricultural use only.

The Department of Land and Natural Resources, Blue Planet Foundation, Ulupono Initiative, and Hawaii Farm Bureau Federation testified in support of this measure. The Department of Agriculture and Department of the Attorney General provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the hydroelectric facility shall only wheel to non-contiguous sites that have bona fide agricultural activities;
- (2) Changing the effective date to July 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. 2077, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2077, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 942-16 Consumer Protection & Commerce on H.B. No. 2567

The purpose of this measure, as received by your Committee, is to establish consistency in the review of utility mergers by establishing "substantial net benefit" as the Public Utilities Commission's standard of review for a transfer or assignment of a public utility franchise.

For purposes of a public hearing on this measure, your Committee circulated a Proposed H.B. No. 2567, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. The Proposed Draft amended this measure as follows:

- (1) Retained the substance of the original measure;
- (2) Added specific criteria that the Public Utilities Commission must consider in determining whether there is a substantial net benefit for a transfer or assignment of a public utility franchise;
- (3) Changed the effective date to January 1, 2017; and
- (4) Made a technical, nonsubstantive amendment to correct a reference to the Public Utilities Commission.

Your Committee received testimony from the following organizations and individuals:

For H.B. No. 2567:

Reis Pediatrics and numerous individuals testified in support. Aqua Engineers, Inc. testified in opposition.

For the Proposed Draft:

The Division of Consumer Advocacy testified in support of the intent of the Proposed Draft. Hawaii Water Service Company, Inc. testified in opposition. The Public Utilities Commission and Hawaiian Telcom provided comments.

After consideration of the merits of this measure, as received by your Committee, and the Proposed Draft, your Committee has adopted the Proposed Draft with the following amendments:

- (1) Clarified that the Public Utilities Commission must apply the substantial net benefit standard when considering the transfer or assignment of an electric utility;
- (2) Specified that the criteria used to determine whether there is a substantial net benefit is discretionary, rather than mandatory;
- (3) Clarified that one of the discretionary criteria used to determine whether there is a substantial net benefit is whether the proposed transaction will impact the ability of the public utility company's employees to provide safe, adequate, and reliable service; and
- (4) Made 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. 2567, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2567, H.D. 1.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 943-16 Consumer Protection & Commerce on H.B. No. 1730

The purpose of this measure is to require electric utilities that use a time-of-use feature in their rate structure to include a credit to the eligible customer-generator for any net electricity produced during peak hours of usage.

A few individuals supported this measure. The Blue Planet Foundation and Hawaii Solar Energy Association supported this measure with amendments. Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company, and Land Use Research Foundation testified in opposition to this measure. The Department of Commerce and Consumer Affairs and Hawaii Energy Policy Forum 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1730, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1730, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Creagan, Har, Nakashima, Oshiro, San Buenaventura and Yamane.

SCRep. 944-16 Finance on H.B. No. 2657

The purpose of this measure is to financially assist farmers and ranchers on Molokai with the costs of complying with federal and state food safety laws by, among other things:

- (1) Expanding the Maui County Revolving Loan Program to include the provision of financial assistance to qualified applicants for costs incurred in complying with the FDA Food Safety Modernization Act and state food safety laws; and
- (2) Appropriating funds for the Maui Office of Economic Development to review and approve cost reimbursement applications.

A Councilmember of the Maui County Council; Hawaii Farm Bureau; and one concerned individual supported this measure. The Department of Agriculture provided comments.

Your Committee has amended this measure by:

- (1) Establishing a cost reimbursement program instead of a revolving loan program;
- (2) Specifying that no cost reimbursement shall be allowed for costs that were incurred more than five years prior to the time the application for cost reimbursement is received by the County of Maui;
- (3) Removing the provision that allowed for payments, interest, and fees collected to be deposited into a revolving fund;
- (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 H.B. No. 2657, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2657, H.D. 2.

Signed by all members of the Committee.

SCRep. 945-16 Finance on H.B. No. 1096

The purpose of this measure is to clarify mortgage loan originator company hours of operation requirements by specifying that mortgage loan originator's posted hours of operation shall, at minimum, include regular business hours.

The Department of Commerce and Consumer Affairs, Division of Financial Institutions Hawaii Association of Mortgage Professionals, and Hawaii Association of Mortgage Brokers provided testimony in support.

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. 1096, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1096, H.D. 2.

Signed by all members of the Committee.

SCRep. 946-16 Finance on H.B. No. 2544

The purpose of this measure is to:

- (1) Require the State Procurement Office, in conjunction with the Department of Accounting and General Services, to conduct a comprehensive analysis and review of the Hawaii Public Procurement Code (Procurement Code), especially as it relates to the awarding of construction contracts, and to report its findings and recommendations to the Legislature; and
- (2) Appropriate funds for the comprehensive review and analysis.

The Department of Transportation, General Contractors Association of Hawaii, and Chamber of Commerce Hawaii provided testimony in support of the measure. The State Procurement Office and Subcontractors Association of Hawaii provided comments.

Your Committee has amended this measure by further focusing and streamlining the scope of the State Procurement Office's analysis and review of the Procurement Code by:

- (1) Specifying that the analysis and review of the Procurement Code:
 - (A) Only pertain to construction contracts; and
 - (B) Include a review of federal procurement laws, particularly Federal Acquisition Regulation Chapter 36; and

- (2) Addressing issues and concerns raised by a report submitted to the Legislature on April 14, 2015, by a Task Force established pursuant to Senate Concurrent Resolution No. 92, Senate Draft 2, Regular Session of 2013, which was also aimed at improving the economy, efficiency, and effectiveness of the Procurement Code.

Your Committee has also amended this measure by:

- (1) Extending the deadline for the State Procurement Office's final report by an additional year; 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. 2544, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2544, H.D. 2.

Signed by all members of the Committee.

SCRep. 947-16 Finance on H.B. No. 1669

The purpose of this measure is to:

- (1) Allow peer reviews to be conducted by individuals licensed to practice public accountancy in any state;
- (2) Extend the deadline for the filing of peer review compliance reporting forms and the appeal of certain peer review ratings from ten days to thirty calendar days;
- (3) Allow members of the Public Accountancy Peer Review Oversight Committee (Committee) to be reimbursed for expenses;
- (4) Protect the members of the Committee from civil liability for actions done in furtherance of the purposes of the Committee; and
- (5) Define the term "Hawaii attest work".

The Board of Public Accountancy 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. 1669, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1669, H.D. 2.

Signed by all members of the Committee.

SCRep. 948-16 Finance on H.B. No. 2088

The purpose of this measure is to provide stability and economic incentive predictability for Hawaii's film industry by extending the Motion Picture, Digital Media, and Film Production Income Tax Credit for an additional five years.

The Department of Business, Economic Development, and Tourism; SAG-AFTRA Hawaii Local, I.A.T.S.E. Local 665; American Federation of Musicians' Local 677; Hawaii Teamsters & Allied Workers Local 996; NBC Universal Media, LLC; CBS Corporation; and a concerned individual supported this measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the sunset date of the Motion Picture, Digital Media, and Film Production Income Tax Credit to an unspecified year;
- (2) Changing its 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. 2088, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2088, H.D. 1.

Signed by all members of the Committee except Representative Lowen.

SCRep. 949-16 Finance on H.B. No. 2289

The purpose of this measure is to continue efforts to achieve the State's overall economic development strategy by assisting community-based economic development initiatives. Specifically, this measure:

- (1) Amends the definition of "community-based organization" to delete the requirement that the organization be membership based;
- (2) Reduces the number of Community-based Economic Development Advisory Council members from twelve to nine;
- (3) Amends the qualifications for community-based economic development grants to include technical assistance to community-based organizations;
- (4) Updates non-discrimination language applicable to a grant applicant; and
- (5) Appropriates funds to the Hawaii Community-based Economic Development Revolving Fund.

The Department of Business, Economic Development, and Tourism provided testimony in support of the measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount 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. 2289, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2289, H.D. 2.

Signed by all members of the Committee.

SCRep. 950-16 Finance on H.B. No. 2486

The purpose of this measure is to stimulate economic development and job growth on the western end of the Island of Oahu by establishing the Kapolei Jobs Initiative Program that offers an income tax credit as a tax incentive to increase the number of businesses willing to establish or relocate themselves in the Kapolei region.

The Land Use Research Foundation of Hawaii; Pat Lee & Associates, LLC; Hawaii Laborers-Employers Cooperation and Education Trust; Pacific Resource Partnership; James Campbell Company LLC; Palehua Townhouse Association; and numerous individuals testified in support of this measure. The Department of Taxation; Department of Labor and Industrial Relations; Department of Business, Economic Development, and Tourism; Tax Foundation of Hawaii; Hawaii Operating Engineers Industry Stabilization Fund; Chamber of Commerce Hawaii; Avalon Group; Chuck E. Cheese's Pizza; Kapolei Chamber of Commerce; Hawaii Carpenters Apprenticeship and Training Fund; and four individuals provided comments.

Your Committee has amended this measure by:

- (1) Changing various percentages to unspecified amounts;
- (2) Changing its effective date to February 19, 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. 2486, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2486, H.D. 3.

Signed by all members of the Committee.

SCRep. 951-16 Finance on H.B. No. 2727

The purpose of this measure is to require a public accommodation that owns, leases, leases to, or operates a motion picture theater in more than two locations in the State to provide open movie captioning showings at least twice a week and audio description upon request for motion pictures that are offered in such formats and to provide public notice of movies for which such formats are not available.

The State Council on Developmental Disabilities, Disability and Communication Access Board, Aloha State Association of the Deaf, and several individuals provided testimony in support of the 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. 2727, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2727, H.D. 1.

Signed by all members of the Committee.

SCRep. 952-16 Finance on H.B. No. 2607

The purpose of this measure is to support the development of renewable and efficient energy systems in the State by authorizing the issuance of Special Purpose Revenue Bonds for PQ Energy LLC to develop renewable energy plants in Hawaii.

PQ Energy LLC provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2607, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 953-16 Finance on H.B. No. 2076

The purpose of this measure is to increase competition within Hawaii's electrical markets, expand customer choice, provide incentives for the production of renewable energy, and diversify Hawaii's energy base by requiring the Public Utilities Commission to establish policies and rules implementing retail wheeling to enable independent power producers to sell electricity directly to end users.

Blue Planet Foundation provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2076, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 954-16 Finance on H.B. No. 2251

The purpose of this measure is to require the Department of Health to:

- (1) Assess the viability of the glass advance disposal fee program and report findings and recommendations to the Legislature; and
- (2) Report to the Legislature on the Department of Health's progress in adopting the recommendations contained in Auditor's Report No. 14-17 entitled *A Study to Identify Local Alternatives to Shipping Non-Deposit Glass Out of the State of Hawaii*.

The City and County of Honolulu Department of Environmental Services, Wine Institute, and Hawaii Liquor Wholesalers Association provided testimony in support of the measure. The Acting State Auditor, Department of Health, and Sierra Club 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 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. 2251, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2251, H.D. 2.

Signed by all members of the Committee.

SCRep. 955-16 Finance on H.B. No. 2558

The purpose of this measure is to require state officials and agencies to participate in a carbon offset program, created by the Department of Land and Natural Resources, to offset carbon emissions caused by employees of the agency when they conduct air travel for official duties.

The Foundation for Island of Harmony provided testimony in support of the measure. The Department of Land and Natural Resources provided comments.

Your Committee made amendments 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. 2558, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2558, H.D. 1.

Signed by all members of the Committee.

SCRep. 956-16 Finance on H.B. No. 2240

The purpose of this measure is to create a University of Hawaii Green Special Fund to collect and expend revenues that will harness savings, realized from energy efficiency investments and other sources, for reinvestment in additional measures to reduce energy consumption and operating costs, for the purpose of achieving the University of Hawaii's net-zero energy goal.

The University of Hawaii provided testimony in support of the measure.

Your Committee has amended this measure by:

- (1) Changing the amount that requires legislative approval for any fund expenditure to an unspecified sum; 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. 2240, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2240, H.D. 2.

Signed by all members of the Committee.

SCRep. 957-16 Finance on H.B. No. 1613

The purpose of this measure is to expand access to higher education for the people of Hawaii by:

- (1) Requiring the University of Hawaii Board of Regents to waive the community college tuition of Hawaii residents who meet certain criteria; and
- (2) Implementing the community college tuition waiver through a pilot program in any county with a population of less than 100,000 beginning in the fall of 2017.

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. 1613, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 958-16 Finance on H.B. No. 1689

The purpose of this measure is to change the existing ethanol facility tax credit to a renewable fuels facility tax credit, to permit the application of the credit to facilities that produce other renewable fuels.

Blue Planet Foundation, Hawaii Renewable Energy Alliance, and Renewable Energy Action Coalition of Hawaii testified in support of this measure. The Department of Taxation, Department of Business, Economic Development, and Tourism, and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by changing its 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 H.B. No. 1689, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1689, H.D. 2.

Signed by all members of the Committee.

SCRep. 959-16 Finance on H.B. No. 2042

The purpose of this measure is to encourage water conservation by creating a refundable residential water conservation system cost tax credit for newly constructed systems beginning January 1, 2017.

The Hawaii Community Foundation provided testimony in support of the measure. The Department of Taxation and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the tax credit percentage to an unspecified amount;

- (2) Changing credit cap and aggregate credit to unspecified amounts;
- (3) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (4) Making technical nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2042, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2042, H.D. 2.

Signed by all members of the Committee.

SCRep. 960-16 Finance on H.B. No. 2570

The purpose of this measure is to encourage and facilitate the development of electrical power microgrids in the State. Specifically, the measure promotes the development of microgrids by:

- (1) Prohibiting counties from requiring buildings that are served by a microgrid to be connected to an otherwise available source of electrical power; and
- (2) Exempting certain microgrids from being regulated as a public utility.

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. 2570, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2570, H.D. 2.

Signed by all members of the Committee.

SCRep. 961-16 Finance on H.B. No. 1874

The purpose of this measure is to appropriate funds to establish a rapid response emergency medical services unit to include personnel, equipment, and operational expenses for a 24-hour, seven-days-a-week, rapid response emergency medical services unit for the County of Kauai.

Hawaii Pacific Health, Wilcox Memorial Hospital, and American Medical Response provided testimony in support of the measure. The 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 H.B. No. 1874, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 962-16 Finance on H.B. No. 2717

The purpose of this measure is to require the Director of Human Services to adopt rules that apply annual cost of living increases to the income and asset thresholds for Medicaid eligibility.

The Department of Human Services 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 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. 2717, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2717, H.D. 1.

Signed by all members of the Committee.

SCRep. 963-16 Finance on H.B. No. 2188

The purpose of this measure is to authorize Hawaii Correctional Industries to sell goods and services to the general public, which will substantially improve its ability to be financially self-supporting and increase work training opportunities for inmates at no additional cost to the State.

The Department of Public Safety, United Public Workers, AFSCME, Local 646, and AFL-CIO, and Community Alliance on Prisons provided testimony in support of the 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. 2188, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2188, H.D. 2.

Signed by all members of the Committee.

SCRep. 964-16 Finance on H.B. No. 1228

The purpose of this measure is to require the Department of Education to provide a \$2,500 monetary bonus to each teacher that meets all of the requirements to add the "teacher leader" field to their existing standard or advanced teacher license.

The Department of Education and Hawaii State Teachers Association provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the bonus amount from \$2,500 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. 1228, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1228, H.D. 2.

Signed by all members of the Committee.

SCRep. 965-16 Finance on H.B. No. 2313

The purpose of this measure is to preserve the use and control by the Employees' Retirement System of unclaimed member benefits and contributions that would otherwise be paid to the State's Unclaimed Property Program or escheated to other states.

The Board of Trustees of the Employees' Retirement System and an individual provided testimony in support of the 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. 2313, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2313, H.D. 1.

Signed by all members of the Committee.

SCRep. 966-16 Finance on H.B. No. 2353

The purpose of this measure is to:

- (1) Restore the second Deputy Director position at the Department of Human Services and exempt this position from civil service; and
- (2) Designate various positions in the Department of Human Services, the Department of Public Safety, Department of Health, Department of Labor and Industrial Relations, and Department of Business, Economic Development, and Tourism, as temporarily exempt from civil service for one year.

The Department of Human Services and Department of Business, Economic Development, and Tourism provided testimony in support of the measure. The Department of Health, Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and an individual 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 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. 2353, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2353, H.D. 2.

Signed by all members of the Committee.

SCRep. 967-16 Finance on H.B. No. 2715

The purpose of this measure is to overhaul employee health and safety insurance protections in the State by:

- (1) Repealing statutes that establish and authorize the operation of the Hawaii Employers' Mutual Insurance Company;
- (2) Establishing the State Workers' Compensation Insurance Company, a public body corporate, attached to the Department of Labor and Industrial Relations, to provide workers' compensation insurance to employers across the State;
- (3) Requiring employers to self-insure or obtain workers' compensation coverage through the State Workers' Compensation Insurance Company; and
- (4) Requiring the Department of Labor and Industrial Relations to develop, report to the Legislature on, and implement a transition and implementation plan for the repeal of the Hawaii Employers' Mutual Insurance Company and establishment of the State Workers' Compensation Insurance Company.

Hawaii Insurers Council; The Chamber of Commerce Hawaii; Property Casualty Insurers Association of America; General Contractors Association of Hawaii; ILWU Local 142; and a concerned individual opposed this measure. The Department of Labor and Industrial Relations and Department of Commerce and Consumer Affairs provided comments.

Your Committee finds that although workers' compensation premiums in Hawaii have dropped significantly since the reforms in the mid-1990s and are now ranked 27 from the top nationwide, legislation is introduced every year alleging unfair treatment of injured workers, including through slow processes. In 2015, the Legislature adopted House Concurrent Resolution No. 168, H.D. 2, S.D. 1, which required the Department of Labor and Industrial Relations to streamline the state's workers' compensation process, of which results will be reported to the 2017 Legislature. Despite this action, your Committee believes a closed claims study is warranted to objectively review whether specific law changes are necessary. The last closed claims study done in Hawaii on workers' compensation was in 1993 by Tillinghast. Therefore, your Committee has amended this measure by:

- (1) Removing provisions that:
 - (A) Repealed statutes establishing and authorizing operations of the Hawaii Employers' Mutual Insurance Company;
 - (B) Established the State Workers' Compensation Insurance Company;
 - (C) Required employers to self-insure or obtain workers' compensation coverage through the State Workers' Compensation Insurance Company; and
 - (D) Required the Department of Labor and Industrial Relations to undertake transition planning and submit a report to the Legislature;
- (2) Inserting new language which requires the Department of Labor and Industrial Relations to contract with an actuarial firm that has experience conducting workers' compensation closed claims studies in the United States to perform a comprehensive review of workers' compensation in the State;
- (3) Requiring the study to be completed at an undefined time and submitted to the Legislature after completion; and
- (4) Appropriating funds, with matching funds through an assessment on workers' compensation insurers, captive insurers, and employers that self-insure to the Department of Labor and Industrial Relations to contract a firm to complete the comprehensive study.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2715, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2715, H.D. 2.

Signed by all members of the Committee except Representative Lowen.
(Representative Ward voted no.)

SCRep. 968-16 Finance on H.B. No. 2277

The purpose of this measure is to assist the King Kamehameha Celebration Commission (Commission) in its duties by:

- (1) Amending the purpose and mission of the Commission to include support for other events to commemorate King Kamehameha I;
- (2) Amending the membership and the appointment process for Commission members;
- (3) Authorizing the appointment of an advisory committee to advise the Commission Chairperson on the historical and archival background of the Commission; and
- (4) Authorizing the appointment of an Executive Director to the Commission.

The Department of Accounting and General Services; The Royal Order of Kamehameha, Chapter One; 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. 2277, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 969-16 Finance on H.B. No. 2408

The purpose of this measure to facilitate the efficient use of public lands under the jurisdiction of the Department of Transportation by:

- (1) Allowing the Board of Land and Natural Resources to delegate the authority to approve revocable permits for the use of public lands under the jurisdiction of the Department of Transportation to the Director of Transportation; and
- (2) Exempting the revocable permits issued by the Department of Transportation from Board of Land and Natural Resources approval requirements as well as public auction and public advertisement for sealed tender requirements.

The Department of Transportation provided testimony in support of the 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. 2408, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 970-16 Finance on H.B. No. 2407

The purpose of this measure is to authorize the Department of Transportation to negotiate the disposition of lands under its control and jurisdiction without the approval of the Board of Land and Natural Resources and subject to certain conditions, when the disposition encourages competition within the aeronautical, airport-related, maritime, and maritime-related operations.

The Department of Transportation testified in support of this measure. Ka Lāhui Hawai'i Political Action Committee opposed this measure. 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. 2407, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 971-16 Finance on H.B. No. 2086

The purpose of this measure is to promote the use of alternative modes of transportation and reduce Hawaii's dependence on fossil fuels for its transportation needs by:

- (1) Updating the statewide transportation plan to include bicycle facilities;
- (2) Requiring the Department of Transportation to develop a survey on travel behavior; and
- (3) Requiring each county to develop mode share targets and plans.

The County of Kauai, City and County of Honolulu Department of Transportation Services, Blue Planet Foundation, and several individuals provided testimony in support of the measure. The Department of Business, Economic Development, and Tourism and Department of Transportation provided comments.

Your Committee has amended this measure by:

- (1) Changing the amount of federal funds that the Department of Transportation and one or more counties or metropolitan planning organizations can use for the planning and implementation of the statewide transportation survey to an unspecified sum; 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. 2086, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2086, H.D. 2.

Signed by all members of the Committee.

SCRep. 972-16 Finance on H.B. No. 2090

The purpose of this measure is to streamline the operations of the Office of the Assistant Registrar of the Land Court by removing the requirement that the assistant registrar certify pending certificates of title for fee time share interests, all of which were removed from the land court system as of July 1, 2012.

The Department of Land and Natural Resources, American Resort Development Association Hawaii, and Wyndham Vacation Ownership provided testimony in support of the measure. The Judiciary and an individual provided comments on the 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. 2090, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2090, H.D. 2.

Signed by all members of the Committee.

SCRep. 973-16 Finance 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 provided testimony in support of the 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. 1029, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1029, H.D. 1.

Signed by all members of the Committee.

SCRep. 974-16 Finance on H.B. No. 1847

The purpose of this measure is to establish a Sports and Entertainment Authority (Authority) to undertake and expand on the objectives and responsibilities of the Stadium Authority.

The Office of the Lieutenant Governor, Hawaii Lodging & Tourism Association, and The Chamber of Commerce Hawaii supported this measure. The Office of the Mayor of the City and County of Honolulu and a concerned individual opposed this measure. The Office of Hawaiian Affairs, Hawaii Tourism Authority, Department of Accounting and General Services, Department of Budget and Finance, State Procurement Office, Department of the Attorney General, and Stadium Authority provided comments.

Your Committee has amended this measure by:

- (1) Removing the procurement code exemption of the Authority;
- (2) Placing the Authority within the Department of Business, Economic Development, and Tourism for administrative purposes;
- (3) Restricting the focus of the authority to the Aloha Stadium and its related facilities;
- (4) Changing the transient accommodations tax revenues distributed to the Authority 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. 1847, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1847, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 975-16 Finance on H.B. No. 2033

The purpose of this measure is to grant the Director of Health discretionary authority to appoint a designee to serve in the Director's place as an ex officio voting member on the Commission on Water Resource Management.

The Department of Health and the Department of Land and Natural Resources testified in support of 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. 2033, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2033, H.D. 1.

Signed by all members of the Committee.

SCRep. 976-16 Finance on H.B. No. 2618

The purpose of this measure is to:

- (1) Clarify that the requirement that one percent of all capital improvement appropriations for state buildings be transferred to the Works of Art Special Fund (Special Fund) applies only to construction and not renovation appropriations;
- (2) Specify that fifty percent of Special Fund expenditures shall be used solely to support art facilities, equipment, and supplies in public schools;
- (3) Require the Auditor to audit the Special Fund and the State Foundation on Culture and the Arts on the price, value, and means of acquisition of State-owned art objects; and
- (4) Appropriate funds for art appraisal services to assist the Auditor in preparing the required audit report.

The Hawaii State Teachers Association supported this measure. The Department of Transportation; Department of Accounting and General Services; State Foundation on Culture and the Arts; American Institute of Architects; and a concerned individual opposed this measure.

Your Committee has amended this measure by:

- (1) Removing the substantive provisions of this measure, except for the clarification that the requirement that one percent of all capital improvement appropriations for state buildings be transferred to the Special Fund applies only to construction and not renovation appropriations; 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. 2618, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2618, H.D. 2.

Signed by all members of the Committee except Representative Lowen.

SCRep. 977-16 Finance on H.B. No. 1046

The purpose of this measure is to provide compensation and expungement of arrest record to persons who can demonstrate that they were wrongfully convicted and imprisoned when actually innocent.

The Department of the Attorney General, Hawai'i Innocence Project, Community Alliance on Prisons, Community Health Outreach Work Project, Hawai'i Friends of the Innocence Movement, and several individuals provided testimony in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the various compensation amounts awarded to unspecified sums; 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 H.B. No. 1046, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1046, H.D. 2.

Signed by all members of the Committee.

SCRep. 978-16 Finance on H.B. No. 1902

The purpose of this measure is to establish a victim and survivor-centered approach to comprehensive anti-sex trafficking laws by:

- (1) Replacing the offense of Promoting Prostitution in the First Degree with Sex Trafficking, a class A felony and violent crime;
- (2) Establishing 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;
- (3) Specifying that Sex Trafficking is a strict liability offense with respect to the victim's age when the victim of sex trafficking is under 18 years of age;
- (4) Providing that when a minor under the age of eighteen commits the act of engaging in or offering to engage in sexual conduct with another person for a fee, it is not a criminal offense, but rather a violation that subjects the minor to the jurisdiction of the family court;
- (5) Making amendments to strengthen the enforcement of laws and increase penalties against the sex trafficker;
- (6) Expanding the Department of the Attorney General's Statewide Witness Program to include sex trafficking;
- (7) Providing victims with access to criminal injury compensation; and
- (8) Amending laws relating to civil liability for cases of coercion into prostitution.

The Hawaii State Commission on the Status of Women, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, IMUAlliance, Zonta Club of Hilo, Family Programs Hawaii, Hawaii State Coalition Against Domestic Violence, Shared Hope International, Pacific Alliance to Stop Slavery, and several individuals provided testimony in support of the measure. The City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, and The Libertarian Party of Hawaii provided testimony in opposition. The Department of the Attorney General 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 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. 1902, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1902, H.D. 2.

Signed by all members of the Committee.

SCRep. 979-16 Finance on H.B. No. 2156

The purpose of this measure is to change the funding source for the operating expenses of the Campaign Spending Commission (Commission) from the Hawaii Election Campaign Fund to the general revenues of the State.

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

Your Committee has amended this measure by:

- (1) Deleting the provision mandating that the operating expenses of the Commission, including staff salaries and fringe benefits, are funded by the general revenues of the State;
- (2) Allowing for campaign funds to be spent on:
 - (a) Contributions to any candidate committee up to the threshold amounts set by Chapter 11, Hawaii Revised Statutes; and
 - (b) Expenses for membership in civic or community groups or for protocol gifts, provided that expenses incurred do not exceed twice the allowable individual contribution amount;
- (3) Authorizing the Director of Finance, subject to certain conditions, to transfer excess trust funds from the Campaign Spending Trust Fund to the General Fund;
- (4) Deleting the inclusion of fringe benefits as a part of the appropriation for the Commission's operating expenses; 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. 2156, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2156, H.D. 2.

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

SCRep. 980-16 Finance on H.B. No. 2560

The purpose of this measure is to require domestic and foreign corporations, authorized to transact business in the State and that annually make more than \$1,000 of independent expenditures and contributions, to disclose annually to their shareholders their independent expenditures and contributions to any candidate or noncandidate committee.

The Department of the Attorney General and American Family Life Assurance Company of Columbus 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. 2560, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2560, H.D. 2.

Signed by all members of the Committee.

SCRep. 981-16 Finance on H.B. No. 1559

The purpose of this measure is to address issues involving asset forfeiture by, among other things:

- (1) Restricting asset forfeiture to cases involving the commission of a covered criminal misdemeanor or felony offense;
- (2) Providing that seized property is forfeited only when the property owner has been convicted of an underlying covered criminal misdemeanor or felony offense;
- (3) Requiring that the agency seizing the property pay for safe and secure storage of the seized property until the completion of the forfeiture proceeding or final disposition of the property; and
- (4) Repealing administrative forfeiture proceedings.

The Drug Policy Forum of Hawaii and American Civil Liberties Union of Hawaii provided testimony in support of the measure. The City and County of Honolulu Department of the Prosecuting Attorney provided testimony in opposition.

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. 1559, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1559, H.D. 2.

Signed by all members of the Committee.

SCRep. 982-16 Judiciary on H.B. No. 1556

The purpose of this measure is to prohibit the University of Hawaii from adopting or maintaining a policy that precludes a person from working at the University in a non-executive or non-managerial position solely because that person is a legislator or other official elected to a non-statewide public office within the State. This measure does not apply if the duties and schedule related to public office unreasonably conflict with the University position.

The University of Hawaii Professional Assembly testified in support of this measure. The Department of the Attorney General and University of Hawaii testified in opposition to 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. 1556, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 983-16 Judiciary on H.B. No. 1909

The purpose of this measure is to encourage equal pay between men and women by:

- (1) Ensuring that employees performing substantially similar work are paid equally, except where the employer demonstrates the wage differential is based upon certain specified factors;
- (2) Changing the requirement of "equal work" to "substantially similar work";

- (3) Prohibiting an employer from:
 - (A) Prohibiting an employee from disclosing the employee's wages, discussing and inquiring about the wages of other employees, or aiding or encouraging other employees to exercise rights under this measure;
 - (B) Screening job applicants based on their wage or salary histories;
 - (C) Seeking the salary history of any prospective employee prior to offering employment to the prospective employee; and
 - (D) Paying wages less than what were advertised for a position;
- (4) Requiring employer advertisements to include specified information, including pay, shift, overtime, and allowances, to recruit candidates for hire or independent contractors publicly, or within the organization, employment agency, job-listing service, or website;
- (5) Prohibiting the limitation of a person's right to be free of compensation discrimination in employment under the Employment Practices Law; and
- (6) Prohibiting employers from discriminating on the basis of sex, which includes gender, under section 378-2.3, Hawaii Revised Statutes, with respect to payment of wages to employees.

The Office of Hawaiian Affairs, Hawaii Civil Rights Commission, Hawaii State Commission on the Status of Women, Hawaii Women's Coalition, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, Americans for Democratic Action, American Association of University Women in Hawaii, Hawaii State Coalition Against Domestic Violence, IMUAlliance, YWCA Oahu, and several individuals testified in support of this measure. The National Federation of Independent Business, Society for Human Resource Management – Hawaii Chapter, and The Chamber of Commerce Hawaii opposed this measure. An individual commented on this measure.

Your Committee recognizes that a system that measures earnings by quantity and quality of production does not necessarily conflict with a bona fide merit 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 H.B. No. 1909, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 984-16 Judiciary on H.B. No. 2362

The purpose of this measure is to conform the membership and duties of the State Workforce Development Council to the requirements of the federal Workforce Innovation and Opportunity Act of 2014, which supersedes the Workforce Investment Act of 1998.

The University of Hawaii Community Colleges and the Hawaii Workforce Development Council testified in support of this measure.

Your Committee has amended this measure by:

- (1) Amending the membership of the Workforce Development Council to comply with the federal Workforce Innovation and Opportunity Act of 2014 by adding three private sector members and one labor member and specifying the nominating authority for two labor members; 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. 2362, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2362, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 985-16 Judiciary on H.B. No. 1541

The purpose of this measure is to change proxy statement requirements for planned community associations by making the requirements similar to that for condominium associations.

Specifically, this measure:

- (1) Provides flexibility to homeowners who use their own proxy forms by specifying that standard proxy forms authorized by a planned community association must adhere to certain specification requirements;
- (2) Specifies that proxies that name a planned community association board of directors as an entity shall be decided based upon the majority of the directors present at the meeting;
- (3) Clarifies that a planned community association board of directors that intends to use proxies must post notice, and reduces the posting time to twenty-one days;
- (4) Changes the statement specifications as they relate to the statement of a homeowner requesting nomination to a planned community association board of directors; and

- (5) Prohibits a managing agent, resident manager, or their employees from soliciting any proxies from any unit owner of a planned community association that retains the managing agent or employs the resident manager and uses them as a proxy at a planned community association meeting.

The Hawaii State Association of Parliamentarians, Associa, and Hawaii Council of Associations of Apartment Owners 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. 1541, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 986-16 Judiciary on H.B. No. 1013

The purpose of this measure is to authorize a manufacturer of an investigational drug, biological product, or device to make available, and an eligible patient to request, the manufacturer's investigational drug, biologic product, or device.

This measure also:

- (1) Prohibits the State from blocking access by an eligible patient to an investigational drug, biologic product, or device;
- (2) Grants immunity to manufacturers and other persons involved in providing experimental drugs, products, or devices to consenting patients with terminal illnesses from suit for any harm that results; and
- (3) Relieves the heirs of a patient who dies while being treated with an investigational drug, biologic product, or device of any liability for any outstanding debt for the treatment.

The Goldwater Institute testified in support of this measure. The Department of the Attorney General testified in opposition. The Hawaii Medical Service Association provided comments.

Your Committee finds that right to try laws give terminally ill patients, with the recommendation of their treating physician, the opportunity to access investigational new drugs that have passed Phase I of the Federal Food and Drug Administration approval process, if their doctor believes, at this stage of the disease, the drug is the patient's last and best chance. Your Committee notes that clinical trials accept only about three percent of given patients afflicted with the condition for which the therapy is being tested.

Right to try laws are designed for patients who are ineligible or unable to access current clinical trials for the needed investigational new drugs. Your Committee believes this measure may be especially important for residents of Hawaii, who may have great difficulty in their current conditions traveling the long distances to clinical trial locations.

Your Committee has amended this measure to:

- (1) Clarify that the patient's estate will be liable for any outstanding debt related to the treatment unless an agreement states otherwise;
- (2) Clarify that a licensing board may not sanction a health care provider's licensing or certification based in any way on the provider's recommendation to an eligible patient of an investigational drug, biological product, or device that is being developed to treat the type of terminal illness that afflicts the patient; and
- (3) 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. 1013, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1013, H.D. 3.

Signed by all members of the Committee.

SCRep. 987-16 Judiciary on H.B. No. 2378

The purpose of this measure is to enable the Department of Land and Natural Resources to more consistently and effectively address conservation and resource violations by:

- (1) Making any violation of Part II of Chapter 183, Hawaii Revised Statutes, or any rules adopted pursuant thereto, a criminal offense; and
- (2) Repealing section 183-4, Hawaii Revised Statutes.

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

Your Committee finds that the law only warrants a fine up to \$10,000 per Koa tree and \$2,000 for all other forest products. This fine does not discourage theft since the value of Koa and other forest products far exceeds this dollar amount.

Accordingly, your Committee has amended this measure by clarifying that the Board of Land and Natural Resources may set, charge, and collect fines based on the market value of the natural resource that is damaged and any other factor it deems appropriate, such as the loss of the natural resource to its natural habitat and environment and the cost of restoration or replacement.

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. 2378, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2378, H.D. 2.

Signed by all members of the Committee.

SCRep. 988-16 Judiciary on H.B. No. 1907

The purpose of this measure is to establish the Sexual Assault Kit Tracking Program. More specifically, this measure requires, among other things:

- (1) All law enforcement agencies to submit sexual assault kits connected to a criminal investigation to an authorized laboratory for analysis subject to specified timelines and to report results of the analysis to state and federal databases;
- (2) Each law enforcement agency that obtains a sexual assault kit in connection with a criminal investigation to annually report to the Department of the Attorney General on the number of sexual assault kits in its possession; and
- (3) The police department of each county, the Department of Public Safety, and the Division of Conservation and Resources Enforcement to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017 on the number of kits in its possession and the progress on any backlog, and make the reports publicly available.

The Hawaii State Commission on the Status of Women; Hawaii Women's Coalition; Planned Parenthood Votes Northwest and Hawaii; Joyful Heart Foundation; and several individuals supported this 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 Kauai; Honolulu Police Department; Department of the Prosecuting Attorney of the County of Maui; Office of the Prosecuting Attorney of the County of Hawaii; and the Sex Abuse Treatment Center provided comments.

Your Committee has amended this measure by:

- (1) Prohibiting any law enforcement agency from releasing a sexual assault kit to a laboratory for testing unless the agency has received prior written consent from the complainant or the parent or legal guardian of a minor complainant;
- (2) Requiring law enforcement agencies to retain written consent for release of a sexual assault kit to a laboratory for testing;
- (3) Inserting a blank appropriation for the Department of the Attorney General; 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 H.B. No. 1907, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1907, H.D. 2.

Signed by all members of the Committee.

SCRep. 989-16 Judiciary on H.B. No. 2329

The purpose of this measure is to clarify that the statute of limitations governing Chapter 480, Hawaii Revised Statutes, relating to monopolies and restraint of trade, does not apply to the State and its agencies.

The Office of Consumer Protection of the Department of Commerce and Consumer Affairs and Hawaii Association for Justice testified in support of this measure. Two concerned individuals testified in opposition to 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. 2329 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 990-16 Judiciary on H.B. No. 2340

The purpose of this measure is to authorize the Department of Human Services to conduct with or without consent and upon receiving a report that a child is subject to imminent harm, has been harmed, or is subject to threatened harm, a criminal history record check of the alleged perpetrator and all adults living in the family home.

The Department of Human Services, Family Programs Hawaii, Kapiolani Child Protection Center, and Hawaii Association for the Education of Young Children testified in support.

Your Committee recognizes that the Department of Human Services (Department) needs to conduct a thorough assessment when allegations of abuse or threatened abuse prove credible. However, your Committee is concerned that the authority to conduct criminal history background checks on all persons in the household where the child resides is subject to potential abuse. Your Committee believes that reasonable suspicion must exist before a criminal history background check is warranted.

Accordingly, your Committee has amended this measure to address these concerns by permitting the Department to conduct the subject background checks when an assessment is required. The amendments are intended to make clear that the Legislature does not intend to give carte blanche authority to the Department to run criminal background checks as a matter of routine.

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. 2340, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2340, H.D. 1.

Signed by all members of the Committee.

SCRep. 991-16 Judiciary on H.B. No. 1747

The purpose of this measure is to increase traffic safety by, among other things, allowing a police officer to have a motor vehicle towed and impounded if the operator of the motor vehicle is arrested or cited for various traffic offenses, including driving under the influence of an intoxicant, with certain exceptions.

The Department of Transportation, County of Hawaii Office of the Prosecuting Attorney, Kauai Police Department, Honolulu Police Department, and Mothers Against Drunk Driving HAWAII testified in support of this measure. An individual testified in opposition to this measure.

Your Committee finds that traffic safety is a serious issue. Numerous drivers are cited for operating a vehicle under the influence of an intoxicant, and some of those drivers continue to operate their motor vehicle after receiving these citations. Your Committee finds that allowing police officers to tow and impound a motor vehicle if the operator of that motor vehicle is arrested or cited for certain serious intoxicant related traffic offenses may deter this type of activity and make Hawaii's roadways safer.

Your Committee has amended this measure by:

- (1) Limiting the traffic offenses that may trigger the authorization of a police officer to tow and impound a motor vehicle to the following intoxicant related offenses:
 - (A) Operating a vehicle under the influence of an intoxicant, pursuant to section 291E-61, Hawaii Revised Statutes; and
 - (B) Operating a vehicle after consuming a measurable amount of alcohol for persons under the age of 21, pursuant to section 291E-64, Hawaii Revised Statutes; and
- (2) Specifying that the police officer must also reasonably believe the arrested person is likely to return to the vehicle and continue to drive under the influence of an intoxicant after being released from custody.

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. 1747, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1747, H.D. 1.

Signed by all members of the Committee.

SCRep. 992-16 Judiciary on H.B. No. 2343

The purpose of this measure is to bring state law into alignment with changes to the federal Child Care and Development Block Grant, Public Law 113-186. The Child Care and Development Block Grant requirements ensure the health, safety, and well-being of children served under the grant, including by requiring the Department of Human Services (Department) to establish minimum health and safety requirements for licensed and registered child care providers as well as other persons who provide care to a child whose family receives a child care subsidy from the Department.

The Department, Hawaii Children's Action Network, Hawai'i Association for the Education of Young Children, and an individual supported this measure.

Your Committee has amended this measure by:

- (1) Removing the proposed language requiring the Department to maintain records of resolution of only substantiated complaints for every child care facility; 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. 2343, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2343, H.D. 2.

Signed by all members of the Committee.

SCRep. 993-16 Judiciary on H.B. No. 2740

The purpose of this measure is to ensure that preauthorization requirements do not negatively impact the health of Hawaii residents.

Among other things, this measure:

- (1) Prohibits insurers from requiring preauthorization of medical services or treatments so as to cause undue delay in a patient's receipt of medical treatment or services;
- (2) Stipulates that a licensed health care provider shall be defended and indemnified by an insurer for civil liability for injury to a patient that was caused by the insurer's undue delay in preauthorization of medical treatment or services;
- (3) Makes an insurer civilly liable for any injury that occurs to a patient because of undue delay in the receipt of medical treatment or services; and
- (4) Requires a health care provider to provide treatment or services without waiting for preauthorization whenever an unreasonable delay in medical treatment or services may cause exacerbation or worsening of a health condition.

Hawaii Medical Association, Hawaii Radiological Society, Hawaii Association for Justice, Maui County Medical Society, and numerous individuals testified in support of this measure. Hawaii Association of Health Plans, Hawaii Dental Service, Hawaii Medical Service Association, and UHA Health Insurance testified in opposition to this measure. The Department of Commerce and Consumer Affairs, Hawaii Neurological Society, and two individuals commented on this measure.

Preauthorization requirements for medical services or treatments can delay necessary and often critical health care coverage, especially in the area of advanced imaging studies such as magnetic resonance imagery and computed tomography testing. Your Committee recognizes that it is in the best interest of the State to ensure that preauthorization requirements do not adversely affect the health of Hawaii 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. 2740, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kawakami, Woodson and McDermott.

SCRep. 994-16 Judiciary on H.B. No. 375

The purpose of this measure is to amend state law that permits a creditor to collect on a monetary judgment through attachment or execution of real and personal property by:

- (1) Changing the exemption from attachment or execution for:
 - (A) Real property from \$30,000 to an unspecified amount; and
 - (B) Personal property, including vehicles, to the adjusted fair market value; and
- (2) Exempting 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 from attachment or execution.

The LGBT Caucus of the Democratic Party of Hawaii; Abelmann Peterson Rollins LLLC; Barbara L. Franklin, Esq.; Law Office of Stuart T. Ing; and several individuals testified in support of this measure. The Department of the Attorney General; the Department of Taxation; Chamber of Commerce Hawaii; Hawaii Bankers Association; Hawaii Credit Union League; Hawaii Financial Services Association; Mortgage Bankers Association of Hawaii; and the Hawaii State Bar Association Collection Law Section testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Specifying an amount of \$275,000 for the exemption from attachment or execution for real property owned by an individual;
- (2) Specifying an amount of \$15,000 for the exemption from attachment or execution for an individual's motor vehicle;
- (3) Specifying an amount equal to one month of child support plus one month of spousal support, in the debtor's possession, that is exempt from attachment or execution;
- (4) Removing exemptions from attachment or execution for the debtor's tax refunds from federal earned income tax credits and federal or state child tax credits;
- (5) Inserting an effective date of February 12, 2809 to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, style, 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. 375, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 375, H.D. 2.

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

SCRep. 995-16 Judiciary on H.B. No. 2629

The purpose of this measure is to promote public safety by authorizing county police departments to enroll firearms applicants and individuals who are registering their firearms into a criminal record monitoring service that is used to alert police when an owner of a firearm is arrested for a criminal offense anywhere in the country.

The Honolulu Prosecuting Attorney and three concerned individuals testified in support of this measure. The Department of the Attorney General and the Honolulu Police Department testified in support and provided comments. The National Rifle Association and many concerned individuals testified in opposition. One concerned individual provided comments.

Your Committee finds that the Federal Bureau of Investigation permits authorized government agencies, including law enforcement, to access a program, known as Rap Back, that provides continuous criminal record monitoring of individuals who are subject to a criminal background check. When an individual is arrested for a criminal offense elsewhere in the country, the agency that conducted the background check will be notified. Act 210, Session Laws of Hawaii 2012, authorized the use of the Rap Back system as part of background checks for 41 specific purposes including checks for employees and prospective employees whose positions involve the handling of firearms for other than law enforcement purposes. Other authorized uses of the Rap Back system include screening of Department of Health licensed adult caregivers or Department of Education employees who have close proximity to children, and applicants for real estate appraiser licenses with the Department of Commerce and Consumer Affairs. Your Committee finds that county police departments should have similar access to information about individuals who apply for a firearms permit or register firearms after the effective date of this measure.

While the county police departments have authority under the firearms chapter 134, Hawaii Revised Statutes (HRS), to conduct a background check on applicants to obtain or possess a firearm, the chapter refers to a background check that does not include the Rap Back program. This measure authorizes county police departments to receive Rap Back notifications of subsequent arrests and convictions of individuals who acquire permits or registrations after the effective date of this measure. The county police departments may use the notifications to examine eligibility of those firearms owners to continue to legally possess and own firearms.

This measure does not amend the standard for granting a firearms permit or possession of a firearm or any of the bases for disqualification.

Your Committee has amended this measure by:

- (1) Amending sections 134-2 and 134-3, HRS, to amend the background check process currently used by the county police departments for firearms permit applicants and registrants and amend references to the various background check programs and the Hawaii Criminal Justice Data Center; 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. 2629, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2629, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.
(Representative McDermott voted no.)

SCRep. 996-16 Consumer Protection & Commerce on H.B. No. 2017

The purpose of this measure is to improve the efficiency of Hawaii's workers' compensation system by allowing physicians to transmit an injured employee's treatment plan to an employer via facsimile, secure email, or other internet communication.

The Hawaii Medical Association, Hawaii Injured Workers Association, American Physical Therapy Association Hawaii Chapter, HAPA, and numerous individuals testified in support of this measure. The Department of Human Resources of the City and County of Honolulu, National Association of Mutual Insurance Companies, and The Chamber of Commerce Hawaii testified in opposition to this measure. The Department of Human Resources Development, Department of Labor and Industrial Relations, and Hawaii Insurers Council provided comments on this measure.

Your Committee has amended this measure by:

- (1) Allowing an employer to accept a treatment plan transmitted by a physician through secure web portal or secure electronic mail;
- (2) Mandating, beginning January 1, 2021, an employer to allow a physician to transmit a treatment plan to an employer by facsimile, secure web portal, or secure electronic mail;
- (3) Specifying that after acceptance of the treatment plan, an employer may file an objection to the plan if new documentary evidence is received contrary to the accepted treatment plan; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that, as received by your Committee, this measure would have inadvertently obviated the standard practice of submitting treatment plans by mail and, amended this measure to cure this oversight. Your Committee addressed the City and County of Honolulu's concerns, that the City does not have the technology to comply with secure web portal and secure electronic mail treatment plan submission requirements, by providing a period of time to phase in the use of these technologies and phase out the use of mail by January 1, 2021. Finally, giving employers seven calendar days to respond to a proposed treatment plan may not be a reasonable timeframe, so your Committee amended this measure to provide a responsive timeframe of seven business days.

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. 2017, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2017, H.D. 1.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 997-16 Consumer Protection & Commerce on H.B. No. 2482

The purpose of this measure is to require managed care plans to provide claims data annually at no charge to a large group purchaser if the large group purchaser requests the information and meets certain requirements.

An individual 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 Commerce and Consumer Affairs provided comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring that a large group purchaser enter into a data sharing agreement, as determined by the Insurance Commissioner, with the managed care plan, prior to receiving any claims data;
- (2) Specifying that the Insurance Commissioner shall determine the qualifications of a qualified statistician;
- (3) Defining "large group purchaser" or "purchaser" to mean an employer with an enrollment of greater than one hundred covered lives and at least one hundred covered lives enrolled with the managed care plan providing the information or a multiemployer trust with an enrollment of greater than one hundred covered lives and at least one hundred covered lives enrolled with the managed care plan providing the information;
- (4) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that it limited the definition of "large group purchaser" or "purchaser" to employers or multiemployer trusts with one hundred or more enrolled individuals in the plan based on information provided by the Insurance Commissioner that, for this sample size of group purchasers, insurance health plan providers collect and have this data readily available. Your Committee also finds that to mandate data provision for all large group purchasers, currently defined as fifty-one enrollees or more, would result in excessive data requests and delay realization of the purpose 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. 2482, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2482, H.D. 2.

Signed by all members of the Committee except Representatives Lee and Nakashima.

SCRep. 998-16 Finance on H.B. No. 2388

The purpose of this measure is to facilitate, in an expeditious and efficient manner, the development or expansion of in-state correctional facilities. Specifically, this measure:

- (1) Clarifies the Governor's authority to negotiate for the construction of a correctional facility to include the authority to negotiate for construction of a jail, such as that needed on Maui, and aligns environmental impact statement and assessment requirements for such a jail with generally applicable requirements;
- (2) Requires the Governor to conduct a feasibility study that includes reconstructing the Oahu Community Correctional Center with a smaller footprint on the land that it currently occupies and redeveloping the remainder of the site;
- (3) Specifies the design criteria for a newly built Oahu Community Correctional Center; and
- (4) Appropriates funds for reconstruction of the Oahu Community Correctional Center and the relocation of the Maui Community Correctional Center.

The Department of Public Safety, City and County of Honolulu Department of the Prosecuting Attorney, and United Public Workers, AFSCME, Local 646, and AFL-CIO provided testimony in support of this measure. Hawaii Friends of Restorative Justice, Laakea Community LLC, Ho'omana Pono LLC, and many individuals provided testimony in opposition. The Department of the Attorney General, Office of Hawaiian Affairs, Community Alliance on Prisons, Building Industry Association of Hawaii, Chamber of Commerce Hawaii, and an individual provided comments.

Your Committee has amended this measure by:

- (1) Adding conforming language to identify detainees as the type of population primarily served by jails; and
- (2) Making technical, nonsubstantive amendments for the purpose 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. 2388, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2388, H.D. 3.

Signed by all members of the Committee except Representative Ward.

SCRep. 999-16 Finance on H.B. No. 2389

The purpose of this measure is to allow the use of funds deposited into the Federal Reimbursement Maximization Special Fund for corrections workforce recruitment and retention.

The Department of Public Safety and United Public Workers, AFSCME, Local 646, AFL-CIO testified in support of 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 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. 2389, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2389, H.D. 1.

Signed by all members of the Committee except Representative Ward.

SCRep. 1000-16 Finance on H.B. No. 2563

The purpose of this measure is to appropriate funds for the restoration of a continuous beach and associated infrastructure along the Waikiki waterfront, with the funds to be allocated for planning and design of the area between the Royal Hawaiian groin and the Fort DeRussy storm drain groin, including a multi-use pedestrian and bicycle path that allows public access and connects Kaimana Beach with Ala Moana Beach Park.

The Land Use Research Foundation of Hawaii, Chamber of Commerce Hawaii, and Blue Planet Foundation provided testimony in support of the measure. The Waikiki Beach Special Improvement District Association, Hawaii Lodging and Tourism Association, and an individual provided comments on the measure.

Your Committee has amended this measure by:

- (1) Clarifying that the multi-use pedestrian and bicycle path would connect Ala Moana Beach Park with Fort Ruger Park, not Kaimana Beach;
- (2) Changing the 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. 2563, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2563, H.D. 2.

Signed by all members of the Committee.

SCRep. 1001-16 Consumer Protection & Commerce on H.B. No. 2291

The purpose of this measure is to amend the definition of "renewable portfolio standard" and establish a new definition for the term "grid-connected" to more accurately reflect the sum total of renewable energy penetration in the State. Specifically, the amended definition of renewable portfolio standard, when analyzed in the context of grid-connection, bases the calculation of renewable portfolio standards on the ratio of total renewable electrical energy generated from grid-connected renewable energy systems to the total electrical energy generated from grid-connected energy systems.

The Department of Transportation; Department of Business, Economic Development & Tourism; Distributed Energy Resources Council of Hawaii; Blue Planet Foundation; Ulupono Initiative; Hawaii Solar Energy Association, Inc.; Maui Tomorrow Foundation, and an individual testified in support of this measure. Land Use Research Foundation of Hawaii and Hawaiian Electric Company and its subsidiary utilities, Maui Electric Company and Hawaii Electric Light Company testified in opposition to this measure. The Public Utilities Commission; Hawaii Energy Policy Forum; and Hawaii Lodging & Tourism Association provided comments on this measure.

Your Committee has amended this measure by:

- (1) Restoring the measure's language to read in the form in which it was introduced. The restored language amends the definition of "renewable portfolio standard" to base the calculation of the standard on electrical energy generation rather than electrical energy sales; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that unlike the original version of this measure as introduced, the House Draft No. 1 raised concerns among various stakeholders. In order to appease these concerns, and upon consultation with the Director of the Department of Business, Economic Development & Tourism and at the request of the Governor, your Committee is reverting back to the language of the bill as introduced to encourage further deliberation.

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. 2291, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2291, H.D. 2.

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

SCRep. 1002-16 Consumer Protection & Commerce on H.B. No. 1708

The purpose of this measure is to establish a limited exemption from the State's medical licensing requirements to allow visiting sports team physicians to provide care to their traveling team members and coaching staff for a specific sporting event or at a national sport training center in the State.

The Hawaii Medical Association testified in support of this measure. The Hawaii Medical Board testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Deleting the language that established a limited exemption from the State's licensing requirements to allow visiting sports team physicians to provide care to their traveling team members and coaching staff for a specific sporting event or at a national sport training center in the State;
- (2) Inserting language that:
 - (A) Authorizes the Hawaii Medical Board (Board) to issue a visiting sports physician temporary license to a physician or osteopathic physician who is not licensed in this State;
 - (B) Establishes the criteria and conditions required for a physician or osteopathic physician who is not licensed in this State to receive a visiting sports physician temporary license;
 - (C) Limits the allowable scope of practice under a temporary license to providing care to members and coaching staff of the team or professional athletic association with which the physician has an agreement to do so; and
 - (D) Requires the Auditor to conduct a study to determine whether licensure for visiting sports physicians is warranted and report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017;
- (3) Changing the 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 the Board opposed this measure because a limited licensing exemption would not allow the Board to intercede if patient safety were compromised. Therefore, your Committee replaced the contents of this measure with provisions that establish a limited licensing scheme that allows visiting sports team physicians to travel with and provide medical care for team members without compromising patient safety.

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. 1708, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1708, H.D. 2.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 1003-16 Finance on H.B. No. 2200

The purpose of this measure is to authorize, but not require:

- (1) The Chairperson of the Board of Land and Natural Resources to transfer not more than \$3,000,000 annually from the Department of Land and Natural Resources' public land trust accounts to the Kaho'olawe Rehabilitation Trust Fund; and
- (2) The Office of Hawaiian Affairs to expend a portion of its public land trust revenues for purposes consistent with the Kaho'olawe Rehabilitation Trust Fund.

The Kaho'olawe Island Reserve Commission, Aha Moku Advisory Committee, Maui County Department of Planning, and numerous individuals testified in support of this measure. The Office of Hawaiian Affairs, Center for Hawaiian Sovereignty Studies, and three individuals testified in opposition. The Department of Budget and Finance and the Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Changing the cap for transfers from the Department of Land and Natural Resources' public land trust accounts to the Kaho'olawe Rehabilitation Trust Fund from \$3,000,000 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. 2200, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2200, H.D. 2.

Signed by all members of the Committee except Representative Lowen.

SCRep. 1004-16 Judiciary on H.B. No. 2350

The purpose of this measure is to bring the State into compliance with the Preventing Sex Trafficking and Strengthening Families Act of 2014 (Act) by:

- (1) Updating certain statutory references for "foster boarding home" to "resource family home" and "foster parent" to "resource caregiver" to better comply with the Act;
- (2) Establishing immunity, subject to certain conditions, for resource caregivers and child caring institutions;
- (3) Adding the requirement that resource caregivers and child care institutions use the reasonable and prudent parent standard when authorizing children in foster care to participate in extracurricular, enrichment, cultural, and social activities; and
- (4) Changing the minimum age at which children in foster care are to be involved in their foster care plans from 16 years to 14 years.

The Department of Human Services, Family Programs Hawaii's It Takes An Ohana, Epic Ohana, Inc., HI H.O.P.E.S. Youth Leadership Boards of West Hawaii, East Hawaii, Oahu, Maui, and Kauai of the Hawaii Youth Opportunities Initiative, and many concerned individuals testified in support of this measure. The Hawaii Association for Justice testified in opposition.

Your Committee has amended this measure by:

- (1) Limiting the immunity from liability for resource caregivers and child caring institutions to authorizations given in accordance with "the reasonable and prudent parent standard" for a child in foster care to participate in extracurricular, enrichment, cultural, and social activities;
- (2) Inserting an effective date of March 15, 2037, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2350, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2350, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Woodson and McDermott.

SCRep. 1005-16 Judiciary on H.B. No. 2391

The purpose of this measure is to prevent overcrowding at community correctional centers by authorizing the Director of Public Safety to release pretrial or sentenced misdemeanants based on specific criteria and referenced procedures. Pretrial or sentenced misdemeanants who are convicted or arrested on suspicion of abuse of family or household members would not be eligible for release by the Director of Public Safety.

The Department of Public Safety, Office of Hawaiian Affairs, Community Alliance on Prisons, Ho'omana Pono, LLC, , The CHOW Project, Beacon of Hope House, and several concerned individuals testified in support of this measure. The Honolulu Department of the Prosecuting Attorney, Maui Department of the Prosecuting Attorney, and Honolulu Police Department testified in opposition. The Department of the Attorney General supports the intent and offers comments.

Your Committee has amended this measure by:

- (1) Clarifying that no person who is currently incarcerated for specified crimes shall be eligible for release including a person who has been arrested for or convicted of any other crime of violence;
- (2) Deleting the provision that afforded immunity to the State, its officers, and employees for any error in judgment or discretion made in good faith and upon reasonable grounds;
- (3) Requiring the Director of Public Safety to notify the prosecuting attorney of the release of any person not later than the time of the actual release;
- (4) Inserting a savings clause that this measure does not affect the rights and duties that matured, penalties that were incurred, and proceedings that were begun before the effective date;
- (5) Specifying that this measure applies only to persons whose incarceration commences after its effective date; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee emphasizes that the Director of Public Safety is required under section 801D-4(a)(7), Hawaii Revised Statutes, upon written request, to notify victims and surviving immediate family members of victims of changes in the custodial status of the offender.

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. 2391, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2391, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Woodson and McDermott.
(Representative Thielen voted no.)

SCRep. 1006-16 Judiciary on H.B. No. 2084

The purpose of this measure is to prohibit the denial, exclusion, or limitation of health care services or treatment by a health insurance provider to a person on the basis of a person's actual gender identity or perceived gender identity.

The Hawaii Civil Rights Commission, a Councilmember of the Kauai County Council, LGBT Caucus of the Democratic Party of Hawaii, Equality Hawaii, Kaiser Permanente, American Civil Liberties Union of Hawaii, Pride at Work Hawaii, Hawk Health, and numerous concerned individuals supported this measure. The Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, and a concerned individual provided comments.

Your Committee finds that the practice of denying or limiting health insurance coverage, including hormone replacement therapy before or after surgery, to a person based on gender identity or gender expression is against public policy and is prohibited.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "gender transition" to mean the process of a person changing the person's outward appearance or sex characteristics to accord with the person's actual gender identity; 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. 2084, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2084, H.D. 2.

Signed by all members of the Committee except Representatives Morikawa and Nakashima.
(Representative McDermott voted no.)

SCRep. 1007-16 Judiciary on H.B. No. 2632

The purpose of this measure is to require firearm owners who have been disqualified from owning, possessing, or controlling firearms and ammunition due to mental illness or other mental health conditions, including upon emergency hospitalization, to immediately surrender their firearms and ammunition to the Chief of Police upon receiving written notification from the Chief of Police.

The Kauai County Office of the Prosecuting Attorney, Hawaii County Office of the Prosecuting Attorney, City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, Kauai Police Department, Injury Prevention Advisory Committee, Domestic Violence Action Center, Progressive Democrats of Hawaii, Americans for Democratic Action, Parents of Murdered Children, and several concerned individuals testified in support of the measure. The Department of the Attorney General testified in support of the intent and provided comments. The National Rifle Association, Valley Isle Sport Shooters, Hawaii Hunting Association, Institute for Rational and Evidence-based Legislation, Hawaii Rifle Association, and many concerned individuals testified in opposition. Effective Change, LLC provided comments.

Your Committee finds that ensuring firearms are kept out of the hands of people who are suffering from mental illness is critical to ensure the safety of those individuals and the general public. Your Committee also finds that current law simply provides for a 30 day period from the date of written notice of disqualification for a license to own a firearm for an owner who has been disqualified for any statutory reason to turn in the firearm and does not allow for any acceleration of the timeframe for more urgent situations. It is essential that the timeframe for removing firearms from persons disqualified from firearms ownership, possession, or control for mental illness reasons be shortened to allow for immediate removal.

Your Committee further finds that while this measure utilizes the current mental health disqualification criteria, it is necessary to also disqualify persons undergoing emergency hospitalizations, a serious mental health scenario that current firearms law does not specifically address.

Your Committee notes that a person is subject to an emergency hospitalization when a physician, advanced practice registered nurse, or psychologist believes, after performing an emergency examination, that the person is mentally ill or suffering from substance abuse, is imminently dangerous to self or others, and is in need of care or treatment or both. The applicable statute, section 334-59, Hawaii Revised Statutes, addresses hospitalization for mental health situations only and not other types of medical emergencies that are not caused by mental illness. The disqualifying emergency hospitalization also does not come into operation until after examination and admission for treatment, not at the time of initial transport. After a person is no longer adversely affected by the mental illness, supported by medical documentation, the disqualification will be rescinded. There are existing provisions in state law that sets forth the steps a person may follow to ensure that this disqualification becomes inapplicable when it is no longer appropriate.

Your Committee has amended this measure by:

- (1) Amending the preamble to, among other things, clarify the disqualification process and the process for returning a firearm and ammunition;
- (2) Adopting the Honolulu Police Department's recommendation to allow the owner of a firearm held in police custody to transfer or sell the firearm and clarify that once the owner has been medically cleared, any firearms belonging to the owner that are in police custody are to be returned;
- (3) Adopting the Department of the Attorney General's recommendation to clarify that once the Chief of Police is notified that a person is disqualified from ownership, possession, or control of firearms and ammunition, the Chief of Police shall promptly issue a written notice to the disqualified person to immediately surrender all firearms and ammunition; and
- (4) Changing its 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. 2632, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2632, H.D. 2.

Signed by all members of the Committee except Representative Woodson.
(Representative McDermott voted no.)

SCRep. 1008-16 Judiciary on H.B. No. 2502

The purpose of this measure is to improve coordination between state natural resource laws and other government authorities in protecting threatened or endangered marine and land animals by curbing wildlife trafficking and regulating the markets for these products on the local level.

The Department of Land and Natural Resources, March for Elephants, Global March for Elephants and Rhinos, Hawaiian Humane Society, Conservation Council for Hawaii, NSEFU Wildlife Conservation Foundation, Wildlife Conservation Society, International Fund for Animal Welfare, The Humane Society of the United States, National Resources Defense Council, Humane Society International, Water Inspired Conservation Group, Cleveland Zoological Society, Animal Rights Hawaii, National Wildlife Federation, Maui Island Mermaids, LLC, Tusk Task Force, Vulcan, Inc., and many concerned individuals testified in support of this measure. The National Rifle Association of America, Hawaii Rifle Association, and several concerned individuals testified in opposition. Several concerned individuals provided comments.

Your Committee finds that currently, Hawaii is the 3rd largest market for the trade of ivory in the United States and that the largest and second largest ivory markets, New York and California, have passed comprehensive ivory and rhinoceros horn bans.

Wildlife throughout the world are facing a crisis driven by increasing consumer demand for their parts and products and the legal trade in these wildlife products and parts helps to obscure and perpetuate illegal trade. This measure protects animals having ivory and rhinoceros horn as well as other wildlife species that are similarly threatened or endangered and are being killed needlessly for their body parts.

It is estimated that the illegal wildlife trade is an annual \$8,000,000,000 to \$10,000,000,000 business and is the fourth most lucrative international criminal activity, behind narcotics, counterfeiting, and human trafficking. Hawaii's enactment of protections for wildlife will bolster the U.S. and international efforts to fight against trafficking and deter continued poaching and illegal trade.

The International Fund for Animal Welfare, in partnership with the Wildlife Conservation Society, Vulcan Inc., the Natural Resources Defense Council, and the Humane Society International, recently conducted a market survey of Hawaii's online ivory trade and found approximately \$1,200,000 worth of ivory and related wildlife products for sale in the State, with almost all retailers failing to provide documentation that would indicate these sales are legal under federal law.

Your Committee notes the Department of Land and Natural Resources, the department that will be charged with enforcement of the trade ban, supports this measure and believes that this measure will decrease or eliminate the demand for the parts and products of protected animal species.

Your Committee has amended this measure by:

- (1) Clarifying that the prohibitions related to marine species are subordinate to the federal Marine Mammal Protection Act;
- (2) Specifying that the marine species covered by the measure's prohibitions are those listed on the specified endangered species lists as of the enactment date of this measure;
- (3) Specifying that the exemption for antiques includes an exemption for ivory that is a "fixed component" of a "larger manufactured item" and not the primary source of value of the item;
- (4) Clarifying that the exception for guns and knives with less than 20 percent ivory includes mammoth ivory;
- (5) Defining "covered animal species part or product";
- (6) Establishing penalties that expressly provide for the forfeiture of the subject animal parts, products, or items on the occurrence of the second and subsequent offenses; and
- (7) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2502, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2502, H.D. 2.

Signed by all members of the Committee except Representatives Morikawa and Nakashima.
(Representative McDermott voted no.)

SCRep. 1009-16 Consumer Protection & Commerce on H.B. No. 2367

The purpose of this measure is to provide for a more efficient way of satisfying notice requirements to parties with respect to unfair labor practice complaints by:

- (1) Authorizing the Hawaii Labor Relations Board (Board) to require a complainant to serve a copy of the complaint upon the person charged;
- (2) Allowing complaints to be served by electronic service through a company designated by the Board; and

- (3) Requiring that all parties be given written notice of hearing by first class mail or by electronic service at least 15 days before the hearing.

The Hawaii Labor Relations Board testified in support of this measure.

Your Committee has amended this measure by:

- (1) Clarifying all parties be given written notice of the hearing by first class mail or electronic service at least 15 days before the hearing that only pertains to unfair labor practices hearings before the Board pursuant to section 377-9, Hawaii Revised Statutes;
- (2) Changing the effective date to July 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. 2367, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2367, H.D. 1.

Signed by all members of the Committee except Representative Yamane.
(Representative McDermott voted no.)

SCRep. 1010-16 Consumer Protection & Commerce on H.B. No. 2566

The purpose of this measure is to protect the public interest by providing the Public Utilities Commission (PUC) with additional guidelines to consider when making critical fossil fuel and renewable energy ratemaking decisions, including specifying a methodology that, among other potential criteria, takes into account the objective of reducing the risks of the State's exposure to fossil fuels.

Ulupono Initiative and Blue Planet Foundation testified in support of this measure. The Department of Business, Economic Development, and Tourism; Hawaii Energy Policy Forum; Hawaiian Electric Company and its subsidiary utilities Maui Electric Company and Hawai'i Electric Light Company; Department of Commerce and Consumer Affairs; and Hawaii Solar Energy Association provided comments on this measure.

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.

Your Committee notes that the guidelines enumerated in this measure will not necessarily take priority over other potential criteria that the PUC may be considering in establishing fossil fuel and renewable energy ratemaking decisions.

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. 2566, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2566, H.D. 2.

Signed by all members of the Committee except Representative Yamane.

SCRep. 1011-16 Consumer Protection & Commerce on H.B. No. 2233

The purpose of this measure is to require every physician, osteopathic physician, and surgeon who actively practices in the State to:

- (1) Complete a continuing medical education course that focuses on health issues with significant public health impact to the State, including specified reportable infectious diseases; and
- (2) Meet this Hawaii-specific requirement by obtaining credit hours in a continuing medical education course as provided in the Hawaii Medical Board's rules.

An individual testified in support of this measure. The Department of Health, Hawaii Medical Board, Hawaii Chapter of the American Academy of Pediatrics, Hawaii Chapter of the American College of Physicians, Hawaii Academy of Family Physicians, and numerous individuals testified in opposition to this measure. An individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing language that added the continuing education requirement to a statutory section applicable to only physicians and osteopathic physicians;
- (2) Inserting language that requires:
 - (A) The Director of Health (Director) to identify the health care professional classes that shall be subject to the continuing education requirement in this measure;
 - (B) Members of the health care professional classes identified by the Director to attend an annual continuing education course developed by the Department of Health on health issues, including reportable infectious diseases, that are unique to the State, which shall count toward fulfilling any applicable continuing education course requirements; and

- (C) Laboratory directors and health care providers to provide to the Director a current electronic mail address that the Director shall maintain in a database and utilize for the purpose of providing information collected, pursuant to mandatory reporting requirements for diseases or conditions declared to be communicable or dangerous to the public health;
- (3) Changing the 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 there were concerns that the continuing education requirement contained in prior versions of this measure applied to all physicians and osteopathic physicians regardless of their scope of practice. Your Committee notes that certain health care professionals do not treat infectious and communicable diseases and therefore should not be subject to the continuing education requirement. Accordingly, your Committee included the amendment to require the Director of Health to identify the health care professional classes that shall be subject to the continuing education requirement 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. 2233, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2233, H.D. 2.

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

SCRep. 1012-16 Finance on H.B. No. 2501

The purpose of this measure is to allow the Board of Land and Natural Resources to authorize the holdover of a previously authorized water rights lease during the pendency of an application to renew the lease.

The Land Use Research Foundation of Hawaii, Chamber of Commerce Hawaii, Alexander and Baldwin, Inc., Hawaii Farm Bureau, Maui County Farm Bureau, Ponoholo Ranch, Kapapala Ranch, Kauai Island Utility Cooperative, Hawaii Crop Improvement Association, GO Maui, Ka'u Agricultural Water Cooperative District, Hawaii Cattlemen's Council, Building Industry Association of Hawaii, Pacific Resource Partnership, Monsanto, East Kauai Water Users' Cooperative, Hawaii Agriculture Research Center, and many individuals provided testimony in support of this measure. The Office of Hawaiian Affairs, Maui Tomorrow Foundation, Earthjustice, Kahea: The Hawaiian-Environmental Alliance, Native Hawaii Legal Corporation, Pana'ewa Hawaiian Home Lands Community Association, Kipahulu 'Ohana, American for Democratic Action Hawaii Chapter, and many individuals provided testimony in opposition. The Department of Land and Natural Resources, Department of Hawaiian Home Lands, and a few individuals provided comments.

Your Committee has amended this measure by:

- (1) Adding a sunset date that repeals the Act in five years; 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. 2501, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2501, H.D. 2.

Signed by all members of the Committee except Representative Cachola.
(Representatives DeCoite, Jordan and Lowen voted no.)

SCRep. 1013-16 Finance on H.B. No. 1932

The purpose of this measure is to ensure that the Legislature fulfills its responsibility under Article XII, section 1, of the State Constitution by appropriating funds to the Department of Hawaiian Home Lands (DHHL) to reimburse DHHL for administrative and operating costs expensed out of DHHL special and trust funds for fiscal year 2016.

A Kauai County Councilmember, Kapolei Community Development Corporation, Ka Lahui Hawai'i Political Action Committee, and several individuals provided testimony in support of the measure. The Department of Hawaiian Home Lands provided comments.

Your Committee has amended this measure by:

- (1) Deleting the preamble; 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. 1932, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1932, H.D. 2.

Signed by all members of the Committee.

SCRep. 1014-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.R. No. 21

The purpose of this measure is to encourage Kamehameha Schools to consider the practice of land exchanges with the Department of Hawaiian Home Lands to facilitate the development of Hawaiian Homestead housing in locations that better serve the needs of native Hawaiian beneficiaries, beginning with the exchange of property adjacent to Maunalua Bay on the eastern side of Oahu.

Your Committees received testimony in support of this measure from Ho‘omana Pono, LLC. Your Committees received testimony in opposition to this measure from several individuals. Kamehameha Schools submitted comments.

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. 21 and recommend its adoption.

Signed by all members of the Committee except Representatives Ing, Say, Pouha and Thielen.

SCRep. 1015-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 54

The purpose of this measure is to encourage Kamehameha Schools to consider the practice of land exchanges with the Department of Hawaiian Home Lands to facilitate the development of Hawaiian Homestead housing in locations that better serve the needs of native Hawaiian beneficiaries, beginning with the exchange of property adjacent to Maunalua Bay on the eastern side of Oahu.

Your Committees received testimony in opposition to this measure from several individuals. Kamehameha Schools submitted comments.

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. 54 and recommend its adoption.

Signed by all members of the Committee except Representatives Ing, Say, Pouha and Thielen.

SCRep. 1016-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 5

The purpose of this measure is to urge Congress to amend federal law to allow funds for the burial of qualified Filipino-American veterans in national and state cemeteries to cover the costs of transporting the remains of eligible Filipino-American veterans of World War II to the Philippines and for funeral and burial services in the Philippines.

A concerned individual supported this measure. The Office of Veterans' Services 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.R. No. 5 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1017-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 23

The purpose of this measure is to urge Congress to amend federal law to allow funds for the burial of qualified Filipino-American veterans in national and state cemeteries to cover the costs of transporting the remains of eligible Filipino-American veterans of World War II to the Philippines and for funeral and burial services in the Philippines.

A concerned individual supported this measure. The Office of Veterans' Services 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. 23 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1018-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 11

The purpose of this measure is to urge the Governor to establish a commission regarding the early settlers of African ancestry and their Hawaiian African descendants to educate residents, young people, and visitors to Hawaii about their significance and impact on Hawaii.

African American Diversity Cultural Center of Hawaii, Guide Star Engineering, LLC, and several 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 concurs with the intent and purpose of H.C.R. No. 11 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1019-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 26

The purpose of this measure is to request the Hawaii Sister-State Committee to evaluate and develop recommendations to initiate a sister-state relationship between Hawaii and Goa, Republic of India, for economic, social, cultural, educational, and environmental benefits.

United States Representative Tulsi Gabbard; Department of Business, Economic Development, and Tourism; Gandhi International Institute for Peace, Hawaii; Living Life Source Foundation; and several concerned individuals supported this measure. The Center for Hawaiian Sovereignty Studies opposed 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. 26 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1020-16 Human Services on S.B. No. 2310

The purpose of this measure is to prohibit the granting of mutual protective orders unless separate petitions are filed with the court and reasonable notice of the filing is provided.

The Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the City and County of Honolulu, Domestic Violence Action Center, Hawaii Women's Coalition, Healthy Mothers Healthy Babies Coalition of Hawaii, Hawaii State Coalition Against Domestic Violence, American Association of University Women in Hawaii, and two individuals supported this measure. An individual provided comments.

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. 2310 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 1021-16 Health on S.B. No. 305

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

- (1) Prohibiting any person from using tobacco products or electronic cigarettes on the premises of HHSC facilities within the State;
- (2) Requiring HHSC to provide tobacco cessation programs for HHSC facility employees, and making issues relating to program costs subject to collective bargaining; and
- (3) Excluding provisions in this measure from chapter 328J, Hawaii Revised Statutes (HRS), relating to smoking.

For the purpose of a public hearing, your Committee circulated a proposed House Draft 1 of S.B. No. 305 (Proposed Draft), and notified the public that it would be accepting testimony on the Proposed Draft. Your Committee notes that S.B. No. 305, S.D. 1, as received by your Committee, is substantially similar to the Proposed Draft.

Your Committee received testimony from the following organizations and individuals:

Proposed Draft: The Department of Health, HHSC Corporate Board of Directors, HHSC Oahu Region, American Heart Association, Coalition for a Tobacco-Free Hawaii, and Healthcare Association of Hawaii testified in support of this measure.

S.B. No. 305, S.D. 1: Hilo Medical Center Foundation and several individuals testified in support of this measure. Three individuals submitted testimony in opposition.

Your Committee has amended this measure by incorporating the Proposed Draft, which amended this measure by:

- (1) Prohibiting any person from using tobacco products or electronic smoking devices on the premises of HHSC facilities within the State, notwithstanding the less restrictive requirements of chapter 328J, HRS;
- (2) Deleting the requirement that HHSC provide tobacco cessation programs for employees of its facilities and removing the requirement that issues relating to the costs of the tobacco cessation program be subject to collective bargaining;
- (3) Replacing the term "e-cigarette" with "electronic smoking device" throughout the measure;
- (4) Defining "electronic smoking device"; and
- (5) Changing the definition of "tobacco product."

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. 305, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 305, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1022-16 Public Safety on S.B. No. 533

The purpose of this measure is to enable the news media to independently report on emergency situations throughout the state. Specifically, this measure:

- (1) Provides the news media, under the supervision of emergency management personnel, reasonable access to areas that are closed pursuant to emergency management powers of the Governor or Mayor;

- (2) Indemnifies the State and counties from any damage or injury to a person or property as a result of any news media entering an area closed pursuant to emergency management powers of the Governor or Mayor; and
- (3) Designates a pool writer, pool photographer, and pool videographer to gather and disseminate information when full access to the area closed pursuant to emergency management powers of the Governor or Mayor cannot be reasonably granted.

The Hawaii Chapter of the Society of Professional Journalists, Big Island Press Club, DLC Hawaii Media, All Hawaii News, and several concerned individuals supported this measure. The Department of Transportation, Hawaii State Fire Council, Honolulu Fire Department, Kauai Fire Department, Honolulu Police Department, Department of Emergency Management of the City and County of Honolulu, and the Civil Defense Agency of the County of Kauai opposed this measure. The Adjutant General and the Hawaii Emergency Management Agency offered comments.

Your Committee has amended this measure by:

- (1) Adding a definition of "journalist" or "news reporter";
- (2) Specifying that chapter 137, Hawaii Revised Statutes, relating to search and rescue reimbursement, applies to the costs associated with a search or rescue operation to search for or rescue a journalist or news reporter who has entered an area closed pursuant to the emergency management powers of the Governor and Mayor; and
- (3) Clarifying that the news media may be given all reasonable access and assistance in accessing an area closed pursuant to the emergency management powers of the Governor and Mayor.

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. 533, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 533, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, Johanson, Nakashima and Tupola.

SCRep. 1023-16 Consumer Protection & Commerce on S.B. No. 805

The purpose of this measure is to permanently enact the amendments made by Act 255, Session Laws of Hawaii 2012, to the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse".

Your Committee received testimony in support of this measure from the Board of Nursing, Hawaii Academy of Physician Assistants, The American Academy of Physician Assistants, Kauai Community Health Alliance, The Queen's Health Systems, and twenty-three concerned citizens.

Your Committee finds that Act 255, Session Laws of Hawaii 2012, amended the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse" to include carrying out the orders of a licensed physician assistant practicing with physician supervision and acting as an agent of the supervising physician. Act 255 also provides that the amended definitions shall be repealed on July 1, 2017.

Your Committee believes that healthcare delivery in the State has improved since these definitions were amended because registered nurses now have clear authority to execute the orders of physician assistants. Reverting to the previous definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse" may create confusion among health care providers and patients and negatively impact delivery of healthcare services in the State. Accordingly, your Committee believes that it is in the best interest of the State to make permanent the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse" that were temporarily established in 2012.

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. 805 and recommends that it pass Third Reading.

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

SCRep. 1024-16 Health on H.C.R. No. 9

The purpose of this measure is to request the Auditor to conduct a study of the relevancy of the Certificate of Need process under chapter 323D, Hawaii Revised Statutes, with respect to its effects on health care access, quality, and costs.

Hawaii Medical Association testified in support of this measure. The Grassroot Institute of Hawaii 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 concurs with the intent and purpose of H.C.R. No. 9 and recommends that it be referred to your Committee on Legislative Management.

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

SCRep. 1025-16 Health on H.C.R. No. 32

The purpose of this measure is to request the convening of a task force to:

- (1) Examine issues relating to cancer in the firefighting profession; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2017 Regular Session.

The State Fire Council, Honolulu Fire Department, Hawaii Fire Department of the County of Hawaii, Maui Fire Department, Hawaii Fire Fighters Association, and an individual testified in support of this measure. The Department of Health, Department of Human Resources Development, Employees' Retirement System, and University of Hawaii Cancer Center commented on this measure.

Your Committee has amended this measure by:

- (1) Adding a member representing the Department of Human Resources Development to the task force membership;
- (2) Requesting that the Director of Human Resources Development receive a certified copy of this measure; 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. 32, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 32, H.D. 1.

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

SCRep. 1026-16 Finance on H.B. No. 1700

The purpose of this measure is to appropriate supplemental funds for the operating and capital improvement costs for the Executive Branch for fiscal year (FY) July 1, 2016, through June 30, 2017.

The Office of the Governor; Department of Accounting and General Services; Department of Agriculture; Department of the Attorney General; Department of Budget and Finance; Department of Business, Economic Development and Tourism; Department of Commerce and Consumer Affairs; Department of Defense; Department of Education; Department of Hawaiian Home Lands; Department of Health; Department of Human Services; Department of Human Resources Development; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Public Safety; Department of Taxation; Department of Transportation; Executive Office on Early Learning; Hawaii Green Infrastructure Authority; Hawaii Health Systems Corporation; Hawaii Housing Finance and Development Corporation; Hawaii Public Charter Schools Network; Hawaii Public Housing Authority; Hawaii State Commission on the Status of Women; Hawaii Strategic Development Corporation; High Technology Development Corporation; Judiciary; Office of Enterprise Technology Services; Office of Information Practices; Public Utilities Commission; State Council on Developmental Disabilities; State Early Learning Advisory Board; University of Hawaii; Hawaii County Department of Research & Development; Kauai County Housing Agency; City and County of Honolulu Department of Planning and Permitting; Kona Community Hospital, West Hawaii Region, Hawaii Health Systems Corporation; East Hawaii Region of Hawaii Health Systems Corporation; Land Use Research Foundation of Hawaii; The Nature Conservancy; Oahu Island Parks Conservancy, Hawaii; The Trust for Public Land; Conservation Council for Hawaii; Hawaii Appleseed Center for Law and Economic Justice; Partners In Care; FACE; Child & Family Service; EAH Housing; Catholic Charities Hawaii; Hawaii Children's Action Network; Weinman Foundation; Mutual Housing Association of Hawaii; ike; Entrepreneurs Foundation of Hawaii; Hawaii Venture Capital Association; Startup Capital Ventures; Hawaii Inventors Association; Hawaii Food Manufacturers Association; Blue Planet Software, Inc.; Scenic Hawaii, Inc.; Ring of Fire Films, Inc.; Startup Capital Ventures; Lokahi Consulting and Technology; iFirst Medical Technologies; Hawaii Evolutionary Development, LLC; Sudokrew Solutions LLC; The Maritime Group, LLC; DevLeague LLC; Energy Excelsator; Kalamaula Mauka Homestead Association; Ka Huli O Haloa; HNLIO; Pono Media; Beyond Organic Consulting, Inc.; GVS Transmedia Accelerator; Kauai Watershed Alliance; Hawaii Fish Company Inc.; Impact Hub Honolulu; The Arc in Hawaii; Protect Leahi & Maluhia Ohana; RevaComm, Inc.; Cardax, Inc.; Fanhandle, Inc.; MockStar Studios, LLC; Harmsworth Productions; Design Lab4Thirteen LLC; Jumping Flea Productions, LLC; Kona Snow Productions, LLC; GVS Connect, LLC; Hawaii State Teachers Association; Ben Dyre Family Limited Partnership; Hyperspective Studios, Inc.; North Shore Community Land Trust; Kamehameha Schools; Hawaii's Thousand Friends; Hawaii Pacific Health; Full Life; The Queen's Health Systems; Hawaiian Islands Land Trust; Hawaii Public Health Association; Partners in Care; Ulu Development LLC; The Chamber of Commerce Hawaii; Kai Hawaii, Inc.; Startup Weekend Honolulu; Bishop Museum; Hawaii Green Growth; Villages of Laiopua Hawaiian Affairs Committee; Kakaako Makai Community Planning Advisory Council; and numerous individuals testified in support of all or various budget items contained in this measure.

The Hawaii Investors Association testified in opposition to a budget item contained in this measure. Several individuals provided comments on this measure.

The Administration submitted a supplemental budget that totaled:

	<u>FY 2017</u>
General Funds	\$7,162,848,627
All Means of Financing	\$13,760,614,513

Your Committee on Finance has amended this budget to appropriate:

	<u>FY 2017</u>
General Funds	\$7,078,690,750
All Means of Financing	\$13,713,230,801

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1700, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1700, H.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 1027-16 Human Services on S.B. No. 2409

The purpose of this measure is to clarify the guidelines whereby grandparents are awarded visitation rights to their grandchildren by:

- (1) Deleting duplicative provisions awarding grandparents reasonable visitation rights;
- (2) Adding as a prerequisite to awarding visitation that the court finds that awarding custody to a grandparent is in the best interest of the child and that denial of reasonable grandparent visitation rights would cause actual or potential harm to the child; and
- (3) Clarifying that if the grandparents of a child violate the terms and conditions of an order awarding reasonable visitation rights, the grandparents shall be subject to sanctions or contempt of court.

The Department of the Attorney General and two individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Amending the findings required for an award of grandparent visitation to include a showing of significant harm if visitation were denied;
- (2) Providing that the rebuttable presumption that a parent's decision regarding visitation is in the best interest of a child may be rebutted by a preponderance of the evidence that denial of reasonable grandparent visitation rights would cause significant harm to the child; 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 S.B. No. 2409, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2409, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1028-16 Human Services/Health on S.B. No. 2874

The purpose of this measure is to delete certain statutory provisions that are no longer applicable to the Department of Human Services as it no longer licenses or certifies health care settings. Specifically, this measure deletes references to the Department of Human Services with regard to:

- (1) Licensing or certifying health care settings;
- (2) Disciplining certified nurse aides employed in health care settings; and
- (3) Reporting substantiated findings as required by 42 U.S.C. §§1395i-3 and 1396r.

This measure also repeals section 346-47, Hawaii Revised Statutes, which relates to the investigation of certified nurse aides by the Department of Human Services as this section is duplicative of the authority granted to the department to investigate certified nurse aides pursuant to other existing statutory provisions.

The Department of Human Services and Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs supported 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 are in accord with the intent and purpose of S.B. No. 2874 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 1029-16 Human Services/Health on S.B. No. 2887

The purpose of this measure is to amend the definition of "developmental disabilities" in section 333F-1, Hawaii Revised Statutes, to include a child from birth to age nine who has a substantial developmental delay or specific congenital or acquired condition, without meeting three or more criteria described in the current definition, if the child, without services and supports, has a high probability of meeting the criteria later in life.

The Department of Health, Disability and Communication Access Board, State Council on Developmental Disabilities, Hawaii Self-Advocacy Advisory Council, Hawaii Children's Action Network, and several concerned individuals supported 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 are in accord with the intent and purpose of S.B. No. 2887, S.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1030-16 Health on S.B. No. 2007

The purpose of this measure is to:

- (1) Specify that the State Council on Mental Health (Council) is administratively attached to the Department of Health;
- (2) Require that the principal state agency regarding Medicaid be represented on the Council; and
- (3) Specify the Council's quorum and voting requirements.

The Department of Health and the Department of Human Services testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2007, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1031-16 Health on S.B. No. 2675

The purpose of this measure is to:

- (1) Authorize the Board of Dental Examiners, Hawaii Medical Board, and Board of Pharmacy to deny a license to an applicant who has been disciplined by another state or federal agency, and the Board of Nursing to deny a license to an applicant who has been disciplined by another state agency;
- (2) Authorize the Board of Dental Examiners, Hawaii Medical Board, Board of Nursing, and Board of Pharmacy to impose the same disciplinary action upon a licensee as that taken by another state or federal agency, subject to notice and administrative hearing requirements;
- (3) Prohibit a licensee from practicing in the State until a final order of discipline by the respective board is issued, if the licensee has been prohibited from practicing in another state; and
- (4) Require any final order of discipline taken to be public record.

The Hawaii Medical Board and Hawaii Medical Association testified in support of this measure. The Department of Commerce and Consumer Affairs commented on this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2675, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1032-16 Agriculture on H.C.R. No. 34

The purpose of this measure is to request the Department of Agriculture to examine the feasibility of decommissioning the animal quarantine station located in Halawa Valley on Oahu, including consideration of alternate locations for the quarantine station and other Department of Agriculture functions that could occupy the land.

The Department of Agriculture submitted 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 concurs with the intent and purpose of H.C.R. No. 34 and recommends that it be referred to your Committee on Water & Land.

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

SCRep. 1033-16 Agriculture on H.C.R. No. 42

The purpose of this measure is to gather information to develop strategies in addressing agricultural crop loss in the State by requesting the Department of Agriculture to convene a task force, including the Chairperson of the Board of Land and Natural Resources and other representatives from federal, state, and county agencies, to document and collect data identifying economic, environmental, and regulatory consequences of crop degradation by invasive and endangered species in Hawaii.

This measure also requests the task force to develop best management practices to control, eradicate, or relocate invasive and endangered species from Hawaii's agricultural areas.

The Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, Hawaii Island School Garden Network, and two concerned individuals supported this measure. Animal Rights Hawai'i and a concerned individual opposed this measure. The Department of Agriculture and Department of Land and Natural Resources submitted comments on this measure.

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

- (1) Deleting the establishment of a task force and instead requesting the Department of Agriculture, in collaboration with the Department of Land and Natural Resources, to perform the tasks requested of the task force;
- (2) Changing the title of this measure to read: "REQUESTING THE DEPARTMENT OF AGRICULTURE, IN COLLABORATION WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, TO DOCUMENT AND COLLECT DATA IDENTIFYING ECONOMIC, ENVIRONMENTAL, AND REGULATORY CONSEQUENCES OF CROP DEGRADATION CAUSED BY INVASIVE AND ENDANGERED SPECIES IN HAWAII;" and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 42, as amended herein, and recommends that it be referred to your Committee on Water & Land in the form attached hereto as H.C.R. No. 42, H.D. 1.

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

SCRep. 1034-16 Judiciary on S.B. No. 2031

The purpose of this measure is to clarify that increased penalties apply to the failure of a noncandidate committee to timely file a second preliminary general report.

The Campaign Spending Commission, Common Cause Hawaii, and one concerned individual testified in support of this measure.

Your Committee finds that this measure is intended to make the penalties assessed on noncandidate committees the same as the penalties for similar violations by candidate committees.

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. 2031 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1035-16 Judiciary on S.B. No. 2445

The purpose of this measure is to permit a candidate who has filed nomination papers to use election campaign funds to make charitable donations or to award scholarships after the candidate is declared to be duly elected to office pursuant to section 12-41 or section 12-42, Hawaii Revised Statutes, because the candidate is unopposed.

The League of Women Voters of Hawaii testified in opposition to this measure. The Campaign Spending Commission provided comments.

Your Committee has amended this measure to make it effective on January 1, 2017, so as not to interfere with processes already in motion for the 2016 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 S.B. No. 2445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2445, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Woodson and McDermott.
(Representative Thielen voted no.)

SCRep. 1036-16 Water & Land on S.B. No. 2026

The purpose of this measure is to establish the Hawaii Apprentice Hunting License Program to provide opportunities for young persons between the ages of 10 and 17 to engage in and learn about hunting under the supervision of sponsoring adult mentors who are licensed hunters.

The County of Hawaii Game Management Advisory Commission, Society for Hawaii Heritage Animals, and two individuals provided testimony in support of the measure. An individual provided testimony in opposition. The Department of Land and Natural Resources and Hawaii Hunting Association provided comments.

Upon careful consideration, your Committee has amended this measure to conform to H.B. No. 1754, H.D. 1, a similar bill that was reported from your Committee earlier this 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. 2026, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2026, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing, Lowen and Say.

SCRep. 1037-16 Water & Land on S.B. No. 2156

The purpose of this measure is to authorize the Department of Land and Natural Resources to become a member of the Interstate Wildlife Violator Compact, or a similar agreement.

The Humane Society of the United States-Hawaii, Humane Society International, NSEFU Wildlife Conservation Foundation, Global March for Elephants and Rhinos, March for Elephants, For the Fishes, and an individual provided testimony in support of the measure. The Department of Land and Natural Resources provided comments.

Your Committee notes that the Humane Society of the United States has offered to pay for the annual database maintenance fee required for membership and for the resulting additional staff hours needed to enter information into the national database.

Your Committee has amended this measure by changing the effective date to July 1, 2051, 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. 2156, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2156, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing, Lowen and Say.

SCRep. 1038-16 Water & Land on S.B. No. 1374

The purpose of this measure is to allow the State to investigate and take other actions toward acquiring agricultural land. Specifically, this measure:

- (1) Requires the Governor or the Governor's designee to:
 - (A) Negotiate and facilitate land exchanges with Dole Food Company, Inc., in accordance with chapter 171, Hawaii Revised Statutes, for acquiring lands suitable for long-term diversified agricultural production;
 - (B) Coordinate with the Agribusiness Development Corporation, the Department of Agriculture, the Department of Land and Natural Resources, and any other state department or agency that holds title or an assignment to an appropriate parcel of land to exchange; and
 - (C) Report to the Legislature on the feasibility of a land exchange and any appropriation, legislation, or administrative action necessary to accomplish the exchange;
- (2) Requires that title to any lands that the State acquires through an exchange with Dole Foods, Inc., be transferred to the Agribusiness Development Corporation; and
- (3) Appropriates \$400,000 from the Hawaii Agriculture Development Revolving Fund for investigation and appraisal costs related to the acquisition of lands owned by Dole Food Company, Inc.

The Agribusiness Development Corporation and Hawaii Farm Bureau provided testimony in support of the measure. The Department of Land and Natural Resources, Department of Agriculture, Office of Hawaiian Affairs, and Pacific Agricultural Land Management Systems provided comments.

Your Committee has amended this measure by:

- (1) Replacing the Governor or the Governor's designee with the Department of Agriculture;
- (2) Deleting the appropriation;
- (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 S.B. No. 1374, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1374, S.D. 2, H.D. 1, and be referred to your Committee on Agriculture.

Signed by all members of the Committee except Representatives Ing, Lowen and Say.

SCRep. 1039-16 Water & Land on S.B. No. 2329

The purpose of this measure is to:

- (1) Require a mortgagee or record assignee to provide to a mortgagor or borrower, upon full satisfaction of a mortgage and discharge of the secured debt, a reassignment or release of security interests in leases and rents that served as additional security for the mortgage;
- (2) Authorize title insurers or underwritten title companies to reassign or release mortgagees' security interests in leases and rents on behalf of the mortgagee or record assignee under certain conditions; and
- (3) Authorize certain entities to institute an action in any circuit court to obtain the release or reassignment instrument in the absence of compliance of a mortgagee or record assignee.

An individual provided testimony in support of the 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 S.B. No. 2329, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2329, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Ing, Lowen and Say.

SCRep. 1040-16 Water & Land on S.B. No. 2660

The purpose of this measure is to repeal the sunset date of section 501-261.5, Hawaii Revised Statutes, which authorizes owners of registered fee non-time share interests to deregister those interests from the Land Court System. Specifically, this measure repeals the sunset date of December 31, 2016, set forth in section 13 of Act 119, Session Laws of Hawaii 2013, as amended by Act 47, Session Laws of Hawaii 2014.

The Department of Land and Natural Resources and American Resort Development Association Hawaii provided testimony in support of the measure.

Your Committee has amended this measure by changing the effective date to July 1, 2051, 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. 2660, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2660, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Ing, Lowen and Say.

SCRep. 1041-16 Water & Land on S.B. No. 2451

The purpose of this measure is to:

- (1) Change the general administrative penalties for timber trespass in forest reserves to a fine of not more than the current market value of the Koa tree or other tree or plant destroyed or harvested;
- (2) Clarify that a person who violates the provisions of or rules related to the State's forest reserve laws is subject to imprisonment and escalating minimum fines and also clarify that a trespass in forest reserve violation is punishable as a misdemeanor; and
- (3) Repeal the general penalty provisions related to the State's laws governing forest reserves, water development, and zoning; Hawaiian fishponds; conservation districts; wildlife; state parks and recreation areas; and land fire protection law.

The Department of Land and Natural Resources provided testimony in support of the 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 S.B. No. 2451, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2451, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing, Lowen and Say.

SCRep. 1042-16 Economic Development & Business on S.B. No. 2506

The purpose of this measure is to continue the diversification of Hawaii's economy through development of the technology industry by authorizing the issuance of \$15,000,000 in special purpose revenue bonds (SPRBs) for TruTag Technologies, Inc., to expand its nanotechnology manufacturing facilities in Kapolei.

The Chamber of Commerce Hawaii; TruTag Technologies, Inc.; and several concerned individuals testified in support of this measure. The Department of Budget and Finance provided comments.

TruTag Technologies, Inc., is a Hawaii based company that provides product authentication and brand protection solutions for multiple industries through the use of nanotechnology. Through the creation of unique microtags which offer a powerful product security measure, TruTag Technologies, Inc., is able to assist various industries in addressing the trillion-dollar global problem of counterfeit and diverted goods. The provision of SPRBs to TruTag Technologies, Inc., is intended for the expansion of its manufacturing facility in Kapolei to increase manufacturing capacity. Your Committee finds that the provision of SPRBs for this purpose will create jobs, increase manufacturing in Hawaii, and improve the diversification and overall health of 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. 2506 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, DeCoite, Ito, Ohno and Woodson.

SCRep. 1043-16 Economic Development & Business on S.B. No. 2511

The purpose of this measure is to address the membership of the Broadband Assistance Advisory Council. More specifically, this measure:

- (1) Includes the Director of Business, Economic Development and Tourism or the Director's designee as a permanent member of the Broadband Assistance Advisory Council;
- (2) Ensures that each county is represented by at least one government official member on the Broadband Assistance Advisory Council;
- (3) Authorizes the chair of the Broadband Assistance Advisory Council to designate ad hoc members of the Council or of Council working groups; and
- (4) Clarifies provisions relating to the expiration of council members' terms.

The Department of Business, Economic Development and Tourism and Department of Commerce and Consumer Affairs Cable Television Division testified in support of this measure.

Broadband service has become essential information infrastructure in the Twenty-first Century and access to it must be expanded. The Broadband Assistance Advisory Council advises the Department of Commerce and Consumer Affairs on policy and funding priorities to promote and encourage the use of telework alternatives for public and private employees and to expedite the development of affordable and accessible broadband services in Hawaii. Your Committee finds that the membership of the Broadband Assistance Advisory Council does not currently include representation from the Department of Business, Economic Development, and Tourism, every county, or other interested public or private sector organizations. Your Committee finds that inclusion of these other parties will enhance the Advisory Council's ability to advise on broadband-related policy for the entire State.

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. 2511 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Brower, DeCoite, Ito, Ohno and Woodson.

SCRep. 1044-16 Economic Development & Business on S.B. No. 2541

The purpose of this measure is to increase government efficiency by authorizing the Chief Information Officer of the State to transfer or expend general funds in addition to funds from other sources, subject to the approval of the Governor, for projects funded and authorized by the Legislature in the General Appropriations Act of 2015, for information management and technology (AGS130).

The Office of Enterprise Technology Services, Department of Education, and Department of the Attorney General testified in support of this measure.

Your Committee finds that no clear mechanism exists for the Office of Enterprise Technology Services to transfer general funds to another agency or department for expenditure on information technology-related contracts. Consequently, once an agency or department's contract to implement a project has been approved, to comply with existing law, the Office of Enterprise Technology Services must either initiate the technology contract itself or add itself as a third party to the contract.

Authorizing the Office of Enterprise Technology Services to transfer general funds to agencies and departments to implement technology-related contracts that have been authorized and funded by the Legislature in the current state budget will increase government efficiency and remove unnecessary obstacles to improving the State's information technology systems.

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. 2541 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, DeCoite, Ito, Ohno and Woodson.

SCRep. 1045-16 Economic Development & Business on S.B. No. 2819

The purpose of this measure is to more accurately reflect the mission of the High Technology Development Corporation by changing its name to the Hawaii Technology Development Corporation.

The Department of Business, Economic Development and Tourism and High Technology Development Corporation testified in support of this measure.

Established in 1983, the High Technology Development Corporation facilitates the development and growth of Hawaii's commercial technology industry as this industry is an important driver in the diversification of Hawaii's economy. However, the rapid advancement of the technology and telecommunications industries, as well as the rapid growth and advancement of the internet and automation, has made the concept once thought of as high technology commonplace. What was once thought of as "high technology" is now simply referred to as "technology." In light of this, your Committee finds that changing the name of the High Technology Development Corporation to the Hawaii Technology Development Corporation will more accurately describe its mission.

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. 2819 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Ito, Ohno and Woodson.

SCRep. 1046-16 Human Services on S.B. No. 2232

The purpose of this measure is to establish the Erin's Law Task Force (Task Force) to guide the establishment of a program to educate public school students on sexual abuse prevention through use of age-appropriate curricula. Specifically, this measure:

- (1) Requires the Task Force to review current policies, programs, and curricula for educating public school students about sexual abuse prevention and make recommendations for the establishment of the program;
- (2) Requires the Department of Education to implement the recommendations of the Task Force in the 2017-2018 school year or to notify the chairs of the Senate and House of Representatives standing committees with primary jurisdiction over education and human services if the Department is unable to do so; and
- (3) Appropriates funds for the operations of the Task Force.

The Hawai'i State Commission on the Status of Women; Hawaii Youth Services Network; Planned Parenthood Votes Northwest and Hawaii; Sex Abuse Treatment Center; Hawaii State Coalition Against Domestic Violence; American Association of University Women, Hawaii; Hawaii State Teachers Association; and several individuals supported this measure. The Executive Office on Early Learning and Department of Education supported the intent of this measure.

Your Committee has amended this measure by amending the composition of the Task Force to:

- (1) Include the Superintendent or the Superintendent's designee rather than a Deputy Superintendent of the Department of Education as Chair; and
- (2) Add an elementary school principal and a secondary school principal, to be designated by the Superintendent.

Other technical, nonsubstantive amendments were made 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. 2232, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2232, S.D. 2, H.D. 1, and be referred to your Committee on Education.

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

SCRep. 1047-16 Human Services on S.B. No. 2321

The purpose of this measure is to:

- (1) Require domestic violence intervention training for any state and county employees whose job duties require or may require intervention in a domestic abuse situation; and
- (2) Appropriate funds to the Hawaii State Commission on the Status of Women to provide domestic violence intervention training.

The Hawaii State Commission on the Status of Women, Parents and Children Together, Domestic Violence Action Center, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, Hawaii State Coalition Against Domestic Violence, American Association of University Women in Hawaii, Hawaii Women's Coalition, and several individuals supported this measure. The Department of Public Safety supported the intent of this measure. The Hawaii State Fire Council and Honolulu Fire Department provided comments.

Your Committee has amended this measure by:

- (1) Changing the expending agency for the appropriation from the Hawaii State Commission on the Status of Women to the Department of Human Resources Development; 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. 2321, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2321, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1048-16 Judiciary on S.B. No. 2117

The purpose of this measure is to adopt a process for permanent absentee voters to receive a ballot at both their address of record and another address inside or outside the State for different elections occurring within the same election cycle without affecting their permanent absentee status or permanent on record mailing address. The measure also allows a voter to receive an absentee ballot by electronic transmission if the voter requires a replacement ballot within five days of an election and to return the voted replacement ballot and executed forms by electronic transmission.

The Office of Elections, Offices of the County Clerk of the Counties of Kauai and Maui, and the League of Women Voters of Hawaii testified in support of this measure.

This measure clarifies the procedure for permanent absentee voting by codifying the practices that were established by county election officials regarding permanent absentee ballot voters who need to have a ballot mailed to an address other than their permanent address for different elections that

occur within the same election cycle. Further, the measure authorizes the electronic transmission of voted replacement ballots, which provides a practical and expeditious means of casting a ballot and encourages voter participation.

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. 2117, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1049-16 Human Services on S.B. No. 2318

The purpose of this measure is to help victims of domestic violence, sexual assault, and stalking by:

- (1) Establishing the Address Confidentiality Program (Program) to maintain the confidentiality of the addresses of those victims upon relocation and prevent assailants or potential assailants from locating the victim through public records; and
- (2) Appropriating funds to the Department of the Attorney General for the implementation and operation of the Program.

The Department of the Attorney General, Hawaii State Commission on the Status of Women, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Parents and Children Together, Hawaii Women Lawyers, Domestic Violence Action Center, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, Sex Abuse Treatment Center, Hawaii State Coalition Against Domestic Violence, American Association of University Women in Hawaii, Hawaii Women's Coalition, and several individuals supported this measure. The Office of Information Practices provided comments.

Your Committee has amended this measure by:

- (1) Allowing the Program to develop policies and procedures concerning undeliverable mail, including allowing the mail to be returned to the sender;
- (2) Prohibiting the disclosure of a Program participant's address unless required by order of a court, rather than by chapter 92F, Hawaii Revised Statutes;
- (3) Deleting the reference to the section on prohibitions and penalties from the section on indemnification; and
- (4) Changing its effective date to July 1, 2017.

Should the Committee on Judiciary deliberate on this measure further, your Committee on Human Services respectfully requests that it consider the concerns raised by the Office of Information Practices in its testimony regarding the mandatory disclosure provisions under section 92F-12(a)(5) and (12), Hawaii Revised Statutes. These provisions require state and county agencies to release names connected to address-related records, such as land ownership, property tax records, and Board of Water Supply records of water consumption, for public inspection and duplication. The release of this information to the public may enable assailants or potential assailants to track down victims seeking confidentiality through the 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 S.B. No. 2318, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2318, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1050-16 Labor & Public Employment/Higher Education on S.B. No. 2543

The purpose of this measure is to clarify the purposes of the University of Hawaii Community Colleges by specifying that they include providing short-term and rapid response occupational and certification programs designed to qualify individuals to fill new and hard-to-fill positions in the State that require technical training.

The Department of Human Resources Development; University of Hawaii; Chamber of Commerce Hawaii, and UPW Local 646, AFL-CIO supported this measure.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2543 and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Ing and Kong.

SCRep. 1051-16 Labor & Public Employment on S.B. No. 2835

The purpose of this measure is to appropriate funds for collective bargaining unit (8) cost items and related expenses for public employees in collective bargaining unit (8) and their excluded counterparts.

The Department of Budget and Finance; Office of Collective Bargaining; University of Hawaii; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure.

According to Governor's Message No. 11, the Governor requested funding for a one-time subsidy in Fiscal Year 2017 related to the collective bargaining agreement with bargaining unit (8) and that this funding be provided for in the budget appropriation bill (H.B. No. 1700). Your Committee notes that in order to accomplish this approach, both H.B. No. 1700 and this measure will need to pass the Legislature to fund the collective bargaining agreement.

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. 2835, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 1052-16 Labor & Public Employment on S.B. No. 2836

The purpose of this measure is to make appropriations for collective bargaining and other related cost items for state law enforcement officers and state and county ocean safety and water safety officers who comprise collective bargaining unit (14)("Unit 14"), and their excluded counterparts.

The Department of Budget and Finance, Office of Collective Bargaining, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO (HGEA) testified in support of this measure.

Your Committee has amended this measure to incorporate the recommendations from Governor's Message No. 13 dated February 24, 2016, which reflect the arbitration award issued for HGEA for Unit 14. Specifically, your Committee has amended this measure to:

- (1) Appropriate the following amounts for collective bargaining cost items for salary increases and other wage related costs negotiated with the exclusive collective bargaining representative of Unit 14 for fiscal year 2016-2017:
 - (A) \$6,585,486 from general funds;
 - (B) \$561,439 from special funds; and
 - (C) \$1,074,879 from intergovernmental transfers;
- (2) Appropriate \$174,810 in general funds for fiscal year 2016-2017 for salary increases and other cost adjustments authorized for state and county employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees with Unit 14; 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. 2836, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2836, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 1053-16 Labor & Public Employment on S.B. No. 2837

The purpose of this measure is to appropriate funds for collective bargaining cost items for public employees belonging to 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 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. 2837, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 1054-16 Labor & Public Employment on S.B. No. 2841

The purpose of this measure is to facilitate public employers' payment of contributions to the Employees' Retirement System by:

- (1) Authorizing the State and the counties to make advance payments to the System in lieu of monthly payments;
- (2) Providing that the Employees' Retirement System's determination of the actual amounts owed by the State and counties for each fiscal quarter take into account any excess contributions, as well as amounts paid, in the previous quarter; and
- (3) Requiring that these payment procedures commence on July 1, 2016.

The Employees' Retirement System and a concerned individual 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. 2841 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 1055-16 Labor & Public Employment on S.B. No. 2840

The purpose of this measure is to authorize the Department of Health for an additional two years to continue to disclose, including through electronic means, lists of names of persons whose deaths have been recorded by the Department. The disclosure shall be limited to state agencies that request the information by written agreement, maintain official lists of persons in the ordinary course of the agency's activities, and are prohibited by federal law from sharing information from the lists.

The Department of Human Services and Hawaii Employer-Union Health Benefits Trust Fund supported this measure. The Grassroot Institute of Hawaii 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 is in accord with the intent and purpose of S.B. No. 2840, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Health.

Signed by all members of the Committee except Representative Har.

SCRep. 1056-16 Labor & Public Employment on S.B. No. 2895

The purpose of this measure is to provide the Executive Director of the Hawaii Civil Rights Commission with discretion in the investigation and conciliation of filed complaints not falling under the federal Fair Housing Act. Specifically, this measure authorizes the Executive Director to dismiss a complaint and issue a notice of right to sue, in addition to the Executive Director's existing power to demand that a respondent cease an alleged unlawful discriminatory practice.

The Hawaii Civil Rights Commission, Hawaii Disability Rights Center, and an individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the Executive Director, rather than the Commission, may reconsider the Executive Director's action to dismiss a complaint and issue a notice of right to sue; and
- (2) Changing its effective date to July 1, 2091, 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. 2895, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2895, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1057-16 Labor & Public Employment on S.B. No. 2723

The purpose of this measure is to increase the fines for contractors and subcontractors who violate the wage and hour requirements for public works projects. Specifically, this measure increases the monetary fines as follows:

- (1) For a first violation, from \$25 to \$1,000 per offense; and
- (2) For a second violation within two years of the first notice of violation, from \$100 to \$10,000 for each offense.

The Department of Labor and Industrial Relations and Hawaii Construction Alliance supported this measure. The General Contractors Association; King & Neel, Inc.; Oahu Plumbing & Sheet Metal, Ltd.; LYZ Inc.; Isemoto Contracting Co. Ltd.; Alan Shintani, Inc.; Healy Tibbitts Builders, Inc.; Ralph S. Inouye Co. Ltd.; Can-Am Coatings, Inc.; BIA-Hawaii; Dorvin D. Leis Co., Inc.; and Willocks Construction Corporation opposed this measure. The Subcontractors Association of Hawaii and The Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the penalty for a second violation within two years of the first notice of violation to 50% of back wages found due, plus \$5,000 for each offense;
- (2) Changing the penalty for a third violation within three years of the second notice of violation to full back wages found due, plus \$10,000 for each offense; and
- (3) Changing its effective date to July 1, 2016.

Your Committee heard concerns regarding the penalty changes made by this measure and notes that the Department of Labor and Industrial Relations has administrative procedures in place to determine whether the facts warrant a violation.

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. 2723, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2723, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Har.

SCRep. 1058-16 Labor & Public Employment on S.B. No. 2244

The purpose of this measure is to bring the retirement benefits of prospective judges in line with the retirement benefits of other public employees who are members of the Employees' Retirement System. Specifically, this measure:

- (1) Provides that a member of the Employees' Retirement System who first earned credited service as a judge after June 30, 2016, and has at least 12 years of credited service and attained age 60, or has at least 25 years of credited service and has attained age 55, may retire with retirement allowance; and
- (2) Reduces the retirement allowance for a member who first earns credited service as a judge after June 30, 2016, to two percent of the member's average final compensation. If the member has not attained age 60 the retirement allowance will be reduced for each month the member's age at the date of retirement is below age 60.

The Judiciary and one concerned individual opposed this measure. The Employees' Retirement System and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provided comments.

Your Committee has amended this measure by:

- (1) Replacing its contents with H.B. No. 2006, H.D. 1, a similar bill that was passed by your Committee, which preserves judges' classification as class A members and applies the two percent benefit multiplier and 60 year retirement age to service credit earned by judges who entered service or were reappointed or promoted on or after July 1, 2016; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2244, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2244, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1059-16 Health/Labor & Public Employment on S.B. No. 2775

The purpose of this measure is to authorize the State to submit a state innovation waiver proposal to the United States Secretaries of Health and Human Services and the Treasury requesting the waiver of certain provisions of the federal Patient Protection and Affordable Care Act of 2010 that may undermine gains made under the State's Prepaid Health Care Act. This measure also authorizes the State to implement the waiver on or after January 1, 2017, upon approval by the federal government.

The Chair of the Hawaii ACA State Innovation Waiver Task Force; Department of Health; Department of Commerce and Consumer Affairs; Department of Labor and Industrial Relations; State Chief Information Officer; Planned Parenthood Votes Northwest and Hawaii; Chamber of Commerce Hawaii; The Queen's Health Systems; Healthcare Association of Hawaii; ILWU Local 142; and Hawaii Medical Service Association testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Health and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2775 and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Jordan and Tupola.

SCRep. 1060-16 Health/Human Services on S.B. No. 2395

The purpose of this measure is to enhance access to health care via telehealth by:

- (1) Prohibiting the State's Medicaid managed care and fee-for-service programs from denying coverage for telehealth services;
- (2) Specifying that provision of telehealth services shall be consistent with all federal and state privacy, security, and confidentiality laws;
- (3) Requiring medical malpractice insurers to provide professional liability coverage for telehealth services that is equivalent to coverage for the same services provided via face-to-face contact between a health care provider and a patient;
- (4) Requiring insurers to provide current and prospective enrollees with written disclosure of coverage and benefits associated with telehealth services; and
- (5) Specifying that insurer reimbursement for telehealth services required under this measure applies to all health benefits plans under the Hawaii Employer-Union Health Benefits Trust Fund law.

The State Council on Developmental Disabilities, Department of Health, Planned Parenthood Votes Northwest and Hawaii, Hawaii Medical Service Association, The Queen's Health Systems, Hawai'i Pacific Health, Hawai'i Association of Health Plans, UnitedHealthcare Community Plan of Hawai'i, Hawai'i Association of Professional Nurses, Healthcare Association of Hawaii, DentaQuest, Kaiser Permanente Hawaii, and a few individuals testified in support of this measure. The Department of Human Services, Hawaii Academy of Physician Assistants, and an individual commented on this measure.

Your Committees have amended this measure by:

- (1) Specifying that telehealth requirements for Medicaid plans shall comply with federal requirements related to utilization, coverage, and reimbursement for telehealth services;
- (2) Changing its effective date to July 1, 2112, to facilitate 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 Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2395, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2395, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1061-16 Health on S.B. No. 2383

The purpose of this measure is to:

- (1) Repeal the Hawaii Health Connector (Connector); and
- (2) Specify that the debts and liabilities incurred by the Connector remain the debts and liabilities of the Connector and do not constitute the debts and liabilities of the State, nor is the State responsible for the financial operations or solvency of the Connector.

The Department of Commerce and Consumer Affairs, Department of Labor and Industrial Relations, Office of Enterprise Technology Services, The Chamber of Commerce Hawaii, and ILWU Local 142 testified in support of this measure. CGI Technologies and Solutions Inc. commented on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the provisions in this measure shall not diminish or limit the consumer protections contained in or alter the provisions of the Hawaii Prepaid Health Care Act;
- (2) Changing its effective date to July 1, 2112, to facilitate 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2383, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2383, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1062-16 Health on S.B. No. 2539

The purpose of this measure is to establish a special action team for the Hawaii State Hospital, to:

- (1) Assist and advise the Department of Health in addressing capacity and census issues at the Hawaii State Hospital; and
- (2) Expedite the development there of a new forensic facility ready for occupancy by June 30, 2019.

The Department of Health; Hawaii Health Systems Corporation; and United Public Workers, AFSCME, Local 646, AFL-CIO testified in support of this measure.

Your Committee has amended this measure by:

- (1) Making the appropriation an unspecified amount;
- (2) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$50,000 for fiscal year 2016-2017 for the administration and operation of the special action team for the Hawaii State Hospital.

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. 2539, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2539, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1063-16 Health on S.B. No. 2319

The purpose of this measure is to expand access to prescription contraceptives by requiring health insurers, including health benefits plans under the Employer-Union Health Benefits Trust Fund and Medicaid managed care programs, to cover reimbursement to a prescribing health care provider or dispensing entity for contraceptive supplies that are intended to last for up to a 12-month period for an insured.

The Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, Healthy Mothers Healthy Babies, American Association of University Women of Hawaii, Americans for Democratic Action, Hawaii Section of the American Congress of Obstetricians and Gynecologists, Hawaii Public Health Association, YWCA Oahu, LGBT Caucus of the Democratic Party of Hawaii, and numerous individuals testified in support of this measure. The Department of Human Services, Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, Department of Commerce and Consumer Affairs, American Council of Life Insurers, The Chamber of Commerce Hawaii, and Hawaii Medical Association commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that disability insurers are not required to provide coverage for contraceptive services and supplies and reimbursement to prescribing and dispensing pharmacists for the services and supplies to an insured; 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 S.B. No. 2319, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2319, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1064-16 Health on S.B. No. 2320

The purpose of this measure is to expand access to prescription contraceptives by:

- (1) Authorizing pharmacists to prescribe and dispense contraceptive supplies to patients who are at least 18 years old, regardless of whether the patient has received a previous prescription for contraceptive supplies from an authorized provider;
- (2) Specifying requirements pharmacists must meet prior to prescribing and dispensing contraceptive supplies; and
- (3) Requiring all insurers in the State, including health benefits plans under the Hawaii Employer-Union Health Benefits Trust Fund and Medicaid managed care program, to reimburse pharmacists who prescribe and dispense contraceptive supplies.

The Department of Health, LGBT Caucus of the Democratic Party of Hawai'i, Healthy Mothers Healthy Babies, Hawaii Section of the American Congress of Obstetricians and Gynecologists, CVS Health, Hawaii Public Health Association, Hawaii Women's Coalition, and two individuals testified in support of this measure. The Department of Commerce and Consumer Affairs, American Council of Life Insurers, Hawaii Medical Service Association, and Planned Parenthood Votes Northwest and Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that limited benefit insurers are excluded from the coverage requirements established by this measure; 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. 2320, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2320, S.D. 1, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

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

SCRep. 1065-16 Health on S.B. No. 2861

The purpose of this measure is to repeal the Joint Formulary Advisory Committee and allow the Board of Nursing to be the sole authority that determines the exclusionary formulary of drugs that may be prescribed by qualified advanced practice registered nurses with prescriptive authority.

The Board of Nursing, Hawai'i State Center for Nursing, and Hawaii Association of Professional Nurses 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 S.B. No. 2861, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1066-16 Health on S.B. No. 2672

The purpose of this measure is to improve patient access to medical care by clarifying the circumstances under which advanced practice registered nurses may practice to the fullest extent of their training and education. Specifically, this measure amends various statutes related to prescription drugs, emergency mental health exams, determination of cause of death, workers' compensation, and nursing to accurately reflect the existing roles and scope of practice of advanced practice registered nurses.

The Department of Health; Department of Labor and Industrial Relations; Hawai'i State Center for Nursing; Board of Nursing; Hawaii Association of Professional Nurses; Hawai'i Pacific Health; and several concerned individuals supported this measure. Two concerned individuals 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. 2672, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1067-16 Health on S.B. No. 668

The purpose of this measure is to provide immunity to the Department of Health and its employees, agents, and volunteers from liability for operating the clean and sober homes registry in good faith.

The Department of Health, Hawaii Paroling Authority, Hawaii Substance Abuse Council, The Salvation Army Addiction Treatment Services and Family Treatment Services, and an individual provided testimony in support of the measure. The Hawaii Association for Justice provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Health and its employees, agents, and volunteers will be immune from liability for operating the clean and sober homes registry reasonably and in good faith; and
- (2) 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 668, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 668, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1068-16 Judiciary on S.B. No. 2032

The purpose of this measure is to clarify campaign spending reporting requirements by:

- (1) Clarifying the due dates for delivery of candidates' preliminary, final, and supplemental reports to the Campaign Spending Commission; and
- (2) Requiring all past and current candidates with a registered candidate committee to file supplemental reports on January 31 and July 31 of every year.

Your Committee finds this measure enhances candidates' understanding of campaign spending reporting deadlines because it more clearly states the requirements that are the current practice of the Campaign Spending Commission.

The Campaign Spending Commission, Common Cause Hawaii, and one concerned 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 S.B. No. 2032, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1069-16 Judiciary on S.B. No. 2106

The purpose of this measure is to support and encourage victims and other witnesses to report and pursue charges relating to criminal offenses that occur in Hawaii by:

- (1) Increasing the per diem payments for out-of-state witnesses from \$145 to \$200 per 24-hour day; and
- (2) Increasing the overnight supplement for inter-island witnesses who are required to stay overnight from \$90 to \$145 per 24-hour day, in addition to the \$55 per diem payment.

The Crime Victim Compensation Commission and the Prosecuting Attorneys for the County of Hawaii, City and County of Honolulu, and County of Kauai testified in support of this measure.

Your Committee finds per diem stipends to witnesses who travel from out-of-state or interisland have increased by only a small amount in the most recent 27 years. This small increase has not kept pace with inflation. The current per diem amount is insufficient to cover the witnesses' personal expenses for lodging and food. Witnesses must use their own money to pay for these expenses. This has reduced witness participation and the pursuit of charges against offenders, thus presenting an economic barrier to successful prosecution.

This measure alleviates the economic barrier at minimal cost. For example, based on the per diem amounts specified by this measure, Honolulu's Department of the Prosecuting Attorney's 2016 expenses would increase by only approximately \$12,500.

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. 2106 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee and Thielen.

SCRep. 1070-16 Housing on S.B. No. 2565

The purpose of this measure is to repeal the authority of the Hawaii Public Housing Authority to sell rental units in public housing projects, state low-income housing projects, and elderly housing projects to tenants by repealing the State Sales Housing Program of the Hawaii Public Housing Authority.

The Hawaii Public Housing Authority 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. 2565 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1071-16 Housing on S.B. No. 2823

The purpose of this measure is to set the maximum allowable salary of the Executive Director of the Hawaii Housing Finance and Development Corporation at an amount not to exceed the salary of the Director of Business, Economic Development, and Tourism and to require the Corporation to report any salary adjustments of the Executive Director to the Legislature.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2823 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1072-16 Housing on S.B. No. 2566

The purpose of this measure is to provide capital for the development of affordable rental housing by transferring excess moneys from the Rental Assistance Revolving Fund to the Rental Housing Revolving Fund.

The Governor's Coordinator on Homelessness supported this measure. Hawaii Housing Finance and Development Corporation supported the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2566, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1073-16 Housing on S.B. No. 2343

The purpose of this measure is to prohibit any county or the Hawaii Public Housing Authority from disqualifying a legal nonconforming dwelling unit from the Housing Choice Voucher Program if the dwelling unit meets zoning and building code requirements and other program standards for health and safety.

One concerned individual testified in support of this measure. The Hawaii Public Housing Authority provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that to be eligible for the Housing Choice Voucher Program a legal nonconforming dwelling unit shall also meet program standards, such as health and safety standards; and
- (2) Making this measure effective on 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. 2343, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2343, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1074-16 Housing on S.B. No. 2570

The purpose of this measure is to:

- (1) Require the Department of Human Services to establish a Rapid Re-housing Assistance Program (Program) to help homeless families or individuals move into permanent housing as quickly as possible and achieve stability in that housing; and
- (2) Appropriate funds for the establishment and operation of the Program and to hire full-time equivalent program specialists for the Program.

Catholic Charities Hawaii supported this measure. The Department of Human Services, Governor's Coordinator on Homelessness, and an individual provided comments.

Your Committee has amended this measure by removing the requirement for the Department of Human Services to adopt rules that are not inconsistent with applicable federal laws and regulations to implement the Program.

Should the Committee on Finance deliberate on this measure further, your Committee on Housing respectfully requests that it consider appropriating \$2,000,000 for the establishment and operation of the 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. 2570, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2570, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1075-16 Housing on S.B. No. 2563

The purpose of this measure is to make the Hawaii Public Housing Authority (Authority) eligible to receive funds and leases under preferential terms from the Hawaii Housing Finance and Development Corporation (Corporation). Specifically, this measure:

- (1) Adds the Authority and any successor agency to the Authority as an entity to which the Corporation may lease land for ninety-nine years at \$1 per year per parcel;
- (2) Includes the Authority's projects and units in projects to the group of projects that are currently at the top of the existing priority list for rental housing projects that may receive loans or grants from moneys in the Corporation's Rental Housing Revolving Fund;
- (3) Adds the Authority as an entity that is an eligible applicant for the Corporation's funds, to the extent authorized by law;
- (4) Amends the preference list for projects that are eligible for assistance from the Rental Housing Revolving Fund;
- (5) Places projects that serve families and individuals transitioning from homeless shelters at the top of the priority list for allocations from the Rental Housing Revolving Fund; and
- (6) Amends the preference criteria to require the Corporation to select a project of the Authority over an equally ranked nonprofit, for-profit, or other government project for funding allocation.

The Hawaii Public Housing Authority supported this measure. The Hawaii Housing Finance and Development Corporation supported the intent of this measure. The Land Use Research Foundation of Hawaii opposed this measure.

Your Committee has amended this measure by:

- (1) Adding new language requiring the Hawaii Public Housing Authority to coordinate:
 - (A) The planning of public housing projects with the Office of Planning; and
 - (B) The development of public housing projects with the Hawaii Housing Finance and Development Corporation;
 for public housing projects that are located on a property within one-half mile of a public transit station and utilize funds from the Rental Housing Revolving Fund as a portion of its project financing;
- (2) Clarifying language for the ranking of preference of projects for funding from the Rental Housing Revolving Fund;
- (3) Making conforming amendments to the preamble; and
- (4) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2563, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2563, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1076-16 Human Services on S.B. No. 2309

The purpose of this measure is to require the Department of the Prosecuting Attorney of each county, in consultation with the Department of the Attorney General, to establish a Sexual Assault Kit Tracking Program. More specifically, this measure:

- (1) Requires a law enforcement agency that receives a sexual assault kit in connection with a criminal investigation to submit the kit to an authorized laboratory, the laboratory to complete the analysis of the kit, and the results to be uploaded to certain databases in a timely manner;
- (2) Requires each law enforcement agency that obtains a sexual assault kit in connection with a criminal investigation to provide annual written notice to the Department of the Attorney General on the number of sexual assault kits that have not been submitted to a laboratory for analysis;
- (3) Requires the Department of the Attorney General to make arrangements for the analysis of all sexual assault kits utilized prior to July 1, 2016, and to ensure that analysis results are uploaded to certain databases;
- (4) Provides that the failure of a law enforcement agency to timely submit for analysis a sexual assault kit utilized on or after July 1, 2016, shall not, among other things, alter the authority of the agency to submit the kit for analysis or render evidence derived from the kit inadmissible in court;
- (5) Requires that a certification be included with sexual assault kit evidence submitted for analysis;
- (6) Requires the expungement from certain databases of records not connected to a criminal investigation;
- (7) Requires the Department of the Prosecuting Attorney of each county to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017, including the respective number of unprocessed sexual assault kits collected before July 1, 2016, and the status of any backlog; and
- (8) Appropriates funds to the Department of the Attorney General to ensure all sexual assault kits that were collected prior to July 1, 2016, and that are the subject of a criminal investigation are analyzed.

The Hawaii State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women in Hawaii, Hawaii Women's Coalition, Sex Abuse Treatment Center, Joyful Heart Foundation, and several individuals supported this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Office of the Prosecuting Attorney of the County of Kauai, and Office of the Prosecuting Attorney of the County of Hawaii supported the intent of this measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by deleting its contents and replacing it with provisions that require:

- (1) Law enforcement agencies to compile information on untested sexual assault collection kits and transmit the information to the Attorney General's office; and
- (2) The Department of the Attorney General to prepare and transmit to the President of the Senate and the Speaker of the House of Representatives a comprehensive report that provides information regarding untested sexual assault evidence collection kits, including progress made to reduce the number of untested kits to date and a multi-disciplinary approach to minimizing the number of untested kits in the future.

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. 2309, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2309, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1077-16 Health/Labor & Public Employment on S.B. No. 2894

The purpose of this measure is to:

- (1) Authorize the Department of Human Services to develop and administer outreach as required by the federal Patient Protection and Affordable Care Act of 2010 (Affordable Care Act);
- (2) Create Hawaii health insurance programs within the Department of Labor and Industrial Relations, which will conform state law to the Affordable Care Act and enable the State to:
 - (A) Preserve the benefits of the Hawaii Prepaid Health Care Act;
 - (B) Ensure a smooth transition to a state-based marketplace using the federal platform for individuals and families; and
 - (C) Develop a system to allow small businesses to continue to take advantage of Affordable Care Act tax credits; and
- (3) Appropriate funds to the Department of Labor and Industrial Relations and Department of Human Services for the foregoing purposes.

The Department of Commerce and Consumer Affairs, Department of Human Services, Department of Labor and Industrial Relations, Ohana Health Plan, Healthcare Association of Hawaii, Hawaii Medical Service Association, and an individual supported this measure.

Your Committees have amended this measure by:

- (1) Changing its effective date to January 7, 2112, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2894, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2894, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Aquino, Har, Johanson, LoPresti, Oshiro and Fukumoto Chang.

SCRep. 1078-16 Health on S.B. No. 2476

The purpose of this measure is to provide assistance to children who are deaf, hard of hearing, or deaf-blind by:

- (1) Establishing within the Department of Health an Early Language Acquisition Program for children up to three years of age;
- (2) Requiring the Department of Health, Department of Education, and the Executive Office on Early Learning to establish a working group on age-appropriate language development for children up to five years of age; and
- (3) Appropriating funds to staff the Early Language Acquisition Program.

The School Community Council of the Hawai'i School for the Deaf and Blind; Aloha State Association of the Deaf; and numerous individuals supported this measure. The Executive Office on Early Learning; Disability and Communication Access Board; Department of Human Services; Department of Health; Department of Education; and several individuals provided comments.

Your Committee has amended this measure by adopting the proposed amendments provided by the Department of Health (Department) that specifically:

- (1) Requires the Department to provide early intervention services for infants and toddlers who are deaf, hard of hearing, or deaf-blind rather than establishing an Early Language Acquisition Program within the Department;
- (2) Amends the composition and responsibilities of the working group;
- (3) Appropriates funds for two permanent full time equivalent (2.0 FTE) positions in the Department to provide early languages services, rather than three positions for the Early Language Acquisition Program and one position to teach American Sign Language; and
- (4) Makes 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. 2476, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2476, S.D. 2, H.D. 1, and be referred to your Committee on Education.

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

SCRep. 1079-16 Health on S.B. No. 3017

The purpose of this measure is to address the shortage of physicians in Hawaii, starting with family medicine primary care physicians for rural Oahu and Neighbor Island communities in the State, by appropriating funds for medical resident positions in rural Oahu and Neighbor Island communities and associated costs.

The Queen's Health Systems, Healthcare Association of Hawaii, Hawaii Pacific Health, Hawaii Academy of Family Physicians Board of Directors, Hawaii Medical Service Association, Hawaii Primary Care Association, and numerous individuals testified in support of this measure. The University of Hawaii John A. Burns School of Medicine commented on this measure.

Should this measure proceed further in the legislative process, your Committee respectfully requests the Committee on Finance to consider appropriating \$2,000,000 to maintain the stability of the existing residency programs and support the expansion of the University of Hawaii John A. Burns School of Medicine's Family Medicine Residency Program and provide the needed faculty, staff, and clinical learning environment infrastructure support to sustain the expansion. Your Committee notes that the current Family Medicine Residency Program has eighteen residents: six residents per year in a three-year training program leading to board certification. The appropriation will allow immediate expansion of residency by two residents per year and, over three years, will lead to residency expansion from 18 to 24 residents, or eight graduates per year. Your Committee further notes that Phase 2 of the expansion will add four additional residents at Neighbor Island sites for a doubling of program size from the original 18 residents to 36 residents, or 12 graduates per year.

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. 3017, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Higher Education.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1080-16 Health on S.B. No. 2076

The purpose of this measure is to:

- (1) Establish the Durable Medical Equipment Supplier License Program (Program), which requires the licensure of any person who sells, dispenses, delivers, or services durable medical equipment;
- (2) Authorize license fees to be deposited into the Office of Health Care Assurance Special Fund (Special Fund) for the administration of the Program;
- (3) Amend the cap amount on the Special Fund that can be used for activities of the Office of Health Care Assurance; and
- (4) Amend the limit on the excess amount in the Special Fund that is deposited into the general fund each fiscal year.

The Hawaii Health Systems Corporation, The Queen's Health Systems, Healthcare Association of Hawaii, Hawaii COPD Coalition, Hawai'i Pacific Health, and Hawai'i Primary Care Association testified in support of this measure. The Hawaii Disability Rights Center and Hawaii Medical Service Association commented on this measure.

Your Committee notes that this measure is similar to H.B. No. 1673, H.D. 2, which was heard by the House. Should this measure proceed further in the legislative process, your Committee respectfully requests that the Committee on Consumer Protection and Commerce and the Committee on Finance further discuss and deliberate on the amount of the cap on the Special Fund and the limit on the excess amount in the Special Fund that is deposited into the general fund.

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. 2076, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1081-16 Health on S.B. No. 2667

The purpose of this measure is to promote the timely payment of claims made by health insurers to health care providers.

Specifically, this measure:

- (1) Requires health insurers to treat claims for payment that are in all aspects correctly filed and priced, otherwise known as clean claims, in the same manner as uncontested claims for purposes of payment timeframes; and
- (2) Repeals the exemption of Medicaid claims from the definition of clean claims.

The Queen's Health Systems, Healthcare Association of Hawaii, Residential Care Administrators, Hawaii Medical Service Association, and Alliance of Residential Care Administrators testified in support of this measure. The Department of Commerce and Consumer Affairs, Department of Human Services, Ohana Health Plan, and Hawaii Pacific Health provided comments.

Your Committee is concerned that there are claims that are outstanding for more than twelve months.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, 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 S.B. No. 2667, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2667, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1082-16 Education on S.B. No. 2387

The purpose of this measure is to promote students' physical health and well-being by requiring:

- (1) Beginning with the 2017-2018 school year, every child entering seventh grade to present written documentation from a licensed physician or advanced practice registered nurse showing completion of a physical examination performed within 12 months before the date of school attendance;
- (2) The Department of Health to contact, no later than the end of the seventh-grade school year, the parents or guardians of students who have not yet obtained the required physical examination, including, subject to the availability of funds, follow-up consultations about a healthy lifestyle, preventative health care, and health insurance; and
- (3) Appropriating funds for the purposes identified in paragraph (2).

The Department of Education, Department of Health, University of Hawaii, Hawaii Public Health Institute, American Academy of Pediatrics, Hawaii Primary Care Association, Waianae Coast Comprehensive Health Center, and numerous concerned individuals supported this measure.

Your Committee respectfully requests your Committee on Health, should it choose to advance this measure, to consider the suggestions made by the Department of Health in its testimony.

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. 2387, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Health.

Signed by all members of the Committee except Representatives Aquino, Kong and Tupola.

SCRep. 1083-16 Education on S.B. No. 2607

The purpose of this measure is to protect the privacy of public school students by limiting and specifying the ways in which the operator of a website, online service, online application, or mobile application that is designed, marketed, and used for school purposes can use public school students' data.

The Hawaii State Teachers Association and Microsoft supported this 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. 2607, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representatives Aquino, Kong and Tupola.

SCRep. 1084-16 Education on S.B. No. 2425

The purpose of this measure is to exempt from the gift and reporting requirements of the State Ethics Code any benefits or things of value, including travel, received by state employees in the course of performing extracurricular duties that are related to but not actually part of the employee's state job and that are undertaken for the benefit or on behalf of the employee's colleagues, students, or team members. This measure specifies the conditions under which a state employee may accept such gifts or items and remain in compliance with the State Ethics Code and requires state agencies to conform their existing policies and procedures to these requirements.

The Department of Education, Hawaii State Teachers Association, Hui for Excellence in Education, IMUAlliance, and a concerned individual supported this measure. The State Ethics Commission and Common Cause Hawaii opposed the measure.

Your Committee respectfully requests your Committee on Judiciary, should it choose to consider this measure, to review and examine the definition of "educational travel" offered by the Hawaii State Teachers Association in its testimony.

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. 2425, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Aquino, Kong and Tupola.

SCRep. 1085-16 Economic Development & Business on S.B. No. 2494

The purpose of this measure is to improve the efficiency and transparency of government contracting by:

- (1) Requiring the State Procurement Office to establish a statewide database containing government procurement contract data;
- (2) Requiring each governmental body to submit data relating to any procurement contract of the governmental body to the State Procurement Office; and
- (3) Appropriating funds to establish the statewide database.

The State Procurement Office testified in support of the intent of this measure.

The procurement of government products or services at times results in inconsistencies in the solicitation of such products or services and often contain a wide range of expectations pertaining to vendor proposals, both of which contribute to increased procurement processing time and decreased efficiency. Your Committee finds that providing access to meaningful metrics through the establishment of a statewide database of all government procurement contracts will reduce inconsistencies for contracting practices and improve the efficiency, transparency, and accountability of government contracting.

Your Committee notes that the State Procurement Office has stated that, with adequate resources, it will be able to establish a "One-Stop Shop" type of database that will be a searchable database for both governmental bodies and the general public. The database would contain information retrieved from multiple databases and include summaries of contract data. However, your Committee was informed that, while some chief procurement officer jurisdictions have database systems accessible to the State Procurement Office to retrieve data from, some do not, and the costs of addressing these situations needs to be factored in when establishing the statewide procurement database.

Accordingly, your Committee has amended this measure by making the chief procurement officer of each jurisdiction responsible for any costs associated with the transmittal of data or establishment of data systems from which the State Procurement Office may collect any necessary information for the statewide procurement database.

Should your Committee on Finance deliberate on this measure further, your Committee on Economic Development & Business respectfully requests that it consider appropriating \$150,000 for the establishment of the "One-Stop Shop" statewide procurement database proposed by the State Procurement Office.

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. 2494, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2494, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Woodson.

SCRep. 1086-16 Economic Development & Business on S.B. No. 3102

The purpose of this measure is to improve government efficiency by requiring the Department of Business, Economic Development and Tourism to develop, and state agencies to implement, inter-agency agreements without entering into a memorandum of agreement or memorandum of understanding.

The Department of Business, Economic Development and Tourism testified in support of this measure.

Inter-agency agreements provide agencies with an opportunity to coordinate resources and eliminate duplication, without entering into a formal memorandum of agreement or memorandum of understanding. Your Committee finds that this measure will provide for a uniform and expedited agreement process and would streamline and expedite agreements between state agencies, thereby improving government efficiency.

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. 3102, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1087-16 Economic Development & Business on S.B. No. 3101

The purpose of this measure is to begin the process of establishing creative mechanisms to address spending on public services and the construction, repair, and maintenance of public facilities. Specifically, this measure requires the Department of Business, Economic Development and Tourism to study the feasibility of establishing a public-private partnership resource agency within the Department of Business, Economic Development and Tourism for all state departments, divisions, and agencies to use.

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

In general, public-private partnerships, which are widely used throughout the country, bring enhanced efficiencies to funding, faster and less expensive project implementation, economic development and investment opportunities, and access to private sector expertise. While public-private partnerships are encouraged as a means to long-term economic growth, the State lacks a comprehensive process for all agencies to engage in public-private partnerships. Your Committee finds that establishing a public-private partnership resource agency within the Department of Business, Economic Development and Tourism for all state departments, divisions, and agencies to utilize will address this situation.

Should your Committee on Finance deliberate on this measure further, your Committee on Economic Development & Business respectfully requests that it consider appropriating \$150,000 for the Department of Business, Economic Development and Tourism to conduct the feasibility study.

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. 3101, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1088-16 Economic Development & Business on S.B. No. 2495

The purpose of this measure is to increase the effectiveness, efficiency, and accountability of the procurement process. Specifically, this measure:

- (1) Requires every government procurement officer to attend initial training by the State Procurement Office prior to participating in or authorizing any procurement;
- (2) Requires the procurement workforce of any governmental body to attend follow-up training and development sessions, as determined by the State Procurement Office, and, if unable to attend a follow-up or development session, receive written permission from the State Procurement Office in order to be excused from a session;
- (3) Requires the State Procurement Office to conduct mandatory follow-up training and development sessions at regular intervals of at least once every twelve months;
- (4) Requires the Chief Procurement Officer, or the Officer's designee, of each jurisdiction to annually submit, in the form and manner prescribed by the State Procurement Office, a list of the jurisdiction's procurement officers and which procurement officers, if any, have failed to comply with training requirements;

- (5) Prohibits procurement by a procurement officer who fails to submit the officer's name and evidence of training compliance to the State Procurement Office; and
- (6) Appropriates funds to the State Procurement Office to implement training of the procurement workforce of the State.

The State Procurement Office and Department of Education testified in support of the intent of this measure. The Department of Human Resources Development provided comments.

Training in the procurement of services is a cornerstone to improving the procurement process statewide. A strong training program for the State's procurement officers is an essential component in the delivery of procurement knowledge and skills to enable better, more effective, efficient, and successful procurements. Your Committee finds that developing a more proficient workforce of procurement professionals through effective training will allow government agencies to better expend public funds in a manner that is compliant with applicable statutes, rules, and policies.

Your Committee has amended this measure by:

- (1) Changing its effective date to February 19, 2022, to facilitate further discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee on Economic Development & Business respectfully requests that it consider appropriating \$150,000 for the implementation of full-training for the procurement workforce of the State to be conducted by the State Procurement Office.

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. 2495, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2495, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1089-16 Energy & Environmental Protection on S.B. No. 2906

The purpose of this measure is to permanently allow the use of new safe harbor agreements, habitat conservation plans, and incidental take licenses as recovery options for conserving and protecting the State's threatened and endangered species.

The Department of Land and Natural Resources and Land Use Research Foundation supported this measure. The Department of Business, Economic Development, and Tourism supported the measure with amendments. The Conservation Council for Hawaii submitted comments.

Your Committee has amended this measure by requiring the Department of Land and Natural Resources to submit to the Legislature a biennial report that details the number and kinds of safe harbor agreements approved and for which approval is pending as well as summary information regarding these safe harbor agreements.

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. 2906, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2906, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 1090-16 Energy & Environmental Protection on S.B. No. 2604

The purpose of this measure is to require the Department of Education to implement an off-grid microgrid pilot project at a school of the Department's choice through Ka Hei, an educational-enrichment and comprehensive energy and sustainability program within the Department.

The Board of Education, Department of Education, Hawaii State Teachers Association, Opterra Energy Services, and a concerned individual supported this measure. The Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, and Land Use Research Foundation submitted comments.

Your Committee finds that on June 15, 2015, the Department of Education began accepting applications for utility interconnection with five grid-connected microgrid pilot projects on Maui and Hawaii Island, with an eight-week period during which the utility was expected to respond. However, nearly a year later, no interconnection agreement has been approved.

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. 2604, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Education.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 1091-16 Energy & Environmental Protection on S.B. No. 2257

The purpose of this measure is to expand the candidate pool for membership on a county arborist advisory committee by making certified arborists, horticulturists with a specialization in trees, and persons who have received a Master's Degree in Botany eligible for the position that may currently only be filled by an actively employed landscape architect.

The Department of Land and Natural Resources, Aha Moku Advisory Committee, Malama O Puna, and a concerned 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. 2257, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Water & Land.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 1092-16 Energy & Environmental Protection on S.B. No. 2773

The purpose of this measure is to support Hawaii in its endeavors to demonstrate world leadership in conservation and to serve as a global model of the sustainable management of natural resources by providing funding to directly implement three of the six goals outlined in the Aloha+ Challenge: natural resource management, clean energy, and green workforce development.

Specifically, this measure appropriates funds to the Department of Land and Natural Resources for:

- (1) Positions and operating expenses for the Forest and Outdoor Recreation Program;
- (2) Operating expenses and watershed protection through the Natural Area Reserves and Watershed Management Program;
- (3) Statewide expansion of the Community Fisheries Enforcement Unit of the Conservation and Resources Enforcement Program;
- (4) Mitigation of threats and impacts of invasive species statewide under the direction of the Hawaii Invasive Species Council;
- (5) Positions and operating expenses for native species restoration through the Native Resources and Fire Protection Program; and
- (6) Forest reserve system management including public-private partnerships for reforestation, fire suppression, renewable energy generation, and revenue generation to fund forest conservation through the Forestry Resource Management and Development Program.

The Department of Land and Natural Resources, Honolulu Board of Water Supply, Aha Moku Advisory Committee, Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, Coordinating Group on Alien Pest Species, The Nature Conservancy, Oahu Invasive Species Committee, Hawaii Center for Food Safety, Kauai Watershed Alliance, Conservation Council for Hawaii, Hawaii Green Growth, and a concerned 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. 2773, S.D. 2, and recommends that it pass Second Reading and be referred to your Committees on Water & Land and Agriculture.

Signed by all members of the Committee except Representatives Ing, Say and Thielen.

SCRep. 1093-16 Judiciary on S.B. No. 2030

The purpose of this measure is to conform state law to federal law regarding coordinated election campaign activity by specifying that certain activities that disseminate, distribute, or republish a candidate's campaign material are not coordinated activities and are not contributions to the candidate.

The Campaign Spending Commission testified in support of this measure.

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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2030, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2030, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1094-16 Judiciary on S.B. No. 2100

The purpose of this measure is to increase the number of district court judges in the Second Judicial Circuit for Maui County from three judges to four judges.

The Second Judicial Circuit has had three district court judges since 1982. Since then the population of Maui County has more than doubled and in recent years, Maui has had the fastest growth rate of all of the counties.

Maui's population increase resulted in increased caseloads for district court judges who handle traffic cases, criminal cases of misdemeanor or lesser grades, small claims, civil cases, search warrants, temporary restraining orders, protective orders, weekend review of probable cause matters, and the specialty courts, including mental health, veterans', and environmental courts. Currently, the court can convene in Molokai only twice a month and in Hana and Lanai only once a month. An additional judge is needed to address the caseload of growing and underserved communities and enable the judges to attend to their judicial duties.

The Judiciary and Department of the Prosecuting Attorney of the County of Maui 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. 2100, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1095-16 Judiciary on S.B. No. 2108

The purpose of this measure is to facilitate criminal investigations by amending the definition of "criminal process" to authorize the Department of the Attorney General and the prosecuting attorneys of the counties to issue administrative subpoenas for the purposes of criminal investigations. This measure permits the authorities to issue administrative subpoenas to obtain records held by entities located outside of the State.

The Department of the Attorney General and the Prosecuting Attorneys for the City and County of Honolulu and 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 S.B. No. 2108 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1096-16 Judiciary on S.B. No. 2438

The purpose of this measure is to provide for the operating expenses of the Campaign Spending Commission from the general revenues of the State. Presently, the Commission's funding source is the Hawaii Election Campaign Fund. This measure appropriates \$495,506 for fiscal year 2016-2017 for the Campaign Spending Commission's operating expenses, including staff salaries and fringe benefits.

The Campaign Spending Commission, Common Cause Hawaii, and one concerned individual testified in support of this measure. The League of Women Voters of Hawaii testified in support and provided comments. The Department of Accounting and General Services testified in opposition.

Your Committee finds that the Commission plays an important role and needs a consistent, reliable funding source.

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. 2438, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1097-16 Economic Development & Business on S.B. No. 3092

The purpose of this measure is to improve the procurement process for public works construction projects. Specifically, this measure:

- (1) Authorizes procurement officers to consider a previously licensed and listed subcontractor's license as valid if the license at bid time was suspended or forfeited due to certain actions not involving judgment or discretion and the license is restored prior to the contract being awarded; and
- (2) Provides that a bidding contractor shall provide the name of each joint contractor or subcontractor and the nature or scope of that entity's work no later than two hours after the closing of bidding.

Close Construction, Inc., LYZ, Inc., Hawaiian Dredging Construction Company, Inc., Healy Tibbitts Builders, Inc., Building Industry Association of Hawaii, Ralph S. Inouye Co. Ltd., and Genba Hawaii, Inc. testified in support of this measure. The Department of Transportation and General Contractors Association of Hawaii testified in support of the intent of this measure. The State Procurement Office, International Brotherhood of Electrical Workers Local Union 1186, Subcontractors Association of Hawaii, Ironworkers Stabilization Fund, and Plumbing and Mechanical Contractors of Hawaii testified in opposition to this measure. The Department of Commerce and Consumer Affairs and Contractors License Board provided comments on this measure.

Your Committee finds that the delivery and award of public works construction projects can be hindered by bid challenges resulting in a lapse in funding and other procurement issues. While a bidder may challenge a low-bidder's proposal due to a number of issues, including flaws or technical discrepancies in a low-bidder's proposal, recent bid challenges have been related to subcontractor licensing issues. With the large number of licenses available to subcontractors, general contractors have found it difficult to verify and validate whether a subcontractor has the proper license to perform the type of work the subcontractor has been contracted to perform. Your Committee finds that allowing a procurement officer, under certain limited conditions, to consider a subcontractor's license as valid for purposes of inclusion in a general contractor's bid will greatly minimize bid challenges based on licensing while still ensuring that all subcontractors meet necessary requirements to perform the work.

Your Committee has amended this measure by:

- (1) Deleting the requirement that a bidding contractor provide the name of each joint contractor or subcontractor and the nature or scope of that entity's work no later than two hours after the closing of bidding;
- (2) Clarifying that a procurement officer may consider a listed subcontractor's license as valid if the subcontractor was previously licensed to perform the scope of the work indicated, and if at the time of the award or within 60 days of bid opening, whichever is sooner, the listed subcontractor is appropriately licensed;
- (3) Deleting the definition of "ministerial act" as that term is not used in this measure;

- (4) Changing its effective date to February 19, 2022, 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3092, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3092, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Kong.

SCRep. 1098-16 Agriculture on S.B. No. 2659

The purpose of this measure is to determine the feasibility of industrial hemp farming in Hawaii by:

- (1) Establishing an Industrial Hemp Pilot Program (Pilot Program) that allows for the cultivation of industrial hemp and the distribution of its seed in Hawaii, which includes qualifying licensees acting as limited agents of the Board of Agriculture;
- (2) Exempting the possession, cultivation, sale, receipt, or transfer of industrial hemp from the offenses related to drugs and intoxicating compounds; and
- (3) Appropriating funds for a full-time equivalent position in the Department of Agriculture to effectuate the Pilot Program.

The Hawaii Farm Bureau, Mahealani Farms Inc., Kokolulu Farm & Cancer Retreats Inc., Ka'u Specialty LLC, Kihei Community Association, Maui Hemp Institute for Research and Innovation, Nellie's Rentals, We Are One, Inc., Hffuu, MHI, and numerous concerned individuals supported this measure. The Department of Agriculture supported the intent of this measure. Alexander & Baldwin, Inc. submitted comments on this measure.

Should the Committees on Judiciary and Finance deliberate on this measure, your Committee on Agriculture respectfully requests that:

- (1) The Committees on Judiciary and Finance examine and evaluate the merits of the proposed revisions to this bill submitted by Alexander & Baldwin, Inc.;
- (2) The Committee on Judiciary examine the legal implications to the State by its participation in the Pilot Program; and
- (3) The Committee on Finance consider appropriating \$550,000 for one full-time equivalent position in the Department of Agriculture to effectuate the Pilot 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 S.B. No. 2659, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Kawakami, Kong and Ward.

SCRep. 1099-16 Veterans, Military, & International Affairs, & Culture and the Arts on S.B. No. 2256

The purpose of this measure is to clarify the authorization to notate the term "veteran" on a driver's license to include a veteran of the Korean conflict and those who served in the armed forces of the Republic of Korea, fought under the command of the United Nations led by the United States during the Korean conflict, and is currently a United States citizen.

The Office of Veterans' Services, a member of the City Council of the City and County of Honolulu, Korean War Veterans Association Aloha Chapter, and a concerned individual supported this measure.

Should the Committee on Transportation deliberate on this measure, your Committee on Veterans, Military, & International Affairs, & Culture and the Arts respectfully requests that it consider specifying in this measure that the Director of the Office of Veterans' Services shall be the party responsible to certify that the driver license applicant is a veteran of the armed forces of the Republic of Korea, fought under the command of the United Nations led by the United States during the Korean conflict, and is currently a United States citizen.

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. 2256, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Transportation.

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

SCRep. 1100-16 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 2162

The purpose of this measure is to appropriate funds to the Judiciary to establish long-term Hawaiian language resources pursuant to recommendations of the Hawaiian Language Web Feasibility Task Force.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i inuiākea School of Hawaiian Knowledge at the University of Hawai'i at Mānoa, Ka Haka 'Ula O Ke'elikōlani College of Hawaiian Language at the University of Hawai'i at Hilo, Hale Kuamo'o Hawaiian Language Center, University of Hawai'i Maui College, Institute of Hawaiian Language Research and Translation, Kamehameha Schools, Association of Hawaiian Civic Clubs, 'Aha Pūnana Leo, and several individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. An individual submitted comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2017; and
- (2) Making technical, nonsubstantive amendments for the purpose of clarity.

Your Committee notes the testimony given at its public hearing on this measure by Judge Richard Bissen, who serves as Chair of the Hawaiian Language Web Feasibility Task Force established pursuant to House Concurrent Resolution No. 217, H.D.1, S.D.1 (2015). Judge Bissen testified movingly about the deep meaning that the work of the Task Force has held for himself and other members. The work of the Task Force has revealed the critical role that maintaining 'Ōlelo Hawai'i as a dynamic and living language holds in the perpetuation of Hawaii's cultural legacy into the present and future. Your Committee finds that the State must demonstrate leadership in preserving the vitality of 'Ōlelo Hawai'i through its robust and continued use in governance, business, economy, and communications.

Your Committee thanks the members of the Task Force for their thoughtful and considered work in developing a comprehensive implementation plan that takes the first steps toward sustaining a flourishing 'Ōlelo Hawai'i throughout the State. Your Committee agrees with the testimony submitted on behalf of the Task Force that, "To give life and validation to Hawai'i's co-official language, . . . the use of 'Ōlelo Hawai'i in State and local government must be broader than token phrases, more accessible in everyday life, and equally valid as the use of English." Your Committee finds that this measure will allow the State to begin to realize this goal.

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. 2162, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2162, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1101-16 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 2453

The purpose of this measure is to give the Environmental Courts discretion to impose alternative sentencing penalties, in the form of mandatory education or community service administered by the Department of Land and Natural Resources, for violations of state aquatic resources laws.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, the Judiciary, Malama Pupukeya-Waimea, Hawaii's Thousand Friends, Conservation Council for Hawai'i, and several individuals. The Office of Hawaiian Affairs 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. 2453 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1102-16 Consumer Protection & Commerce on S.B. No. 2863

The purpose of this measure is to improve the regulation of massage therapy establishments, massage therapists, and massage therapist apprentices.

More specifically, this measure:

- (1) Authorizes the Department of Commerce and Consumer Affairs to issue a citation to any person who holds a massage therapist or massage therapy establishment license issued by the Board of Massage Therapy, or is designated the principal massage therapist by the massage therapy establishment, for any of the following violations of chapter 452, Hawaii Revised Statutes, or pertinent administrative rules:
 - (A) Failure to conspicuously display a current massage therapy establishment license and the current licenses and permits of all employees of the establishment who engage in the practice of massage therapy;
 - (B) Failure to ensure a massage therapist apprentice wears a conspicuously placed name tag stating the apprentice's name and the word "apprentice";
 - (C) Operating a massage therapy establishment without a licensed principal massage therapist in attendance at all times; or
 - (D) Failure to include a massage therapist's or massage therapy establishment's current license number in any advertisement pursuant to section 452-23(b), Hawaii Revised Statutes;
- (2) Defines "principal massage therapist" as a massage therapist designated by an establishment or an out-call massage service as the person in charge;
- (3) Establishes a format and procedure for serving citations;
- (4) Provides that a citation may contain an order of abatement and assessment of a fine in the amount of \$250 for each violation; and
- (5) Establishes a process for a licensee to contest a citation.

Your Committee received testimony in support of this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and the Board of Massage Therapy.

Your Committee finds that this measure will enable the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs to more expeditiously take appropriate enforcement actions regarding Board of Massage Therapy licensees and to concentrate limited resources on other enforcement actions regarding more serious violations.

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. 2863, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1103-16 Consumer Protection & Commerce on S.B. No. 2298

The purpose of this measure to adopt the Uniform Fiduciary Access to Digital Assets Act (2015).

Specifically, this measure:

- (1) Authorizes an internet services user to establish a plan for the management and disposition of the user's electronic records, known as digital assets, following the user's death or incapacity;
- (2) Establishes procedures for custodians of digital assets to disclose users' digital assets;
- (3) Provides limitations of how digital assets may be used by a fiduciary following a user's death or incapacity; and
- (4) Grants immunity to custodians of records for compliance with the Act.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Legislation and the State Privacy and Security Coalition, Inc.

Your Committee finds that the Uniform Fiduciary Access to Digital Assets Act provides internet services users with the power to manage and dispose of digital assets, following death or incapacity, in a manner similar to management and disposition of a person's tangible personal property. Your Committee believes that this measure provides a reasonable compromise to accommodate the needs of fiduciaries in settling and administering estates while respecting users' privacy.

Your Committee has amended this measure by changing the effective date to July 1, 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 S.B. No. 2298, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2298, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1104-16 Consumer Protection & Commerce on S.B. No. 2661

The purpose of this measure is to amend State laws governing condominium fee disputes by:

- (1) Clarifying the process, including payment obligations, mediation requirements, and triggers for further default, where a condominium owner and association have agreed to a payment plan to cure a default that would otherwise trigger a nonjudicial foreclosure;
- (2) Establishing procedures, including the setting of deadlines and notice requirements, that provide condominium owners with the right to submit disputed fees, charges, and assessments, excluding common expense assessments, to the mediation process prior to their required payment by the owner; and
- (3) Removing provisions allowing a condominium association to deduct and apply portions of common expense payments received from an owner to unpaid late fees under certain conditions.

An individual testified in support of this measure. The Community Associations Institute Hawaii Chapter and Palehua Townhouse Association testified in opposition to this measure. An individual provided comments on 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2661, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2661, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Kawakami, Lee, Nakashima, Yamane and McDermott.

SCRep. 1105-16 Labor & Public Employment on S.B. No. 2961

The purpose of this measure is to:

- (1) Increase the maximum family leave requirement from four to twelve weeks per calendar year;
- (2) Establish a family leave insurance program, which allows 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 for up to twelve weeks per calendar year of family leave; and
- (3) Appropriate funds to the Department of Labor and Industrial Relations (DLIR) to implement the program and require a study to be performed by DLIR and an actuarial study to be performed by the Department of Budget and Finance.

Hawaii State Commission on the Status of Women, Hawai'i State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, Hawaii Public Health Institute, Healthy Mothers Healthy Babies-Coalition of Hawaii, Hawaii Association for Infant Mental Health, Hawai'i Coalition For Immigrant Rights, Hawaii Family Caregiver Coalition, Hawaii Women's Coalition, Policy Advisory Board for Elderly Affairs, Family Programs Hawaii, YWCA Oahu, American Association of University Women of Hawaii, and numerous individuals testified in support of this measure. Department of Budget and Finance, Department of Labor and Industrial Relations, ILWU Local 142, Chamber of Commerce Hawaii, NFIB Hawaii, and Society for Human Resource Management–Hawaii Chapter testified in opposition. Hawaii State Teachers Association, Hawaii Children's Action Network, and numerous individuals offered comments.

Your Committee has amended this measure by:

- (1) Restoring the maximum family leave requirement of four, instead of twelve, weeks per calendar year;
- (2) Changing its effective date to July 1, 2091, 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. 2961, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2961, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1106-16 Labor & Public Employment on S.B. No. 2694

The purpose of this measure is to clarify the application of Hawaii's employment security law by clarifying how the Department of Labor and Industrial Relations (Department) determines whether an individual is an independent contractor by:

- (1) Changing references to the common law relationship of "master and servant" to "employee and employer";
- (2) Clarifying criteria used by the Department of Labor and Industrial Relations to determine whether an individual is an independent contractor, including by specifying twenty factors to be used as guidelines for the Department's determination;
- (3) Requiring the Director of Labor and Industrial Relations to submit a report to the Legislature prior to the convening of the Regular Session of 2017 on the guidelines developed by the Unemployment Insurance Coverage Committee to assist auditors during investigations; and
- (4) Requiring the Director of Labor and Industrial Relations to submit an annual report to the Legislature regarding independent contractor and covered employment determinations.

The Chamber of Commerce Hawaii; Maui Chamber of Commerce; Envisions Entertainment & Productions, Inc.; and five individuals testified in support of this measure. The Hawaii State AFL-CIO and ILWU Local 142 testified in opposition. The Department of the Attorney General, Department of Labor and Industrial Relations, and one individual provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that only one of the three current statutory requirements must be met to determine whether an individual is an independent contractor;
- (2) Clarifying that application of the twenty guideline factors is subject to the Department's discretion; 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. 2694, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2694, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1107-16 Labor & Public Employment on S.B. No. 2815

The purpose of this measure is to:

- (1) Clarify that the State is exclusively liable for claims for injury or loss of property, or personal injury or death, resulting from the negligent or wrongful act or omission of any professionally licensed or certified employee of the State while acting within the scope of the employee's office or employment; and
- (2) Preclude any civil action or proceeding for money damages arising out of or related to the same subject matter against the employee.

The Department of the Attorney General; Department of Taxation; Department of Public Safety; Department of Accounting and General Services; Department of Transportation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure. The City and County of Honolulu Department of Human Resources and the Hawaii Association for Justice provided comments.

Your Committee has amended this measure by:

- (1) Adding a new section to specify that the counties shall be exclusively liable for the torts of their own professionally licensed or certified employees in the same manner as the State;
- (2) Changing its effective date to July 1, 2091, 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. 2815, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2815, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1108-16 Labor & Public Employment on S.B. No. 2313

The purpose of this measure is to encourage equal pay for equal work.

Specifically, this measure:

- (1) Requires employers to provide equal pay to employees that perform substantially similar work, except where the employer demonstrates the wage differential is based upon certain specified factors;
- (2) Changing the requirement of "equal work" to "substantially similar work";
- (3) Prohibits employers from barring employees from discussing their own wages or discussing and inquiring about the wages of other employees; and
- (4) Prohibits prospective employers from:
 - (A) Screening a job applicant based on wage or salary history; and
 - (B) Requesting the wage or salary history of a job applicant from any current or former employer of the job applicant.

The Office of Hawaiian Affairs, Hawaii State Commission on the Status of Women, Hawai'i State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, Hawai'i Women Lawyers, American Association of University Women, Hawai'i Women's Coalition, YWCA Oahu, and one individual testified in support of this measure. The Chamber of Commerce Hawaii, Society for Human Resource Management, National Federation of Independent Business, and Hawaii Automobile Dealers' Association testified in opposition. The Hawai'i Civil Rights Commission provided comments.

Your Committee has amended this measure by:

- (1) Changing "substantially similar work" to "substantially equal work";
- (2) Repealing the bona fide occupational qualification affirmative defense;
- (3) Changing its effective date to July 1, 2091, 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2313, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2313, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1109-16 Labor & Public Employment on S.B. No. 2398

The purpose of this measure is to establish a collective bargaining Unit (15) for graduate student assistants employed by the University of Hawaii, thereby allowing graduate student assistants employed by the University of Hawaii to collectively bargain their wages, hours, and other terms of employment.

The University of Hawaii Professional Assembly; University of Hawaii at Manoa Graduate Student Organization; ILWU Local 142; Democratic Party of Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and several individuals testified in support of this measure. The Department of Budget and Finance; Office of Collective Bargaining; and University of Hawaii System testified in opposition to this measure.

As a matter of policy, the Legislature has recognized the concerns regarding compensation, working conditions, and benefits brought forward by graduate students, who often serve as teaching assistants and graduate assistants, in the pursuit of higher education in the University of Hawaii System. The Legislature notes that there are many avenues available to the University of Hawaii far short of collective bargaining that may effectively address the graduate students' concerns and it would be most prudent for the university administration to address this issue while they are still able.

Accordingly, upon careful consideration, your Committee has amended the contents of this measure to reflect the substance of H.B. No. 1529, H.D. 1, which:

- (1) Establishes a framework that would allow graduate student assistants employed by the University of Hawaii to collectively bargain without establishing a collective bargaining unit by specifying that graduate student assistants and other public employees are not barred from organizing for the purpose of collective bargaining; and
- (2) Requires representatives from the University of Hawaii and representatives of bargaining units that represent the University of Hawaii System to meet and discuss the scope of negotiable items and report any findings and recommendations, including whether changes to state collective bargaining laws are necessary, to the Legislature.

Your Committee has also amended this measure by changing its effective date to July 1, 2091, 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. 2398, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2398, S.D. 2, H.D. 1, and be referred to your Committee on Higher Education.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1110-16 Transportation on S.B. No. 1178

The purpose of this measure is to address inflation and the increased cost of providing acupuncture treatments by increasing the reimbursement rate for acupuncture treatments allowed under personal injury protection benefits provided through motor vehicle insurance. In addition to increasing the per visit rate for acupuncture treatment, this measure establishes a formula based on the Medicare economic index to annually adjust the treatment rate thereafter.

The Institute of Clinical Acupuncture and Oriental Medicine, Hawaii Oriental Medicine and Acupuncture Association, Maui Acupuncture, Cocowaikiki Corporation, Windward Wellness, Acupuncture With Aloha, Kailua Acupuncture Clinic, Aloha Acupuncture & Wellness, Inc., Dahlia Bursell Acupuncture, and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs testified in opposition to this measure. State Farm Mutual Automobile Insurance Company commented on this measure.

Acupuncture is a natural treatment that addresses pain and other medical conditions. It is a compensable benefit under personal injury protection benefits provided through motor vehicle insurance. Your Committee finds that the reimbursement rate for licensed acupuncturists has not increased in almost 20 years, resulting in a reimbursement rate that has not kept up with inflation or the increased costs of providing care. Increasing the reimbursement rate for acupuncture treatments will ensure fair and adequate compensation for acupuncturists.

However, your Committee has concerns with establishing a formula based on the Medicare economic index to annually adjust the rate for acupuncture treatments. Accordingly, your Committee has amended this measure by deleting the formula based on the Medicare economic index to annually adjust the treatment rate for acupuncture treatments.

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. 1178, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1178, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee.

SCRep. 1111-16 Transportation on S.B. No. 2083

The purpose of this measure is to protect public health and safety, particularly for children. Specifically, this measure:

- (1) Prohibits smoking in a motor vehicle in which a person under the age of 18 is present;
- (2) Provides for penalties for persons convicted or found in violation of the smoking prohibition; and
- (3) Requires the Department of Health to submit a report to the Legislature on the enforceability and coordination of data collection efforts of the respective law enforcement agencies with regard to the smoking prohibition.

The Department of Health, Office of the Prosecuting Attorney of the County of Kauai, County of Hawaii Police Department, Coalition for a Tobacco-Free Hawaii, Student Health Advisory Council of the University of Hawaii at Manoa, and numerous concerned individuals testified in support of this measure. The Hawaii Smokers Alliance and numerous individuals testified in opposition to this measure.

Secondhand smoke is a dangerous class A carcinogen in the same class as asbestos and benzene, which can cause heart disease, lung cancer, and stroke. Secondhand smoke typically contains at least 7,000 identifiable chemicals, around 70 of which are known or probable carcinogens. The Fiftieth

Anniversary United States Surgeon General Report, released on January 17, 2014, states that any level of exposure to secondhand smoke is dangerous and over 2,500,000 nonsmokers have died from health problems caused by secondhand smoke since 1964.

Your Committee finds that children generally breathe in more air than adults because their lungs are still developing. Additionally, children usually have little or no control over their environments and cannot leave if secondhand smoke bothers them, resulting in greater risk of exposure to second hand smoke and its damaging health effects. As of June 2015, over 20 jurisdictions within the United States, including California, Oregon, and the County of Hawaii, have enacted smoke-free vehicle laws to protect minors. This measure allows Hawaii to join these other jurisdictions to ensure that children are not subjected to the harmful effects of second-hand smoke while in a motor vehicle.

Your Committee has amended this measure by clarifying that the Department of Health's report include information on the enforceability by law enforcement agencies of the prohibition on smoking in a motor vehicle in which a minor is present as a secondary offense.

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. 2083, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2083, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1112-16 Transportation on S.B. No. 612

The purpose of this measure is to increase public safety on Hawaii's roadways. Specifically, this measure:

- (1) Authorizes a court to include a period of probation in sentencing any person convicted of the offense of operating a vehicle under the influence of an intoxicant (OVUII);
- (2) Mandates a period of probation in addition to existing sentencing requirements for any person convicted of operating a vehicle after a license and privilege to operate a motor vehicle have been suspended or revoked for OVUII conviction; and
- (3) Makes defendants charged with offenses relating to OVUII or operating a vehicle after license and privilege have been suspended or revoked ineligible for deferred acceptance of guilty or nolo contendere pleas.

The Honolulu Police Department and Hawaii Chapter of Mothers Against Drunk Driving testified in support of this measure. The Department of Transportation, Office of the Prosecuting Attorney of the County of Kauai, Office of the Prosecuting Attorney of the County of Hawaii, and Office of the Public Defender testified in support of the intent of this measure. The Judiciary provided comments.

In 2008, Hawaii established an ignition interlock law under Act 171, Session Laws of Hawaii 2008, as a means of addressing OVUII. As Hawaii's ignition interlock laws have developed, a gap has been identified in sentencing enforcement for repeat offenders. Since there is no possibility to sentence repeat offenders to probation, and therefore no means to ensure that drivers install an ignition interlock device in their vehicle, the requirement to install and comply with ignition interlock requirements has gone unmonitored. Your Committee finds that providing probationary periods, and thus judicial supervision, for those convicted of OVUII will result in better compliance with ignition interlock requirements and lessen the chance of individuals operating a vehicle under the influence of an intoxicant or in violation of sentencing conditions during their revocation periods.

However, your Committee understands the concerns raised by both county prosecutors and the Office of the Public Defender. Accordingly, your Committee has amended this measure by:

- (1) Ensuring that the maximum length of any probationary period shall be no longer than two years;
- (2) Specifying that for a second offense within five years of a prior conviction, or an offense within five years of two or more prior convictions, involving operating a vehicle after a license and privilege to operate a motor vehicle have been suspended or revoked for OVUII, the court may sentence a defendant to probation only if the defendant is sentenced to less than the maximum prison term; and
- (3) Correcting references to statutory subsections.

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. 612, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 612, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee.

SCRep. 1113-16 Transportation on S.B. No. 2684

The purpose of this measure is to preserve alternative forms of transportation services available to consumers while affording consumers the protection of law by establishing motor vehicle insurance requirements for transportation network companies and drivers for transportation network companies.

The Hawaii Insurers Council, Charley's Taxi, and the National Association of Mutual Insurance Companies testified in support of this measure. The Hawaii Transportation Association, GEICO, USAA, and Property Casualty Insurers Association of America testified in support of the intent of this measure. The Hawaii Association for Justice, Uber Technologies-Hawaii, and Lyft testified in opposition to this measure. The Department of Commerce and Consumer Affairs and Department of the Attorney General provided comments on this measure.

Transportation network companies are operating across the country, including in Hawaii, and have expanded transportation options to 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 particular concerns have been raised about potential gaps in motor vehicle insurance coverage associated with transportation network companies. Your Committee finds that this measure establishes responsible insurance requirements for the transportation network industry in Hawaii and protects consumers while preserving this alternative form of transportation.

While your Committee finds that this measure works to address insurance concerns regarding transportation network companies, your Committee finds that further regulation of the overall operations of transportation network companies, transportation network activities, and transportation network drivers may be necessary. However, your Committee finds that this is better accomplished on the county level. Accordingly, your Committee has amended this measure by providing counties with the explicit authority to regulate transportation network companies, transportation network company activities, and transportation network company drivers.

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

Your Committee notes that concerns were raised during the public hearing on this measure about what exactly constitutes transportation network company activity and whether or not the definition contained in this measure is adequate. Your Committee respectfully requests the Committees on Judiciary and Consumer Protection and Commerce to consider this matter should this measure be further deliberated.

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. 2684, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2684, S.D. 1, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee.

SCRep. 1114-16 Health on S.B. No. 2677

The purpose of this measure is to promote public safety by ensuring that licensed nurses are safe to practice and unlikely to harm patients. This measure:

- (1) Requires criminal history record checks for all nurse licensure applicants beginning on July 1, 2017, and nurse license renewal applicants beginning on July 1, 2019;
- (2) Authorizes the State Board of Nursing to conduct investigations of applicants for renewal, reinstatement, reactivation or restoration; and, beginning on July 1, 2017, request criminal history records of qualified applicants; and
- (3) Requires the State Board of Nursing to request by July 1, 2023, the criminal history records from persons licensed prior to July 1, 2017.

Hawaii Pacific Health, Hawaii Association of Professional Nurses, and two concerned individuals testified in support of this measure. The Board of Nursing and Hawaii State Center for Nursing testified in support and provided comments.

Your Committee has amended this measure by:

- (1) Requiring the applicant for nurse licensing issuance, renewal, or reactivation to pay the fee for the criminal history background check directly to the Hawaii Criminal Justice Data Center;
- (2) Removing the authority to develop rules to implement the required criminal history record checks; and
- (3) Making it take effect on July 1, 2017.

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. 2677, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2677, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1115-16 Health on S.B. No. 2392

The purpose of this measure is to promote the responsible use of opioid antagonists to treat drug overdoses. Specifically, the measure:

- (1) Creates immunity for health care professionals and pharmacists who prescribe, dispense, distribute, or administer an opioid antagonist such as naloxone hydrochloride to persons at risk of experiencing an opioid-related drug overdose;
- (2) Creates immunity for emergency personnel and first responders who administer an opioid antagonist to a person suffering from an opioid-related drug overdose;
- (3) Authorizes emergency personnel and first responders to administer opioid antagonists;
- (4) Requires Medicaid coverage for opioid antagonists;

- (5) Allows harm reduction organizations to store and distribute opioid antagonists; and
- (6) Requires the Department of Health to provide education and training related to drug overdose prevention, recognition, and response, including opioid antagonist administration.

The Department of Health, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Ku Aloha Ola Mau, Drug Policy Forum of Hawai'i, Hawaii Medical Association, Hawaii Medical Service Association, Hawaii Association of Professional Nurses, Salvation Army Addiction Treatment Services and Family Treatment Services, The CHOW Project, Walgreen Co., and a few individuals provided testimony in support of the measure. The Department of Human Services and Hawaii Association for Justice provided comments.

Your Committee has amended this measure by:

- (1) Requiring the Department of Health to monitor adverse drug reaction from opiate antagonist use. To do so hospital emergency departments must report to the Department of Health on adverse drug reactions following the administration of opiate antagonist use;
- (2) Changing its effective date to July 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2392, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2392, S.D. 2, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1116-16 Health on S.B. No. 2915

The purpose of this measure is to update the Uniform Controlled Substances Act for consistency with amendments in federal controlled substances law.

The Department of Public Safety; Hawaii Veterinary Medical Association; and numerous individuals supported this measure. Walgreen Co. provided comments.

Your Committee has amended this measure by:

- (1) Removing the definitions of "medical marijuana dispensary", "medical marijuana production center", and "retail dispensing location";
- (2) Removing the requirements that individuals who store, conduct research, and conduct chemical analysis of controlled substances must register with the Department of Public Safety and follow appropriate controlled substance rules;
- (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 has concerns regarding certain provisions relating to medical marijuana as these provisions may conflict with Act 241, Session Laws of Hawaii 2015. Should your Committee on Judiciary further deliberate on this measure, your Committee respectfully requests that it request information from the Department of Public Safety on whether the proposed changes in this measure are consistent with the Uniform Controlled Substances Act.

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. 2915, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2915, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1117-16 Health on S.B. No. 2688

The purpose of this measure is to:

- (1) Prohibit the sale or offering for sale of certain e-liquid containers for electronic smoking devices unless the container is child-resistant and, if the container is for an e-liquid product containing nicotine, is labeled with warning language, violation of which is a penalty;
- (2) Establish e-liquid packaging standards in the Hawaii Poison Prevention Packaging Act pursuant to chapter 330C, Hawaii Revised Statutes; and
- (3) Expand the definition of "hazardous substance" as used in the Hawaii Poison Prevention Packaging Act to include e-liquid.

The Department of Health, University of Hawaii Cancer Center, and Coalition for a Tobacco-Free Hawaii provided testimony in support of the measure. Hawaii Vapers United, Hawaii Smokers Alliance, and many individuals provided testimony in opposition. VOLCANO Fine Electronic Cigarettes provided comments.

Your Committee has amended this measure by:

- (1) Changing the packaging warning to read as follows: "Warning: Contains nicotine: (mg/mL). Over 21 only. Do not swallow or get on skin or eyes. Keep out of reach of children and pets. For help call 911 or Hawaii Poison Control Center: 800-222-1222."; and
- (2) Changing its effective date to January 7, 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. 2688, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2688, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1118-16 Health on S.B. No. 2691

The purpose of this measure is to regulate electronic smoking devices and e-liquid, in addition to cigarettes and tobacco products, under chapter 245, Hawaii Revised Statutes, by:

- (1) Imposing an excise tax on disposable electronic smoking devices and e-liquid sold by a wholesaler or dealer, whether or not sold at wholesale, or if not sold then at the same rate upon use by the wholesaler or dealer; and
- (2) Requiring every retailer engaged in the retail sale of cigarettes, tobacco products, electronic smoking devices, or e-liquid to obtain a retail tobacco permit to sell, possess, keep, acquire, distribute, or transport cigarettes, tobacco products, electronic smoking devices, or e-liquid for retail sale.

The Department of Health, University of Hawai'i Cancer Center, Blue Zone Project, American Lung Association in Hawaii, Coalition for a Tobacco-Free Hawaii, and numerous individuals testified in support of this measure. PC Gamerz, Hawaii Vapers United Association, VOLCANO Fine Electronic Cigarettes, and numerous individuals testified in opposition to this measure. The Department of Taxation, American Heart Association, and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by:

- (1) Increasing the license fee for persons engaged as a wholesaler or dealer of cigarettes, tobacco products, electronic smoking devices, and e-liquid;
- (2) Increasing the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes, tobacco products, electronic smoking devices, and e-liquid;
- (3) Changing its effective date to July 1, 2112, 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2691, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2691, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1119-16 Health on S.B. No. 2376

The purpose of this measure is to authorize a beneficiary of a prescription drug benefit plan whose residence is 10 or more miles away from the nearest retail community pharmacy to obtain a prescription, without penalty, from a non-network retail community pharmacy located within 10 miles of the beneficiary's residence.

An individual testified in support of this measure. The Department of Commerce and Consumer Affairs commented on this measure. The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, Express Scripts, Kaiser Permanente Hawaii, Walgreen Company, 'Ohana Health Plan, Hawaii Association of Health Plans, Hawaii Medical Service Association, and CVS Hawaii opposed this measure.

Your Committee has amended this measure by:

- (1) Specifying that the provisions in this measure apply to any county with an area of 2,000 square miles or more;
- (2) Deleting the amount of the dispensing fee to be reimbursed to a non-network retail community pharmacy;
- (3) Requiring the Insurance Commissioner to submit reports annually to the Legislature prior to the convening of the 2017, 2018, 2019, 2020, and 2021 Regular Sessions on the effects of this measure on healthcare costs; and
- (4) Changing its effective date to July 1, 2112, repealing this measure on June 30, 2021, and reenacting section 431R-5, Hawaii Revised Statutes, in the form it read the day before this measure's effective date.

Should this measure proceed further in the legislative process, your Committee respectfully requests the Department of Human Services to be available to provide information at the next committee hearing on the dispensing fee reimbursement to non-network retail community pharmacies, relative to the Medicaid 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. 2376, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2376, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1120-16 Health on S.B. No. 2668

The purpose of this measure is to limit a patient's out-of-pocket medical costs when services are not covered by the patient's health plan or are provided by a nonparticipating provider. Specifically, the measure:

- (1) Requires providers to make certain disclosures to patients about nonemergency services that are not authorized under the patient's health care plan, prior to providing the services;
- (2) Requires nonparticipating providers to make certain cost disclosures to patients about nonemergency services, prior to providing the services;
- (3) Places a cap on the amount that a nonparticipating provider may charge a patient for services performed without the approval of the patient's health care plan;
- (4) Protects a patient from being liable to a participating provider for any sums that the patient's insurer fails to pay; and
- (5) Limits a patient's out-of-pocket costs for emergency services that are performed by a nonparticipating provider to the out-of-pocket costs that would have been incurred if the services were performed by a participating provider.

The Healthcare Association of Hawaii, UHA Health Insurance, Hawaii Medical Association, Hawaii Emergency Physicians Associated, Hawaii American College of Emergency Physicians, The Queen's Health Systems, Hawaii Pacific Health, American Congress of Obstetricians and Gynecologists, Hawaii Section, and an individual provided testimony in opposition to the measure. The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association provided comments.

Your Committee has amended this measure by:

- (1) Deleting the cap on the amount that a nonparticipating provider may charge a patient for services performed without the approval of the patient's health care plan;
- (2) Adding a section creating additional disclosure requirements for health insurance plans;
- (3) Creating a working group to evaluate the issue of balance billing in the State; and
- (4) 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2668, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2668, S.D. 2, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

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

SCRep. 1121-16 Health on S.B. No. 2389

The purpose of this measure is to facilitate greater transparency in the health care sector by requiring:

- (1) All payers of claims for payment for health care services delivered to any person, including providers of public or private health insurance, to submit, consistent with all federal and state data use and disclosure, privacy, security, and confidentiality laws, data, statistics, and other information to the State Health Planning and Development Agency;
- (2) Health care providers and payers of health care services claims to submit information about the nature of reimbursements and any fees, discounts, incentives, or performance payments affecting the rate of reimbursement from any insurer;
- (3) The State Health Planning and Development Agency to not disclose any individual patient's personal health information in violation of state or federal law;
- (4) The State Health Planning and Development Agency to initially submit data to various data centers at the University of Hawaii; and
- (5) That an entity accepting health care services claims and payment data to enter into a negotiated data sharing agreement with any payer or insurer before data is submitted.

The State Health Planning and Development Agency, University of Hawaii, and two individuals testified in support of this measure. The Hawaii Medical Service Association and one individual testified in opposition. The Department of the Attorney General, Office of Enterprise Technology Services, Department of Human Services, Hawaii Health Information Corporation, Healthcare Association of Hawaii, and Hawaii Pacific Health provided comments.

Your Committee notes that in *Gobeille v. Liberty Mutual Insurance, Co.*, 136 S.Ct. 936 (2016), the Supreme Court of the United States found that a Vermont statute creating an All Payers Claim Database was preempted by the Employee Retirement Income Security Act of 1974 (ERISA). Your

Committee notes that language in this bill regarding data collection requires that such collection is consistent with all federal laws. This statutory requirement includes ERISA.

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. 2389, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2389, S.D. 1, H.D. 1, and be referred to your Committee on Higher Education.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1122-16 Tourism on S.B. No. 2673

The purpose of this measure is to require a travel agency that sells activities individually or as part of a tour package to register with the Director of Commerce and Consumer Affairs as an activity desk.

Valley Isle Excursions, Inc.; Activities and Attractions Association of Hawaii; and a concerned individual supported this measure. The Department of Commerce and Consumer Affairs offered comments.

Your Committee has amended this measure by changing its effective date to July 1, 2120, 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. 2673, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2673, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Kong.

SCRep. 1123-16 Tourism on S.B. No. 83

The purpose of this measure is to address the costs incurred by the University of Hawaii Intercollegiate Athletics Program. More specifically, this measure:

- (1) Appropriates moneys from the Tourism Special Fund for fiscal year 2016-2017 for travel expenses and subsidies incurred by the University of Hawaii Intercollegiate Athletics Program; and
- (2) Requires the Governor to determine whether funding of the travel expenses and subsidies of the University of Hawaii Intercollegiate Athletics Program from the Tourism Special Fund should be extended beyond fiscal year 2016-2017, and if so, to take appropriate action to implement the funding.

The University of Hawaii at Manoa; University of Hawaii at Hilo; The Maritime Group, LLC; KAI Hawaii, Inc.; Chevron Hawaii; Grove Farm Company; Maui Land and Pineapple Company; and many concerned individuals supported this measure. The Hawaii Tourism Authority; Chair of the Board of Directors of the Hawaii Tourism Authority; Chairperson of the Maui County Council; Councilmember of the Maui County Council; Office of Economic Development of the County of Kauai; Waimoa Town Celebration; Hawaii Tourism Japan; Ho'okipa Network - Kauai and Aha Moku Kauai; Ko'olau Foundation; Ko'olaupoko Hawaiian Civic Club; Maui Hotel and Lodging Association; Napili Kai Beach Resort; Outrigger Hotels and Resorts; Hawaii Forest Industry Association; Hawaiian Airlines; Spike and Serve; Waikoloa Land Company; Visitor Aloha Society of Hawaii; The Modern Honolulu; Kai Opuia Canoe Club; Hawaii Visitors and Convention Bureau; Maui Visitors and Convention Bureau; Courtyard King Kamehameha's Kona Beach Hotel; JTB Hawaii, Inc.; Kona Coffee Cultural Festival; RH Productions, LLC; Kintetsu International Hawaii Company; Halekulani; Blue Hawaiian Helicopters; 141 Premiere Sports and Entertainment; Marriott Resorts Hawaii; Hilton Hawaii; Hawaii Food and Wine Festival; Starwood Hotels and Resorts in Hawaii; Native Hawaiian Hospitality Association; Oahu Economic Development Board; Moanalua Gardens Foundation; Japan Hawaii Travel Association; Duke's OceanFest; Kobayashi Travel Service, Ltd.; Polynesian Hospitality Transportation; Alan Wong's Restaurants; and numerous concerned individuals opposed this measure. The Mayor of the County of Maui, ILWU Local 142, Hanapepe Economic Alliance, and a few concerned individuals offered comments.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from the Tourism Special Fund for fiscal year 2016-2017 for travel expenses and subsidies incurred by the University of Hawaii Intercollegiate Athletics Program to an unspecified amount;
- (2) Changing its effective date to July 1, 2120 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 Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 83, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 83, S.D. 1, H.D. 1, and be referred to your Committee on Higher Education.

Signed by all members of the Committee except Representatives Kong and Tokioka.

SCRep. 1124-16 Judiciary on S.B. No. 2312

The purpose of this measure is to amend the definition of the term "sexual conduct" as that term is used in the penal code for the offenses of promoting child abuse in the first, second, and third degrees and for offenses related to obscenity. The amendments made by this measure align this term, as

used in state law, more closely with the terminology used in federal law by expanding the definition of sexual conduct to include specific types of conduct. The measure also removes unnecessary and archaic language regarding sexual orientation.

The Department of the Attorney General, Hawaii State Commission on the Status of Women, Honolulu Police Department, Hawai'i State Democratic Women's Caucus, The Sex Abuse Treatment Center, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, American Association of University Women, Hawaii, and one concerned individual testified in support of the measure.

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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2312, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2312, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Belatti, Hashem, Kawakami, Woodson and McDermott.

SCRep. 1125-16 Economic Development & Business on S.B. No. 2825

The purpose of this measure is to increase the effectiveness and efficiency of the Board of Directors of the Pacific International Space Center for Exploration Systems (PISCES) by reducing the number of members on the Board from 10 to nine by eliminating an invited representative from the National Aeronautics and Space Administration (NASA) as an ex-officio nonvoting member on the Board.

The Department of Business, Economic Development, and Tourism and a concerned individual testified in support of this measure.

Since Hawaii's geographic location has long made it an ideal place for space exploration technology development, PISCES was established to serve as a catalyst for collaborative multinational programs to advance space exploration technologies and develop Hawaii's aerospace technology industry. While a NASA representative has been invited to serve on the Board of Directors of PISCES, historically no NASA official has participated in PISCES Board meetings. This makes it difficult for the PISCES Board to achieve quorum. Your Committee finds that removing the NASA representative from the PISCES Board will increase the PISCES Board's efficiency and effectiveness.

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. 2825, 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, Ito, Ohno and Woodson.
(Representative Ward voted no.)

SCRep. 1126-16 Consumer Protection & Commerce on H.C.R. No. 7

The purpose of this measure is to request the Auditor to conduct an analysis pursuant to section 26H-6, Hawaii Revised Statutes, of the probable effects of pending legislation for the licensing and regulation of youth sports coaches.

Positive Coaching Alliance–Hawaii supported the intent of the measure. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs offered comments on the measure.

Your Committee recognizes that participation in youth sports contributes to moral development, teaches valuable social skills, and instills leadership qualities in young people. Your Committee notes that research has shown that the quality of a child's sports experience often depends on the quality of the coaching staff. Your Committee also notes that concerned community members, in the interest of safety, are pursuing the establishment of standards for and the regulation of people who accept the very important role of youth sports coach.

Your Committee also finds that, pursuant to section 26H-6, Hawaii Revised Statutes, new regulatory measures being considered for enactment that, if enacted, would subject unregulated professions and vocations to licensing or other regulatory controls, are required to be referred to the Auditor for analysis. Your Committee therefore finds that this measure is a proper mechanism to comply with section 26H-6, Hawaii Revised Statutes.

Your Committee also believes that the Auditor's findings and recommendations pursuant to this measure should include analyses of whether licensing procedures for youth sports coaches should include an examination into whether an applicant for a youth sports coach license, or renewal of such a license, is a registered sex offender, and, if so, whether the applicant should be denied a license on that basis.

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 and recommends that it be referred to your Committee on Legislative Management.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 1127-16 Human Services on S.B. No. 2315

The purpose of this measure is to meet the health needs of Hawaii's mothers and babies by exempting mothers who breastfeed or express breast milk from jury duty, provided that the exemption ends when the mother is no longer breastfeeding or expressing breast milk.

The Hawaii State Commission on the Status of Women, Office of Hawaiian Affairs, Healthy Mothers Healthy Babies Coalition of Hawaii, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women Lawyers, Breastfeeding Hawaii, American Association of University Women in Hawaii, and several concerned individuals supported this measure. The Judiciary provided comments.

Your Committee has amended this measure by:

- (1) Removing the jury duty exemption for a mother who is breastfeeding a child or expressing breast milk;
- (2) Exempting parents from jury duty for the active care and custody of their natural born or adopted child while the child is six months old or younger; and
- (3) Making conforming amendments to the preamble section.

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. 2315, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2315, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1128-16 Education on S.B. No. 2624

The purpose of this measure is to support the work of Hawaii's educators by creating an income tax credit -- not to exceed \$250 per year -- for public and private school teachers, librarians, and counselors who instruct students in any grade between prekindergarten and twelfth grade and who incur certain expenses, such as for books, computer equipment and software, supplementary materials used in the classroom, and educational travel expenses.

The Department of Education, Hawaii State Teachers Association, and IMUAlliance supported this measure. The Hawaii Government Employees Association supported the intent of the measure. The Department of Taxation and Tax Foundation of Hawaii submitted comments.

Your Committee respectfully requests your Committee on Finance, should it choose to advance this measure, to consider the Department of Taxation's testimony regarding the definition of "certain expenses".

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. 2624, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Kong and Tupola.

SCRep. 1129-16 Consumer Protection & Commerce on S.B. No. 2671

The purpose of this measure is to improve the level of care for animals in the State by establishing requirements for the regulation of veterinary technicians and the practice of veterinary technology, including:

- (1) Registration and education requirements;
- (2) Limitations on the use of titles associated with the practice of veterinary technology; and
- (3) Fees and other funding necessary to implement the registration of veterinary technicians.

The Associated Students of the University of Hawaii at Windward Community College, Hawaii Veterinary Technician Association, Hawaii Veterinary Medical Association, and several individuals testified in support of this measure. The Office of the Auditor, Department of Commerce and Consumer Affairs, and Board of Veterinary Examiners provided comments on this measure.

Your Committee has amended this measure by making a technical amendment to correctly specify that the practice of veterinary technology includes, among other things, creating a relief hole, rather than a relief hold, to facilitate the placement of an intravenous catheter.

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. 2671, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2671, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1130-16 Health on S.B. No. 2240

The purpose of this measure is to appropriate funds for the Department of Health (DOH) to hire more full-time employees for vector control and to reestablish a Vector Control Branch within its Environmental Health Administration.

The Office of the Governor, State Adjutant General, Director of the Hawaii Emergency Management Agency, Administrator of the Hawaii Emergency Management Agency, Department of Health, Oahu Invasive Species Committee, Hawaii Farm Bureau, Hawaii Green Growth, and an individual testified in support of this measure.

Your Committee recognizes that reestablishing a Vector Control Branch in the State will support efforts to control vectors and prevent vector-borne diseases. This measure appropriates funds to hire full-time equivalent positions for vector control that includes a vector control program manager and three staff positions, as well as to take steps to fully reestablish a Vector Control Branch.

Your Committee notes that reestablishment of DOH's Vector Control Program to pre-Reduction-in-Force levels requires approximately \$1.4 million for 34.0 full-time equivalent positions and \$1.2 million for other current expenses, equipment, and motor vehicles with half being one-time costs. Should the Committee on Finance consider this measure, your Committee respectfully requests that it consider the above-mentioned appropriation amounts.

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. 2240, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2240, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1131-16 Agriculture on S.B. No. 2217

The purpose of this measure is to ensure that agricultural crops on the island of Kauai receive a steady and dependable supply of water by appropriating funds for the operation, repair, maintenance, and improvement of the East Kauai Irrigation System by the East Kauai Water Users' Cooperative (Cooperative).

A member of the Kauai County Council, Hawaii Farm Bureau, PonoHolo Ranch, Saiva Siddhanta Church, East Kauai Water Users' Cooperative, Kalepa Coalition, Larry Jefts Farms, LLC, and several concerned individuals supported this measure. The Department of Agriculture supported the intent of this measure.

Your Committee finds that the Cooperative, a volunteer group, has for more than nine years expended its own resources to keep the East Kauai Irrigation System a viable agricultural asset, while unsuccessfully requesting financial assistance from the State. Your Committee further finds that the 21-mile irrigation system, which services more than 12,500 acres of agricultural lands, would have been abandoned, but for the efforts of the Cooperative, which receives more than \$150,000 per year in volunteer labor, fees, and donations. Appropriating \$75,000 to assist the Cooperative in the operation, repair, maintenance, and improvement of the irrigation system would be a small investment with substantial returns. The Department of Agriculture estimated that the State would expend an amount five to six times greater than the amount requested by the Cooperative to operate the irrigation system. While the operation of the irrigation system by the Cooperative is an operational model worthy of further consideration and possible implementation in other irrigation systems, your Committee finds that a more dependable and sustainable funding mechanism should be put in place to assist the Cooperative, rather than an annual legislative appropriation.

Should the Committee on Finance deliberate on this measure further, your Committee on Agriculture respectfully requests that it consider appropriating \$75,000 for the operation, repair, maintenance, and improvement of the East Kauai Irrigation System by the Cooperative.

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. 2217, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1132-16 Agriculture on S.B. No. 2367

The purpose of this measure is to support sustainable food production and the development and use of renewable energy by authorizing the issuance of special purpose revenue bonds to assist Hawaii Renewable Resources, LLC, in establishing and funding food, animal feed, energy production, waste recovery, and related facilities on the island of Oahu.

The Department of Agriculture, Agribusiness Development Corporation, Hawaii Farm Bureau, Renewable Energy Action Coalition of Hawaii, Hawaii Renewable Resources, LLC, and a concerned individual supported this measure. The Department of Budget and Finance submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the Legislature finds that the project proposed by Hawaii Renewable Resources, LLC, qualifies as a project assisting an industrial enterprise pursuant to part II of chapter 39A, Hawaii Revised Statutes;
- (2) Deleting the amount specified for the special purpose revenue bonds;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

Should the Committee on Finance deliberate on this measure further, your Committee on Agriculture respectfully requests that it consider authorizing the issuance of special purpose revenue bonds in an amount not to exceed \$30,000,000.

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. 2367, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2367, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1133-16 Tourism on S.B. No. 2987

The purpose of this measure is to address the allocation of transient accommodations tax revenues. Specifically, this measure:

- (1) Makes permanent the annual allocation of \$103,000,000 of transient accommodations tax revenues to the counties; and

- (2) Establishes a new state-county functions working group on July 1, 2022, to study the division of duties between the State and the counties in the provision of public services and report recommendations to the Legislature, Governor, and the County mayors and councils on the appropriate allocation of the transient accommodations tax revenues between the State and counties.

A concerned individual supported this measure. The Hawaii State Association of Counties, Chairperson of the Kauai County Council, a councilmember of the Kauai County Council, Chairperson of the Maui County Council, three councilmembers of the Maui County Council, a councilmember of the Hawaii County Council, and a few concerned individuals opposed this measure. The Department of Budget and Finance, Office of the Mayor of the City and County of Honolulu, Office of the Mayor of the County of Hawaii, Hawaii Lodging and Tourism Association, Maui Hotel and Lodging Association, Tax Foundation of Hawaii, and a concerned individual offered comments.

Your Committee has amended this measure by changing its effective date to July 1, 2120, 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. 2987, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2987, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.
(Representatives Kawakami, Tokioka and Ward voted no.)

SCRep. 1134-16 Agriculture on H.R. No. 144

The purpose of this measure is to address concerns regarding the Department of Agriculture's ability to implement the Biosecurity Program, especially inspections at all ports of entry, by requesting the Auditor to:

- (1) Conduct a financial and management audit of the Plant Quarantine Branch of the Department of Agriculture (Branch);
- (2) Based on the current state of the Branch, recommend the resources necessary for the Branch to fully and properly carry out its responsibilities; and
- (3) Submit a report to the Legislature on its findings and recommendations.

The Hawaii Floriculture and Nursery Association supported this measure. The Department of Agriculture submitted 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 concurs with the intent and purpose of H.R. No. 144 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Kawakami, Kong, Woodson and Ward.

SCRep. 1135-16 Agriculture on H.C.R. No. 198

The purpose of this measure is to address concerns regarding the Department of Agriculture's ability to implement the Biosecurity Program, especially inspections at all ports of entry, by requesting the Auditor to:

- (1) Conduct a financial and management audit of the Plant Quarantine Branch of the Department of Agriculture (Branch);
- (2) Based on the current state of the Branch, recommend the resources necessary for the Branch to fully and properly carry out its responsibilities; and
- (3) Submit a report to the Legislature on its findings and recommendations.

The Hawaii Floriculture and Nursery Association supported this measure. The Department of Agriculture submitted 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 concurs with the intent and purpose of H.C.R. No. 198 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Kawakami, Kong, Woodson and Ward.

SCRep. 1136-16 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 189

The purpose of this measure is to acknowledge the importance of the Hawaiian language to the State and promote the proper use of Hawaiian place names by urging the Department of Transportation and the relevant county agencies to add appropriate Hawaiian diacritical marks to street signs and place name signs as they are replaced in the normal course of business.

The Department of Transportation 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.C.R. No. 189 and recommends that it be referred to your Committee on Transportation.

Signed by all members of the Committee except Representative Nishimoto.

SCRep. 1137-16 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 190

The purpose of this measure is to serve the State's constitutional mandate to promote the study of Hawaiian history, culture, and language by requesting that the Department of Education's Office of Hawaiian Education conduct a study to determine how to restructure and expand the Department's Hawaiian language education programs in the public schools to provide access to meaningful instruction to more children in the public school system.

Your Committee received testimony in support of this measure from the Association of Hawaiian Civic Clubs and Hawaii State Teachers Association. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. The Department of Education 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. 190 and recommends that it be referred to your Committee on Education.

Signed by all members of the Committee except Representative Nishimoto.

SCRep. 1138-16 Judiciary on H.R. No. 17

The purpose of this measure is to urge Hawaii's Congressional delegation to introduce legislation to propose an amendment to the Constitution of the United States to establish a prospective system of fixed, nonrenewable, staggered, eighteen-year terms for Justices of the Supreme Court of the United States.

One concerned individual testified in support.

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. 17 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee, Morikawa and Nakashima.
(Representative McDermott voted no.)

SCRep. 1139-16 Judiciary on H.C.R. No. 49

The purpose of this measure is to urge Hawaii's Congressional delegation to introduce legislation to propose an amendment to the Constitution of the United States to establish a prospective system of fixed, nonrenewable, staggered, eighteen-year terms for Justices of the Supreme Court of the United States.

One concerned individual testified in support.

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. 49 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami, Lee, Morikawa and Nakashima.
(Representative McDermott voted no.)

SCRep. 1140-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 44

The purpose of this measure is to recognize the unique role and architectural significance of the Hawaii State Capitol building by establishing a task force within the State Foundation on Culture and the Arts to plan and coordinate a year-long series of events to celebrate the 50th anniversary of the dedication of the Hawaii State Capitol and submit a report to the Legislature on its proposed activities, plans, and recommendations.

The State Foundation on Culture and the Arts supported this measure. The Center for Hawaiian Sovereignty Studies 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 concurs with the intent and purpose of H.R. No. 44 and recommends that it be referred to your Committee on Legislative Management.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong, Ohno and Woodson.

SCRep. 1141-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 82

The purpose of this measure is to recognize the unique role and architectural significance of the Hawaii State Capitol building by establishing a task force within the State Foundation on Culture and the Arts to plan and coordinate a year-long series of events to celebrate the 50th anniversary of the dedication of the Hawaii State Capitol and submit a report to the Legislature on its proposed activities, plans, and recommendations.

The State Foundation on Culture and the Arts supported this measure. The Center for Hawaiian Sovereignty Studies 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 concurs with the intent and purpose of H.C.R. No. 82 and recommends that it be referred to your Committee on Legislative Management.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong, Ohno and Woodson.

SCRep. 1142-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 161

The purpose of this measure is to honor and recognize the public service of the late Senator Gilbert "Gil" Kahele to the State, island of Hawaii, and the City of Hilo by requesting the Department of Land and Natural Resources to authorize the establishment of a monument on a state-owned site on the point of the Naniloa Hotel dock area.

A concerned individual supported this measure. The Department of Land and Natural Resources and Aha Moku Advisory Committee 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 concurs with the intent and purpose of H.C.R. No. 161 and recommends that it be referred to your Committee on Water & Land.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1143-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 73

The purpose of this measure is to urge the Director of Transportation, Executive Director of the Disabilities and Communication Access Board, Director of the Hawaii Emergency Management Agency, and director of finance of each county to collaborate to allow multi-designation special license plates to be issued to persons who qualify for more than one special license plate.

The Department of Transportation and Disability and Communication Access Board submitted comments on this measure.

Your Committee has amended this measure by having the House of Representatives of the Regular Session of 2020 act upon this measure 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 concurs with the intent and purpose of H.C.R. No. 73, as amended herein, and recommends that it be referred to your Committee on Transportation in the form attached hereto as H.C.R. No. 73, H.D. 1.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1144-16 Agriculture on S.B. No. 2803

The purpose of this measure is to make affordable capital accessible to farmers so that they may increase local food production and thereby make Hawaii more food self-sufficient by appropriating additional funds to the Agricultural Loan Revolving Fund.

The Department of Agriculture, Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, Ulupono Initiative, and a concerned individual supported this measure.

Should the Committee on Finance deliberate on this measure further, your Committee on Agriculture respectfully requests that it appropriate \$4,000,0000 in general funds into the Agricultural Loan Revolving Fund for the purposes of the Fund.

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. 2803, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Cachola, Kawakami, Kong, Woodson and Ward.

SCRep. 1145-16 Public Safety on S.B. No. 2484

The purpose of this measure is to raise the fireworks display permit fee from \$110 to \$300.

The Hawaii State Fire Council, Honolulu Fire Department, Kauai Fire Department, Maui Fire Department, and a concerned individual 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. 2484 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 1146-16 Public Safety on S.B. No. 2916

The purpose of this measure is to increase public safety by adding misdemeanor offenses involving any type of firearm, ammunition, or dangerous weapon under chapter 134, Hawaii Revised Statutes, to the offenses that disqualify parolee violators from provisions that, among other things, limit the revocation period of incarceration to no longer than six months.

The Department of Public Safety and the Hawaii Paroling Authority supported this measure. Community Alliance on Prisons and several concerned individuals 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 Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2916, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2916, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Har.

SCRep. 1147-16 Public Safety on S.B. No. 2193

The purpose of this measure is to define "person in custody" as used in the offenses of sexual assault in the second degree and third degree to explicitly prohibit law enforcement officers from knowingly subjecting a person who is stopped by or under the control of a law enforcement officer to sexual penetration or sexual contact.

The Department of the Prosecuting Attorney of the City and County of Honolulu, American Association of University Women, Hawaii, and several 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. 2193, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Har.

SCRep. 1148-16 Human Services on S.B. No. 2811

The purpose of this measure is to allow the family court to terminate the parental rights of the perpetrator, if the court determines by clear and convincing evidence that the child was conceived as a result of an act of rape or sexual assault, creating a presumption that termination of parental rights is in the best interest of the child.

The Hawaii State Commission on the Status of Women, Department of the Attorney General, Planned Parenthood Votes Northwest and Hawaii, Hawaii State Democratic Women's Caucus, Hawaii Women's Coalition, Sex Abuse Treatment Center, American Association of University Women, and several concerned 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 is in accord with the intent and purpose of S.B. No. 2811, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 1149-16 Human Services on S.B. No. 2873

The purpose of this measure is to clarify the Department of Human Services' (Department) statutory duty to seek an order for immediate protection:

- (1) Where the Department believes that a vulnerable adult has incurred abuse or is in danger of abuse if immediate action is not taken; or
- (2) Where there is probable cause to believe that the vulnerable adult lacks the capacity to make such decisions.

Specifically, this measure specifies that the Department may exercise its discretion in determining whether the provision of an order for immediate protection is necessary.

The Department 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 S.B. No. 2873 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 1150-16 Human Services on S.B. No. 2669

The purpose of this measure is to clarify the supervision requirements for licensure of clinical social workers, including by permitting the option to fulfill all or part of the face-to-face supervision requirements through a video conference service that is compliant with all federal and state privacy, security, and confidentiality laws.

The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs; Hawaii State Commission on the Status of Women; National Association of Social Workers, Hawaii Chapter; and Hawaii Women's Coalition supported this measure.

Your Committee has amended this measure by:

- (1) Clarifying that supervision conducted electronically through a video conference service shall be elected in collaboration with the supervisor and conducted via a system that is compliant with the federal Health Insurance Portability and Accountability Act;

- (2) Specifying that the applicant is responsible for determining the impact of electronic supervision on the applicant's eligibility for licensure by endorsement in other states; 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2669, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2669, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1151-16 Water & Land on S.B. No. 2802

The purpose of this measure is to require persons who wish to access private land for hunting to first obtain written permission from the landowner or occupier.

The Department of Agriculture; Hawaii Farm Bureau; Hawaii Cattlemen's Council, Inc.; Maui Cattle Company; Ponoholo Ranch; Animal Rights Hawaii; and several individuals supported this measure. The Office of Hawaiian Affairs and an individual opposed this measure. One individual provided comments.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2802, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2802, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing, Lowen and Say.

SCRep. 1152-16 Labor & Public Employment on S.B. No. 2556

The purpose of this measure is to make an appropriation for the annual required contribution for the Hawaii Employer-Union Health Benefits Trust Fund.

Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and the University of Hawai'i Professional Assembly opposed this measure. The Department of Budget and Finance and Hawaii Employer-Union Health Benefits Trust Fund provided comments.

Your Committee amended this measure by changing the effective date to July 1, 2091 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. 2556, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2556, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1153-16 Labor & Public Employment on S.B. No. 3081

The purpose of this measure is to support workers affected by the closure of the Hawaiian Commercial & Sugar Company on Maui by appropriating funds to the Department of Labor and Industrial Relations to establish, administer, and support on-the-job training for dislocated workers.

The Mayor of the County of Maui; Maui Department of Management; Chamber of Commerce Hawaii; Maui Chamber of Commerce; Hawaii Construction Alliance; Alexander & Baldwin, Inc.; ILWU Local 142; Maui Hotel & Lodging Association; Hawaii Farm Bureau; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State AFL-CIO; and Land Use Research Foundation of Hawaii testified in support of this measure. The Department of Labor and Industrial Relations and Department of Agriculture provided comments.

Your Committee has amended this measure by changing the effective date to July 1, 2091, 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. 3081, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3081, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1154-16 Labor & Public Employment on S.B. No. 2896

The purpose of this measure is to provide for a more efficient way of satisfying notice requirements to parties with respect to unfair labor practice complaints by:

- (1) Authorizing the Hawaii Labor Relations Board (Board) to require a complainant to serve a copy of the complaint upon the person charged;
- (2) Allowing complaints to be served by electronic service through a company designated by the Board; and

- (3) Requiring that all parties be given written notice of hearing by first class mail or by electronic service at least 15 days before the hearing.

The Board provided comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that, for unfair labor practice complaints, the Board shall give all parties written notice of the hearing by first class mail or electronic service at least 15 days before the hearing; 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2896, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2896, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1155-16 Labor & Public Employment on S.B. No. 3000

The purpose of this measure is to establish a retirement benefit incentive for public employees, otherwise eligible to retire, whose positions are subject to layoff due to the consolidation or abolition of functions, or the privatization of the functions of the position.

United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and a few individuals testified in support of this measure. The Employees' Retirement System; Department of Budget and Finance; and City and County of Honolulu Department of Budget and Fiscal Services provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the retirement benefit incentive would apply notwithstanding any other law to the contrary;
- (2) Changing the retirement benefit incentive credit rate and maximum years of service credit to unspecified amounts;
- (3) Inserting an unspecified appropriation, to be expended by the Department of Budget and Finance to pay for the retirement benefit incentive; and
- (4) Changing its repeal date to July 1, 2091.

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. 3000, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3000, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1156-16 Labor & Public Employment on S.B. No. 2838

The purpose of this measure is to allow the Board of Trustees of the Employer-Union Health Benefits Trust Fund to invest moneys in the same manner as the Board of Trustees of the Employees' Retirement System.

The Hawaii Employer-Union Health Benefits Trust Fund and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this 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 Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2838, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1157-16 Labor & Public Employment on S.B. No. 2346

The purpose of this measure is to strengthen the investment capabilities and societal responsibilities of the Employees' Retirement System (ERS) by:

- (1) Increasing the types of investment personnel that the ERS Board of Trustees (Board) may appoint, and to exempt, or authorize the exemption, of all investment personnel from both civil service and collective bargaining laws;
- (2) Requiring the ERS, pursuant to a qualified domestic relations order, to pay a spouse or former spouse of a member or retirant all or a portion of the member's or retirant's benefits; and
- (3) Appropriating funds for a claims examiner position and for planning and expenditures necessary to implement this measure.

Farrell & Associates supported this measure. The Employees' Retirement System, Legal Aid Society of Hawaii; and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provided comments.

Your Committee has amended this measure by:

- (1) Replacing part I of this measure with the contents of H.B. No. 2124, H.D.1, a measure with similar provisions that was passed out by this Committee earlier this session that specifically:
 - (A) Authorizes the Board to appoint investment professionals and investment support staff;
 - (B) Exempts appointed investment officers and investment professionals, including investment specialists, from civil service and collective bargaining laws; and
 - (C) Authorizes incumbent investment specialists, as of the effective date of this measure, the option to remain subject to civil service law, so long as the person remains an investment specialist; and
- (2) Replacing part II of this measure with the contents of H.B. No. 2468, H.D. 2, a measure with similar provisions that was passed out by your Committee on Judiciary earlier this session and that clarifies the requirement of the ERS to make direct payment to a spouse or former spouse of a system member or retirant of all or a portion of the member's or retirant's benefits pursuant to a Hawaii domestic relations order.

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. 2346, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2346, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1158-16 Labor & Public Employment on S.B. No. 2428

The purpose of this measure is to require the Employees' Retirement System to send a portion of a retiree's pension directly to the Hawaii Employer-Union Health Benefits Trust Fund (Trust Fund) to pay the difference between what the public employer is obligated to pay and the actual cost of the health benefits plan for the retiree.

Specifically, this measure requires the Employees' Retirement System to fund the shortfall by withholding retirement benefit payment amounts until the Trust Fund authorizes the automatic electronic payment of those payment amounts, beginning after January 1, 2017.

The Board of Trustees of the Trust Fund and the Board of Trustees of the Employees' Retirement System provided comments on this measure.

Your Committee has amended this measure by:

- (1) Moving the amendments from section 88-6(c), Hawaii Revised Statutes, to a new section in chapter 87A, Hawaii Revised Statutes;
- (2) Deleting the requirement that beginning after January 1, 2017, the Trust Fund authorize automatic electronic payments;
- (3) Deleting the requirement that any opt out election is final and irrevocable;
- (4) Requiring the Board of Trustees of the Trust Fund instead of the Board of Trustees for the Employees' Retirement System to submit an annual report to the Legislature on the contribution amounts paid to the Trust Fund; 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. 2428, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2428, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1159-16 Labor & Public Employment on S.B. No. 3036

The purpose of this measure is to clarify the State's anti-discrimination law by specifying that an employer may refuse to hire or refer, or discharge an individual for reasons relating to the ability of the individual to perform the work in question; provided that the employment policy is applied in a nondiscriminatory manner and unrelated to discriminatory practices, equal pay, criminal conviction records, or credit history.

The Hawaii Civil Rights Commission opposed this measure. The Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure by replacing its contents with H.B. No. 2209 H.D. 1, a similar measure that was passed out of this Committee earlier this session and specifies that employers, employment agencies, and labor organizations may refuse to hire, refer, or discharge workers for reasons other than those protected under Hawaii's anti-discrimination law.

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. 3036, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3036, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1160-16 Health on S.B. No. 2341

The purpose of this measure is to protect the health and safety of consumers in the state by making permanent the regulation of respiratory therapists under chapter 466D, Hawaii Revised Statutes.

The Department of Commerce and Consumer Affairs, Office of the Auditor, Hawaii COPD Coalition, Hawai'i Pacific Health, Kapiolani Community College Respiratory Therapy Program students, Hawaii Society for Respiratory Care, and numerous individuals testified in support of this measure. Several individuals commented on this measure.

Your Committee notes that the State Auditor's Report No. 15-08, "Sunset Evaluation: Respiratory Therapists," June 2015, finds that the regulation of respiratory therapists is reasonably necessary to protect the health and safety of consumers, and licensure is consistent with other health-related occupations, such as doctors and nurses.

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. 2341, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1161-16 Health on S.B. No. 2540

The purpose of this measure is to address the immediate need for development or expansion of a forensic facility at the Hawaii State Hospital by authorizing the Governor, with the assistance of the Director of Health, to directly negotiate with any person for the development or expansion of a Department of Health forensic facility, not subject to the restrictions inherent in the State Procurement Code. This measure provides for additional public scrutiny through an extended review and comment period for any required environmental assessment or environmental impact statement.

The Department of Health testified in support of this measure. The State Procurement Office and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO commented on this measure.

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. 2540, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2540, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1162-16 Health on S.B. No. 2687

The purpose of this measure is to establish the Colorectal Cancer Screening and Awareness Program within the Department of Health and appropriate funds to:

- (1) Educate the public regarding the risks associated with colorectal cancer and the benefits of screening; and
- (2) Provide specific education to persons who are at greater risk of colorectal cancer.

The University of Hawai'i Cancer Center, American Cancer Society Cancer Action Network, The Queen's Health Systems, and numerous individuals testified in support of this measure. The Department of Health commented on this measure.

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

Should the Committee on Finance consider this measure, your Committee respectfully requests that it consider appropriating \$100,000 for fiscal year 2016-2017 for the Colorectal Cancer Screening and Awareness 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. 2687, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2687, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1163-16 Health on S.B. No. 2181

The purpose of this measure is to allow for terminally ill patients to use potentially life-saving investigational drugs and biological products by allowing a manufacturer of an investigational drug or biological product to make the drug or product available to an eligible terminally ill patient.

The Hawaii Association for Justice testified in support of this measure. The Department of the Attorney General and Hawaii Medical Service Association commented on this measure.

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. 2181, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2181, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1164-16 Health on S.B. No. 2886

The purpose of this measure is to reduce barriers in accessing mental health services for adolescents by lowering the age of consent from eighteen years old to twelve years old for minors to receive mental health treatment or counseling services provided by a licensed mental health professional.

The Department of Health, The Judiciary, Department of Human Services, Office of Youth Services, Child & Family Service, Hawaii Psychological Association, Hale 'Opio Kaua'i, Inc., Hawaii Youth Services Network, Big Island Teen Counseling Center, and two individuals testified in support of this measure. A few individuals opposed this measure. The Department of Education and Hawaii Family Advocates commented on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 7, 2112, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments 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 S.B. No. 2886, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2886, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1165-16 Health on S.B. No. 2888

The purpose of this measure is to address the length of time defendants spend in state custody awaiting results of court ordered forensic physical or mental health examination rulings by establishing separate evaluations for fitness to proceed and for penal responsibility, with certain exemptions.

An individual supported this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Judiciary; Department of Health; and Hawaii Disability Rights Center provided comments.

Your Committee has amended this measure by adopting the amendments proposed by the Judiciary and the Department of Health that:

- (1) Specify that juvenile records shall only be available for inspection by a prosecuting attorney or counsel for the defense if constitutionally required;
- (2) Clarify that the requirement for separate fitness and penal responsibility examinations and reports only applies to felony cases;
- (3) Remove felonies for which criminal charges may not be instituted by written information from those for which an examination for regained fitness to proceed must be conducted by a panel of three examiners; and
- (4) Specify that the time used to complete an examination shall not be included in computing the time for trial commencement.

Your Committee has additionally 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2888, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2888, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1166-16 Health/Human Services on S.B. No. 2213

The purpose of this measure is to:

- (1) Continue the Nursing Facility Sustainability Program for an additional year; and
- (2) Appropriate \$14,000,000 for fiscal year 2016-2017 from the Nursing Facility Sustainability Program Special Fund for uses consistent with the Fund.

The Department of Human Services, Hawaii Health Systems Corporation Corporate Board of Directors, East Hawaii Region of Hawaii Health Systems Corporation, The Queen's Health Systems, The Chamber of Commerce Hawaii, Healthcare Association of Hawaii, Hawaii Association of Professional Nurses, Hawaii Pacific Health, Hale Makua Health Services, and Hawaii Primary Care Association testified in support of this measure.

Your Committees note that this measure will help sustain nursing facilities statewide to enable continued access to needed services by residents of our State.

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. 2213, S.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1167-16 Health/Human Services on S.B. No. 2330

The purpose of this measure is to provide funding for and to extend the Hospital Sustainability Program (Program) by an additional year. This measure also amends provisions relating to:

- (1) The use of revenues derived from the Hospital Sustainability Fee (Fee) to enhance reimbursement rates and the drawdown of matched federal funds;
- (2) Fee assessment schedules, payment dates, and rates; and
- (3) The applicability of the Program to various types of hospitals.

The Hawaii Health Systems Corporation; East Hawaii Region of the Hawaii Health Systems Corporation; The Queen's Health Systems; Chamber of Commerce Hawaii; Healthcare Association of Hawaii; United Public Workers, AFSCME, Local 646, AFL-CIO; and Hawaii Primary Care Association testified in support of this measure. The Department of Human Services, Department of the Attorney General, and Hawaii Medical Service Association provided comments.

Your Committees have amended this measure by:

- (1) Clarifying that the revenues from the Hospital Sustainability Fee shall be used for any of, rather than all of, the reimbursement and matching purposes specified in the measure;
- (2) Exempting rehabilitation and psychiatric hospitals from the outpatient Fee;
- (3) Specifying that nothing in the Program shall require the Department of Human Services to exempt a facility from the Fee if it is not approved by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services;
- (4) Changing its effective date to June 29, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2330, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2330, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1168-16 Health/Human Services on S.B. No. 2560

The purpose of this measure is to address the mental health of homeless persons by:

- (1) Requiring the Department of Health to provide treatment and care for homeless individuals to enable them to reside in a permanent dwelling unit or homeless facility;
- (2) Expanding the Director of Health's authority to include contracting with any individual for outreach services, with a priority for outreach services for the homeless;
- (3) Including becoming homeless by reason of serious and persistent mental health challenges as a factor in applying for community residential treatment system services; and
- (4) Appropriating funds to provide treatment and care for homeless individuals with serious and persistent mental health challenges to enable them to reside in a permanent dwelling unit or homeless facility.

The Department of Health, Hawaii Disability Rights Center, Hawaii Substance Abuse Coalition, Hawaii Association of Professional Nurses, The Salvation Army Addiction Treatment Services and Family Treatment Services, PAIMI and Waipahu Aloha Clubhouse, and a few individuals testified in support of this measure. The Governor's Coordinator on Homelessness commented on this measure.

Your Committees have amended this measure by:

- (1) Specifying that the requirement that the Department of Health provide treatment and care for homeless individuals to enable them to reside in a permanent dwelling unit or homeless facility refers specifically to homeless individuals with serious and persistent mental health challenges;
- (2) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and consistency.

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. 2560, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2560, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1169-16 Public Safety on S.B. No. 2630

The purpose of this measure is to substantially improve Hawaii Correctional Industries' ability to be financially self-supporting, increase work training opportunities for inmates at no additional cost to the State, and update the Department of Public Safety's annual report to the Legislature. More specifically, this measure:

- (1) Allows inmates to create approved products and crafts to be sold to the public through the Hawaii Correctional Industries Program;
- (2) Requires the Department of Public Safety to report annually to the Legislature on the:
 - (A) Amount of moneys that have been deposited into the Correctional Industries Revolving Fund from the sale of products and crafts to the public through the Hawaii Correctional Industries Program; and
 - (B) Nexus between the workforce opportunities provided through the Hawaii Correctional Industries Program during incarceration and life after incarceration; and
- (3) Specifies the allocation of the proceeds from the sale of inmates' products and crafts through the Hawaii Correctional Industries Program.

The Department of Public Safety; Office of Hawaiian Affairs; Community Alliance on Prisons; Ho'omana Pono, LLC.; and several concerned individuals supported this measure. The United Public Workers, AFSCME, Local 646, and AFL-CIO offered comments.

Your Committee has amended this measure by:

- (1) Removing the annual reporting requirements to the Legislature;
- (2) Clarifying that work training programs to increase the employment prospects of inmates after their release shall be offered to appropriately screened inmates in applicable work;
- (3) Removing provisions that specified approved articles and products manufactured or produced by inmates that may be sold by the Hawaii Correctional Industries Program to the public and specified the scope of labor services allowed and the assessment of reasonable charges;
- (4) Clarifying that the Director of Public Safety shall approve the articles and products manufactured or produced by inmates that may be sold through the Hawaii Correctional Industries Program to the public;
- (5) Requiring the Department of Business, Economic Development, and Tourism to conduct a feasibility study on establishing a reentry academy for training and entrepreneurial resources;
- (6) Appropriating funds to effectuate this measure;
- (7) Making the appropriation take effect on July 1, 2016; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate on this measure further, your Committee on Public Safety respectfully requests that it consider appropriating \$150,000 for fiscal year 2016-2017 for the feasibility study on establishing a reentry academy for training and entrepreneurial resources as 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 S.B. No. 2630, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2630, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 1170-16 Economic Development & Business on S.B. No. 2301

The purpose of this measure is to continue the diversification of Hawaii's economy through development of the manufacturing and processing industry by authorizing the issuance of \$10,000,000 in special purpose revenue bonds (SPRBs) for Keahole Management Group LLC.

Keahole Management Group LLC, Aeronigma Solutions Inc., and Koa Kane Limited Liability Company testified in support of this measure. The Department of Budget and Finance provided comments.

The development of the manufacturing and processing industry in Hawaii is one way to diversify Hawaii's economy. Your Committee finds that the issuance of SPRBs for the purpose of planning, designing, constructing, and equipping facilities for the manufacturing and processing of products, including value-added agricultural products, will help Hawaii achieve its goal of economic diversification.

Your Committee has amended this measure by changing:

- (1) The amount of SPRBs authorized to be issued from an amount not exceeding \$10,000,000 to an unspecified amount; and
- (2) Its effective date to February 19, 2022, to facilitate 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. 2301, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2301, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kong and Woodson.

SCRep. 1171-16 Economic Development & Business on S.B. No. 2302

The purpose of this measure is to preserve the quality of Hawaii's night sky by reducing light pollution. Specifically, this measure establishes a Dark Skies Protection Advisory Committee (Advisory Committee) to assist the Department of Business, Economic Development, and Tourism (DBEDT) in the development of a statewide dark skies protection strategy to preserve dark night skies and reduce light pollution.

The Department of Land and Natural Resources, University of Hawaii, and a concerned individual testified in support of this measure. DBEDT testified in support of the intent of this measure.

The quality of the night sky in Hawaii is unique and is a valuable natural resource that needs to be protected. Artificial light reduces dark skies and directly impacts the quality of the night sky for astronomical observations in Hawaii, as well as biological resources of the islands by altering wildlife behavioral patterns. Your Committee finds that establishing an Advisory Committee will allow for the preservation of Hawaii's dark night skies, which is essential for Hawaii's astronomy industry and for the State's overall well-being.

Your Committee has amended this measure by:

- (1) Including a representative from the University of Hawaii at Hilo on the Advisory Committee;
- (2) Including the protection of astronomical observations from Mauna Loa from the impacts of artificial light pollution as one of the principles on which to base the statewide dark skies protection strategy;
- (3) Including public safety issues related to the reduction in artificial light as an issue for evaluation and consideration in the development of proposed legislation to implement statewide protective lighting and light pollution reduction strategies by DBEDT, with assistance from the Advisory Committee;
- (4) Changing its effective date to February 19, 2022, 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2302, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2302, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1172-16 Economic Development & Business on S.B. No. 2501

The purpose of this measure is to increase the accountability and efficiency of the state procurement process by requiring public agencies to consider the past performance of contractors before awarding contracts. More specifically, among other things, this measure:

- (1) Requires public agencies to consider a contractor's previous work on similar projects before awarding a contract;
- (2) Requires each public agency that issues a request for proposals to evaluate a contractor's performance upon completion of a procurement contract and to maintain those evaluations in the public agency's files; and
- (3) Appropriates funds to the State Procurement Office to implement this measure.

The Chamber of Commerce Hawaii testified in support of this measure. The State Procurement Office testified in support of the intent of this measure. The Department of Transportation, the Department of Design and Construction of the City and County of Honolulu, Subcontractors Association of Hawaii, and General Contractors Association of Hawaii provided comments on this measure.

While the state procurement code presently authorizes procurement officers to consider a potential awardee's past performance, the historical performances of bidders may not receive adequate consideration in the awarding of contracts with attention being mainly focused on the lowest bid. Your Committee finds that better guidance should be provided to procurement officers when considering the performance history of bidders and that this measure accomplishes this goal.

Your Committee notes that concerns were raised by the State Procurement Office regarding the basis for past performance evaluations contained in this measure. Accordingly, your Committee has amended this measure by:

- (1) Clarifying that past performance be based on the performance of a contractor on state, federal, and private contracts; and

- (2) Changing its effective date to February 19, 2022, to facilitate further discussion.
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee on Economic Development & Business respectfully requests that it consider appropriating \$130,000 for the implementation of this measure by the State Procurement Office.

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. 2501, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2501, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1173-16 Economic Development & Business on S.B. No. 3109

The purpose of this measure is to increase economic development in the State through the promotion of manufacturing by extending, for one year, the lapse date for the appropriation of funds for the continuation of the manufacturing grant program in the High Technology Development Corporation.

The High Technology Development Corporation, Meadow Gold Dairies, KYD, Inc. dba K. Yamada Distributors, Hawaii Food Industry Association, and Chamber of Commerce Hawaii testified in support of this measure.

Recognizing the potential economic benefits provided by the manufacturing industry, the Legislature appropriated \$2,000,000 in the Regular Session of 2015 to establish a manufacturing grant program within the High Technology Development Corporation to assist companies with qualified manufacturing expenses. However, delays in establishing this program have occurred as the process for the adoption of rules has taken longer than expected. While the High Technology Development Corporation has prepared rules for this program, distribution of grant monies cannot occur until these rules are adopted. As the initial appropriation for this program lapses at the end of the current fiscal year, your Committee finds that extending the lapse date for funds appropriated in 2015 by one year will allow for the implementation of the manufacturing grant program, thereby strengthening Hawaii's manufacturing economy.

Your Committee further notes that, according to the High Technology Development Corporation, rules regarding the manufacturing grant program were adopted in late February. Since that time, 21 grant applications have been received with a total value of approximately \$1.2 million. Your Committee finds that this is a promising sign that the program will be successful and that the provision of additional funding for fiscal year 2016-2017 deserves consideration. Accordingly, your Committee has amended this measure by additionally appropriating an unspecified sum for fiscal year 2016-2017 for the continuation of the manufacturing grant program.

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. 3109, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3109, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1174-16 Economic Development & Business on S.B. No. 3110

The purpose of this measure is to continue efforts to diversify Hawaii's economy, assist small businesses conducting innovative research with their efforts toward commercialization, and promote manufacturing by extending, by one year, the lapse date for the appropriation of funds for the Department of Business, Economic Development, and Tourism to provide grants and loans through the High Technology Development Corporation for federal small business innovation research phase II and phase III awards.

The Chamber of Commerce of Hawaii and Oceanit 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. Recognizing this success, the Legislature enacted Act 216, Session Laws of Hawaii, 2016, which expanded the scope of the grant program to allow for more companies to achieve commercialization and increase the beneficial economic impacts of this program to the State. Your Committee finds that this measure will ensure the continuation of awarding small business innovation research grants by the High Technology Development Corporation.

Your Committee notes that the High Technology Development Corporation has stated that it anticipates awarding all of the funds appropriated for fiscal year 2015-2016 and that an additional appropriation would better allow for the continuation of the grant program. Accordingly, your Committee has amended this measure by appropriating additional funds for fiscal year 2016-2017 for the Corporation to provide grants and loans for phase II and III awards.

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

Should your Committee on Finance deliberate this measure further, your Committee on Economic Development and Business requests that it consider appropriating \$2,000,000 for the provision of grants and loans for federal small business innovation research phase II and phase III awards for fiscal year 2016-2017.

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. 3110, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3110, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1175-16 Economic Development & Business on S.B. No. 2928

The purpose of this measure is to strengthen enforcement of, and ensure compliance with, Hawaii's general excise tax law. More specifically, this measure:

- (1) Requires the Department of Taxation to develop an online form, to be filled out by each special event operator, regarding sellers engaging in business at the operator's special events;
- (2) Requires each special event operator to submit the completed form to the Department whenever the operator files the operator's periodic general excise tax returns with the Department, provided that a special event occurred during the reporting period; and
- (3) Authorizes the Department to issue citations that include fines to special event operators that fail to comply with the reporting requirements.

The Department of Taxation testified in support of this measure. The Stadium Authority testified in support of the intent of this measure. The Hawaii Food Industry Association, Cycle on Hawaii, Special Events Hawaii, Hawaii Alliance of Nonprofit Organizations, and a concerned individual testified in opposition to this measure. The Chamber of Commerce Hawaii and Tax Foundation of Hawaii provided comments.

Special events, such as swap meets, craft fairs, and cultural festivals, represent a special and unique challenge to tax law enforcement since such events often involve primarily cash-based businesses that may or may not be properly licensed. With the number of special events occurring on an annual basis, the Department of Taxation has noted that it lacks adequate resources to ensure that Hawaii's general excise tax law is being complied with at all special events taking place within the State. Your Committee finds that the provision of information on a periodic basis as required by this measure will help the Department of Taxation identify businesses not currently in compliance with their general excise tax obligations and bring those businesses into compliance.

However, your Committee understands concerns raised regarding privacy issues, the broad scope of this measure, and the effect this measure may have on non-profit organizations, as well as other situations where exemptions from the general excise tax are allowed. Accordingly, your Committee has amended this measure by:

- (1) Clarifying that a special event operator is only required to provide specific business information of a seller at a special event to the Department of Taxation by deleting language requiring a special event operator to provide any additional information requested by the Department of Taxation to the Department;
- (2) Clarifying that a special event is any event organized by a special event operator at which two or more retailers, rather than two or more persons, offer property or services for sale or exchange;
- (3) Allowing the Department of Taxation to waive any citation issued to a special event operator for reasonable cause; and
- (4) Exempting persons already exempt from general excise tax laws from being considered as an operator of a special event.

Your Committee has also amended this measure by:

- (1) Changing its effective date to February 19, 2022, 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 Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2928, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2928, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1176-16 Water & Land on S.B. No. 3071

The purpose of this measure is to require the Department of Land and Natural Resources, in consultation with The Trust for Public Land, to engage in negotiations to acquire the makai lands of Kapua in South Kona.

Aha Moku Advisory Committee, The Trust for Public Land, and a few individuals provided testimony in support of the measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the Department of Land and Natural Resources consult with The Trust for Public Land; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3071, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3071, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1177-16 Water & Land on S.B. No. 2163

The purpose of this measure is to allow the Director of Health to give notice of water pollution and solid waste pollution violations via a posting on a searchable government website or a sign conspicuously posted on the property when attempts to serve written notice in person and by mail have been unsuccessful.

The Department of Health, Office of Hawaiian Affairs, Conservation Council for Hawaii, and a few individuals provided testimony in support.

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 S.B. No. 2163, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2163, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1178-16 Water & Land on S.B. No. 2829

The purpose of this measure is to provide for the review and update of the Hawaii State Planning Act by the Office of Planning and to continue efforts to develop goals and policies to guide the development of the State.

The Department of Business, Economic Development, and Tourism, Office of Planning, and Department of Agriculture provided testimony in support of the measure.

Your Committee has amended this measure by requiring the Office of Planning to review and analyze the county planning process and the impact it has on county permitting and the number and type of projects breaking ground in the State.

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. 2829, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2829, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1179-16 Water & Land on S.B. No. 2816

The purpose of this measure is to:

- (1) Establish the offense of criminal trespass onto state lands and make the offense a petty misdemeanor; and
- (2) Amend the offense of criminal trespass in the second degree to include and apply to agricultural property owned by the government that is not fenced, enclosed, or otherwise secured in a manner designed to exclude intruders, but has appropriate signage giving notice that the property is government property and that trespassing is prohibited.

The Department of Land and Natural Resources and Department of Transportation provided testimony in support of the measure. The American Civil Liberties Union of Hawaii provided testimony in opposition. The Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that land closed with its closure hours posted is land closed to public use;
- (2) Making its effective date July 1, 2016;
- (3) Deleting the repeal date; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2816, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2816, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1180-16 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 2972

The purpose of this measure is to direct and provide funding to the Sea Grant College Program at the University of Hawaii to develop a comprehensive management plan for the northwest-facing coastline of Oahu's North Shore.

Your Committee received testimony in support of this measure from the Department of Design and Construction of the City and County of Honolulu, Malama Pupukea-Waimea, Save Sunset Beach Coalition, Hawaii Shore and Beach Preservation Association, Shoreline Science & Engineering, LLC, and several individuals. The Department of Land and Natural Resources, University of Hawai'i Sea Grant College Program, and Land Use Research Foundation of Hawaii submitted comments.

Your Committee has amended this measure by 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 S.B. No. 2972, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2972, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1181-16 Ocean, Marine Resources, & Hawaiian Affairs on S.B. No. 2904

The purpose of this measure is to authorize the Department of Land and Natural Resources to establish and operate aquatic mitigation banks, to be used as compensatory mitigation for unavoidable adverse impacts of permitted activities or as remediation for adverse impacts of unpermitted activities.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, and an individual submitted testimony in support 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 S.B. No. 2904 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1182-16 Health on S.B. No. 2317

The purpose of this measure is to improve the State's knowledge of risk factors for child and maternal deaths.

Specifically, this measure:

- (1) Requires the Director of Health (Director) to submit annual reports to the Legislature on child death and maternal death reviews;
- (2) Requires medical facilities to provide information relating to maternal and perinatal deaths to the Department of Health (Department), Hawaii Medical Association, or in-hospital staff committees, and to immunize them from liability for providing the information; and
- (3) Appropriates funds for the Department to conduct child death reviews and to implement a program for the performance of maternal death reviews.

Planned Parenthood Votes Northwest and Hawaii; Hawaii Children's Action Network; Hawaii State Democratic Caucus; Kaiser Permanente Hawaii; Hawaii Public Health Association; Kapiolani Child Protection Center; Hawaii Medical Association; March of Dimes Hawaii Chapter; Family Voices of Hawaii; American Congress of Obstetricians and Gynecologists, Hawaii Section; and one individual testified in support of this measure. The Department of Human Services, Department of Health, Kapiolani Medical Center for Women & Children, Hawaii Pacific Health, Healthcare Association of Hawaii, and Queen's Health Systems provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the annual reports cover the calendar year immediately prior to the year in which the report is due;
- (2) Allowing the Department to conduct multidisciplinary and multiagency reviews of maternal deaths to reduce the incidence of preventable child deaths;
- (3) Upon the written request of the Director, requiring:
 - (A) A state or county agency to report deaths of children in the custody of the state or county agency to the Department; and
 - (B) All providers of health care, social services, and state and county agencies to provide information, or other data or material relating to the condition and treatment of any person to the Department or its designee and clarifying that the information is only to be used for the purpose of advancing medical research, medical education, or education of the public in the interest of reducing morbidity or mortality;
- (4) Clarifying that all providers of health care, social services, and state and county agencies must disclose to the Department, and those individuals appointed by the Director to participate in the review of child deaths, child death review information regarding the circumstances of a child's death;
- (5) Requiring that the Department not request findings of any hospital quality committee review; 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 S.B. No. 2317, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2317, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Oshiro.

SCRep. 1183-16 Labor & Public Employment/Human Services on S.B. No. 2898

The purpose of this measure is to appropriate funds to cover costs associated with departmental efforts to continue State compliance with the Federal Patient Protection and Affordable Care Act of 2010, given the cessation of operations of the Hawaii Health Connector on December 4, 2015.

Specifically, this measure appropriates \$1,651,510 to the Department of Labor and Industrial Relations and \$3,790,929 to the Department of Human Services to support the transfer of certain Hawaii Health Connector functions, including reimbursing the departments for funds used in the ongoing maintenance and operation of the State's Medicaid eligibility and enrollment system.

Pursuant to requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 6 to the Legislature, requested immediate consideration and passage of this bill by the Legislature.

The Department of Labor and Industrial Relations, Department of Human Services, Chamber of Commerce Hawaii, Healthcare Association of Hawaii, and ILWU Local 142 testified in support of this measure.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2898, S.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Oshiro, Takumi and Tupola.

SCRep. 1184-16 Labor & Public Employment/Consumer Protection & Commerce on S.B. No. 2544

The purpose of this measure is to ensure sufficient revenues to fund the costs to regulate professional employer organizations.

Specifically, this measure:

- (1) Requires every professional employer organization to report the total number of covered employees to the Department of Labor and Industrial Relations; and
- (2) Establishes a tiered scale for the biennial renewal fees for professional employer organizations based on the number of covered employees reported.

The Department of Labor and Industrial Relations; the Chamber of Commerce Hawaii; ALTRES, Inc.; ProService Hawaii; and Hawaii Human Resources, Inc. provided comments on this measure.

Your Committees have amended this measure by changing:

- (1) The biennial renewal fees from:
 - (a) \$4,000 to \$5,000 for 251-500 covered employees; and
 - (b) \$5,000 to \$7,000 for 501 or more covered employees; and
- (2) The effective date to July 1, 2091, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2544, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2544, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Har, Johanson, Kawakami, LoPresti, Oshiro, Takumi and McDermott.

SCRep. 1185-16 Labor & Public Employment on S.B. No. 3038

The purpose of this measure is to provide additional benefits to unemployed workers in a county with a population under 200,000 by extending unemployment insurance benefits for workers whose benefits expire or are exhausted during the period from September 4, 2016 through October 29, 2017.

The United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii State AFL-CIO; and one concerned individual supported this measure. The Department of Labor and Industrial Relations; Chamber of Commerce Hawaii; and ILWU Local 142 provided comments.

Your Committee has amended this measure by replacing its contents with H.B. No. 2722, H.D. 1; the companion to this measure that passed out of this Committee earlier this session.

As amended, this measure:

- (1) Makes it applicable to all workers statewide, regardless of county of residence;
- (2) Makes enrollment in a vocational training or retraining program approved by the Director of Labor and Industrial relations optional, rather than a requirement for the receipt of benefits;
- (3) Makes it effective upon approval; and
- (4) Makes technical, nonsubstantive amendments for the purpose of 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 is in accord with the intent and purpose of S.B. No. 3038, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3038, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1186-16 Labor & Public Employment on S.B. No. 2839

The purpose of this measure is to:

- (1) Amend the Employer-Union Health Benefits Trust Fund (EUTF) definition of "dependent-beneficiary" to:
 - (A) Clarify the eligibility of children for participation in EUTF benefits plans; and
 - (B) Conform with the federal Patient Protection and Affordable Care Act of 2010; and
- (2) Make housekeeping amendments to sections 87A-34 and 87A-36, Hawaii Revised Statutes.

The EUTF Board of Trustees testified in support of this measure.

Your Committee has amended this measure by inserting the contents of H.B. No. 2015, H.D. 1, which was passed out from this Committee earlier this session, as Part II; which would:

- (1) Exempt contracts for the procurement of EUTF carriers, third-party administrators, and professional service providers from the State Procurement Code;
- (2) Amend the fiduciary duties and composition, as well as the appointment, vacancy, and voting procedures, of the EUTF Board of Trustees;
- (3) Authorize the establishment of sub-boards of the EUTF Board of Trustees for the negotiation of contributions that apply specifically to particular bargaining units;
- (4) Authorize the EUTF Board of Trustees to appoint attorneys independent of the Department of the Attorney General; and
- (5) Transfer the administrative attachment of the EUTF from the Department of Budget and Finance to the Office of Collective Bargaining.

Other technical, nonsubstantive amendments were made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2839, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2839, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1187-16 Labor & Public Employment on S.B. No. 2724

The purpose of this measure is to ensure that workers are paid fair and appropriate wages and benefits by expanding the application of wage and hour requirements for employees on public works projects. Specifically, this measure, among other things:

- (1) Includes construction projects on public lands, regardless of whether the work is paid from public funds, and projects for which public lands are used as security for financing in public works projects subject to the wage and hour requirements of chapter 104, Hawaii Revised Statutes;
- (2) Exempts certain housing-related projects undertaken by a private lessee or for farm dwellings;
- (3) Includes projects undertaken by private lessees in existing requirements for projects not directly caused by a government agency;
- (4) Allows the Director of Labor and Industrial Relations to terminate a contract for violation of prevailing wage and hour requirements; and
- (5) Appropriates funds for the enforcement of chapter 104, Hawaii Revised Statutes, including enforcement of the additional requirements contained in this measure.

The Hawaii Regional Council of Carpenters, Pacific Resource Partnership, Hawaii State AFL-CIO, Hawaii Construction Alliance, Hawaii Tapers Market Recovery Trust Fund, Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund, Painters Labor Management Cooperation Trust Fund, Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund, International Union of Painters and Allied Trades, District Council 50, and a concerned individual testified in support of this measure. The Department of Transportation, Department of Land and Natural Resources, General Contractors Association of Hawaii, Building Industry Association of Hawaii, King & Neel, Inc., and Sand Island Business Association testified in opposition to this measure. The Department of Labor and Industrial Relations commented on this measure.

Your Committee has amended this measure by:

- (1) Limiting the exemption for projects involving the development, construction, renovation, or maintenance of family dwellings to single family dwellings;
- (2) Changing its effective dates to July 1, 2091; 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. 2724, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2724, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1188-16 Public Safety on H.R. No. 32

The purpose of this measure is to encourage the Department of Public Safety to continue and expand its structured, community-based work furlough programs to help formerly incarcerated female offenders adjust to greater independence as they transition back into society.

The Department of Public Safety; Hawaii State Commission on the Status of Women; YWCA Oahu; YWCA Fernhurst; Hawai'i State Democratic Women's Caucus; and numerous 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 concurs with the intent and purpose of H.R. No. 32 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 1189-16 Public Safety on H.C.R. No. 68

The purpose of this measure is to encourage the Department of Public Safety to continue and expand its structured, community-based work furlough programs to help formerly incarcerated female offenders adjust to greater independence as they transition back into society.

The Department of Public Safety; Hawaii State Commission on the Status of Women; YWCA Oahu; YWCA Fernhurst; Hawai'i State Democratic Women's Caucus; and numerous 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 concurs with the intent and purpose of H.R. No. 32 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Har.

SCRep. 1190-16 Public Safety on H.R. No. 42

The purpose of this measure is to urge the Hawaii Emergency Management Agency of the Department of Defense, with cooperation from the Pacific Forum Center for Strategic and International Studies, to develop and implement a statewide emergency management simulation exercise that includes all sectors of the community and is widespread.

The Pacific Forum Center for Strategic and International Studies and the Global Network for Disaster Reduction supported this measure. The State Adjutant General and the Hawaii Emergency Management Agency of the Department of Defense offered comments.

Your Committee has amended this measure by requesting the Department of Health to cooperate with the Hawaii Emergency Management Agency of the Department of Defense in developing and implementing a statewide emergency management simulation exercise that includes all sectors of the community.

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. 42, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 42, H.D. 1.

Signed by all members of the Committee except Representative Har.

SCRep. 1191-16 Public Safety on H.C.R. No. 80

The purpose of this measure is to urge the Hawaii Emergency Management Agency of the Department of Defense, with cooperation from the Pacific Forum Center for Strategic and International Studies, to develop and implement a statewide emergency management simulation exercise that includes all sectors of the community and is widespread.

The Pacific Forum Center for Strategic and International Studies and the Global Network for Disaster Reduction supported this measure. The State Adjutant General and the Hawaii Emergency Management Agency of the Department of Defense offered comments.

Your Committee has amended this measure by requesting the Department of Health to cooperate with the Hawaii Emergency Management Agency of the Department of Defense in developing and implementing a statewide emergency management simulation exercise that includes all sectors of the community and is widespread.

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. 80, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 80, H.D. 1.

Signed by all members of the Committee except Representative Har.

SCRep. 1192-16 Health on H.C.R. No. 65

The purpose of this measure is to request the Auditor to perform a sunrise analysis of the proposed regulation of the profession of certified professional midwives and submit a report of findings of the sunrise analysis to the Legislature prior to the 2017 Regular Session.

Healthy Mothers Healthy Babies Coalition of Hawaii, Midwives Alliance of Hawaii, Kona Birth and Midwifery Services, GoMidwife, and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs commented on 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 Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 65, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 65, H.D. 1.

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

SCRep. 1193-16 Judiciary on H.R. No. 12

The purpose of this measure is to urge the Judiciary to examine the feasibility and potential benefits of establishing DWI Court Programs in Kona and Hilo on Hawaii Island and report its findings and recommendations, including any proposed legislation, to the Legislature not later than twenty days prior to the convening of the Regular Session of 2017.

The Judiciary 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 concurs with the intent and purpose of H.R. No. 12 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 1194-16 Judiciary on H.C.R. No. 44

The purpose of this measure is to urge the Judiciary to examine the feasibility and potential benefits of establishing DWI Court Programs in Kona and Hilo on Hawaii Island and report its findings and recommendations, including any proposed legislation, to the Legislature not later than twenty days prior to the convening of the Regular Session of 2017.

The Judiciary 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 concurs with the intent and purpose of H.C.R. No. 44 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 1195-16 Housing on S.B. No. 2998

The purpose of this measure is to appropriate funds to the Hawaii Public Housing Authority (HPHA) for the modernization, repair, and maintenance of HPHA facilities and public housing units statewide.

The Hawaii Public Housing Authority testified in support of the intent of this measure. The United Public Workers, AFSCME, Local 646, AFL-CIO and Land Use Research Foundation of Hawaii testified in support of this measure.

Your Committee has amended this measure by changing the general fund appropriation for fiscal year 2016-2017 to an unspecified amount.

Should the Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$180,000,000 for the purposes of this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2998, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2998, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1196-16 Housing on S.B. No. 2561

The purpose of this measure is to establish a rental housing strategy for the State. Specifically, this measure:

- (1) Establishes a goal of developing or committing to the development of at least 22,500 affordable rental housing units for occupancy by the end of 2026;
- (2) Establishes a temporary special action team on affordable rental housing, within the Office of the Lieutenant Governor for administrative purposes, to make recommendations to achieve the affordable rental housing goal; and
- (3) Appropriates funds for the special action team on affordable rental housing.

The FACE Housing Task Force, Housing Now Coalition, Catholic Charities Hawaii, Building Industry Association of Hawaii, Land Use Research Foundation of Hawaii, Chamber of Commerce Hawaii, and a concerned individual supported this measure. The Office of Planning, Hawaii Public Housing Authority, and Hawaii Housing Finance and Development Corporation supported the intent of this measure. The Governor's Coordinator on Homelessness provided comments.

Your Committee has amended this measure by:

- (1) Placing the special action team within the Office of Planning, rather than in the Office of the Lieutenant Governor, for administrative purposes;
- (2) Changing the composition of the special action team to include:
 - (A) The Director of the Office of Planning, who shall serve as the chair;
 - (B) The Executive Director of the Hawaii Housing Finance and Development Corporation;
 - (C) A member of the House of Representatives, to be appointed by the Speaker of the House of Representatives;
 - (D) A member of the Senate, to be appointed by the President of the Senate;
 - (E) A representative from each county, to be appointed by the mayor of the respective county; and
 - (F) A member of the public, such as from an advocacy group, to be appointed by the Governor;
- (3) Requiring the special action team to develop a ten-year plan that identifies state, county, and private parcels of land that are suitable for affordable housing units, and in so doing, consider the following:
 - (A) The estimated number of affordable housing units the parcel of land can sustain;
 - (B) What infrastructure challenges there are in developing affordable housing units on the parcel of land; and
 - (C) The estimated cost to develop affordable housing units and address the infrastructure challenges on the parcel of land;
- (4) Requiring the special action team to regularly hold public meetings without regard 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2561, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2561, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1197-16 Housing on S.B. No. 2833

The purpose of this measure is to increase funding for affordable rental housing development by making the state low-income housing tax credit more valuable. Specifically, this measure reduces the applicable credit period of the state-low income housing tax credit from ten years to five years.

The Governor's Coordinator on Homelessness; Department of Taxation; Department of Human Services; Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; In-State Partners; Hawai'i Association of Realtors; Catholic Charities Hawaii; Building Industry Association of Hawaii; Land Use Research Foundation of Hawaii; Chamber of Commerce Hawaii; Hawaii Women's Coalition; and an individual supported this measure. The Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the aggregate state housing credit dollar amount available for award annually to an amount equal to the amount allocated to the State under section 42(h) of the Internal Revenue Code;
- (2) Basing the amount of the low-income housing tax credit on whether or not a building is financed by tax-exempt bonds;
- (3) Repealing the requirement to apply at-risk rules according to section 42(k) of the Internal Revenue Code;
- (4) Specifying that section 42(k) and section 465 (with respect to deductions limited to amount at risk) and section 469 (with respect to passive activity losses and credits limited) of the Internal Revenue Code do not apply with respect to investments in buildings and projects claiming low-income housing tax credits; 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 S.B. No. 2833, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2833, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kobayashi and Oshiro.

SCRep. 1198-16 Consumer Protection & Commerce on S.B. No. 2333

The purpose of this measure is to improve clarity and facilitate understanding in the law by reducing ambiguity in the term "marriage and family therapist".

Specifically, this measure:

- (1) Permits marriage and family therapists licensed pursuant to chapter 451J, Hawaii Revised Statutes, to use the title "licensed marriage and family therapist"; and
- (2) Makes conforming amendments to chapter 431M, Hawaii Revised Statutes.

The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs and sixteen individuals submitted testimony in support of this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs submitted comments on the measure.

Your Committee finds that, pursuant to chapter 451J, Hawaii Revised Statutes, marriage and family therapists in Hawaii are licensed by the Department of Commerce and Consumer Affairs. Your Committee also finds that although chapter 451J, Hawaii Revised Statutes, provides a licensing procedure for marriage and family therapists, other chapters of the Hawaii Revised Statutes generally refer to marriage and family therapists without clarifying that it is a licensed profession. Your Committee further finds that this measure is intended to align Hawaii law with forty-eight other states that use the title "licensed marriage and family therapist."

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. 2333, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1199-16 Consumer Protection & Commerce on S.B. No. 2008

The purpose of this measure is to revise certain provisions pertaining to Service Area Boards on Mental Health and Substance Abuse.

More specifically, this measure:

- (1) Explicitly provides that Service Areas Boards on Mental Health and Substance Abuse are established within the Department of Health for administrative purposes; and
- (2) Provides quorum and voting specifications for meetings of Service Area Boards on Mental Health and Substance Abuse.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that attaching Service Area Boards on Mental Health and Substance Abuse to the Department of Health for administrative purposes and establishing quorum and voting requirements for board meetings will facilitate the administration of the boards and allow them to deliberate and take action regarding matters under their purview.

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. 2008, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1200-16 Consumer Protection & Commerce on S.B. No. 2862

The purpose of this measure is to allow the Hawaii Board of Nursing to fully participate in Nursys, a national nurse licensure database.

The Board of Nursing; The American Organization of Nurse Executives, Hawaii Chapter; Hawaii State Center for Nursing; Hawaii Pacific Health; Bradley Kuo, LLC; Hawaii Association of Professional Nurses; and two individuals provided testimony in support of this measure.

Your Committee finds that Nursys is a national database that includes information about nurse licenses and disciplinary action. Hawaii is one of four states that does not fully participate in Nursys. While Hawaii does report disciplinary action to Nursys, license information is not reported. Your Committee also finds that there have been recent incidents of individuals using false verifications of inactive or non-existent Hawaii nurse licenses to fraudulently obtain nursing license verifications in other states.

Your Committee believes that allowing the Board of Nursing to fully participate in Nursys will lessen incidents of fraud, ensure that the Board is notified when a Hawaii licensee is disciplined in another jurisdiction, and improve patient safety. Additionally, allowing the Board of Nursing to fully participate in Nursys will streamline the Board's process of verifying nurse licenses.

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. 2862 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1201-16 Consumer Protection & Commerce on S.B. No. 2107

The purpose of this measure is to include cellular networks, cellular telephones, and other modern communication devices in relevant provisions of Hawaii's electronic eavesdropping law.

Specifically, this measure:

- (1) Amends the definition of "pen register" to include cell phones and other modern communication devices among those from and to which transmitted telephone numbers may be recorded; and
- (2) Clarifies that a judge may issue an order authorizing the Attorney General or a county prosecuting attorney to attach a pen register or a trap or trace device to a cellular telephone, electronic device, or service.

Your Committee received testimony in support of this measure from the Police Department and the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the existing definition of "pen register" uses outdated references to devices attached to telephone lines or impulses transmitted through telephone lines. Your Committee recognizes that Hawaii residents increasingly use cellular devices and Internet-based forms of communication, rather than telephone land lines. This measure makes the definition of "pen register" technology-neutral by including devices that do not use a landline to make phone calls, such as cellular telephones and electronic devices that make phone calls via the Internet or software applications. Your Committee notes that this measure does not change the "probable cause" standard or burden of proof that law enforcement needs to meet to obtain an order for a pen register.

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. 2107 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representative Nakashima.

SCRep. 1202-16 Consumer Protection & Commerce on S.B. No. 2853

The purpose of this measure is to adopt the National Association of Insurance Commissioners' Risk Management and Own Risk Solvency Assessment Model Act and Model Risk Retention Act.

Specifically, the bill:

- (1) Adds a new article to chapter 431, Hawaii Revised Statutes (HRS), to require certain insurers and insurance groups to maintain a risk management framework, to regularly perform an own risk and solvency assessment (ORSA), and to annually file an ORSA summary report;
- (2) Amends section 431:19-115(b), HRS, to cite sections 431:3-409, 431:3-411, and 431:3-412, HRS, as being applicable to risk retention captive insurance companies, required for accreditation by the National Association of Insurance Commissioners (NAIC); and
- (3) Amends section 431K-1, HRS, to include the definitions "board of directors" and "director," and amends section 431K-2, HRS, to include new corporate governance language from the NAIC Model Risk Retention Act for accreditation purposes.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, the American Council of Life Insurers, and the Property Casualty Insurers Association of America. UHA Health Insurance and Hawaii Medical Service Association supported the intent of this measure.

Your Committee finds that passage of this administration measure is necessary for the State to maintain its accreditation with the National Association of Insurance Commissioners.

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. 2853, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1203-16 Consumer Protection & Commerce on S.B. No. 2680

The purpose of this measure is to make housekeeping changes to the Code of Financial Institutions especially with regard to the fee schedule.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and the Hawaii Bankers Association.

Your Committee finds that this measure removes inconsistencies and ambiguities in the present fee schedule for financial institutions and makes other housekeeping amendments to clarify and update the Code of Financial Institutions.

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. 2680, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1204-16 Judiciary on S.B. No. 2029

The purpose of this measure is to increase the effectiveness of the Campaign Spending Commission's (Commission) enforcement authority by:

- (1) Making a person, other than an individual, that commits a campaign spending violation subject to an administrative fine not to exceed \$5,000 or an amount equivalent to three times the amount of the unlawful contribution or expenditure;
- (2) Allowing the Commission to recover its costs, including investigative services costs; and
- (3) Directing the costs recovered by the Commission to be deposited into the Hawaii Election Campaign Fund.

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

Your Committee has amended this measure by:

- (1) Specifying that noncandidate committees that make only independent expenditures are subject to the increased administrative fines;
- (2) Deleting the reference to political activities of liquor commission employees (section 281-22, Hawaii Revised Statutes);
- (3) Permitting the Commission to recover the Commission's cost of investigative services and bank fees for the production of subpoenaed documents from the violator; 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. 2029, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2029, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 1205-16 Judiciary on S.B. No. 2114

The purpose of this measure is to increase the maximum fine from \$1,000 to \$10,000 for providing false information when registering to vote late or at an absentee polling place.

The Office of Elections supported this measure.

Your Committee has amended this measure by:

- (1) Removing the language describing the punishment range for class C felonies;
- (2) Inserting a savings clause; and
- (3) Making technical nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2114, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2114, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 1206-16 Judiciary on S.B. No. 2294

The purpose of this measure is to require government agencies to exercise reasonable care in the maintenance of all government records that are under their control and are required to be made available for public inspection. This measure establishes:

- (1) A rebuttable presumption of reasonable care in the maintenance of government records for government agencies that adopt and adhere to a records retention and destruction policy; and
- (2) A limit of \$2,000 per violation on the recovery of damages for the breach of the duty to exercise reasonable care.

The 'Āina Haina Community Association and Office of Information Practices testified in support of this measure. The Department of the Corporation Counsel of the City and County of Honolulu testified in opposition.

Your Committee has amended this measure by:

- (1) Deleting the limitation of \$2,000 per violation on the recovery of damages that result from a violation of the duty to exercise reasonable care in the maintenance of government records;
- (2) Clarifying that a person asserting a claim against a government agency for breach of the duty to exercise reasonable care in the maintenance of government records must rebut the presumption of reasonable care in the maintenance of government records and establish the government agency's negligence;
- (3) Limiting a claimant's recoverable damages to general compensatory damages;
- (4) Making this measure effective on July 1, 2018 to allow government agencies sufficient time to adopt record retention and destruction policies; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee finds that general compensatory damages means compensation for the natural, necessary, and usual result of the wrongful act or occurrence in question. General damages does not include punitive damages, exemplary damages, or other damages. It includes only damages that compensate a plaintiff for the injury sustained and nothing more.

Your Committee finds that a government agency could be in violation of its record retention and destruction policy by retaining more records than necessary or by retaining records beyond the destruction date. Such action or inaction would be exceeding and not breaching the duty established by this measure. Therefore, a plaintiff in an action arising under this measure must demonstrate negligence on the part of the government agency to recover any compensation.

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. 2294, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2294, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 1207-16 Judiciary on S.B. No. 2444

The purpose of this measure is to improve the accuracy of voter registration by requiring:

- (1) That documents or images containing driver's license and civil identification card information be provided electronically, by the Department of Transportation, to election officials and the statewide voter registration system; and
- (2) The Office of Elections to join the Electronic Registration Information Center (ERIC), a multistate organization aimed at improving voting procedures using secure data-matching tools.

This measure also provides funding for these initiatives.

The Office of Elections and Common Cause Hawaii testified in support of this measure. The Department of Transportation testified in opposition to this measure. The Office of the County Clerk Elections Division of the County of Kaua'i and League of Women Voters provided comments on this measure.

Your Committee notes that testimony submitted by the Department of Transportation highlighted privacy concerns regarding the sharing of driver's license and civil identification card information without the license or cardholder's consent, including the potential for the sharing of such information in violation of the Driver's Privacy Protection Act under 18 United States Code section 2721, et seq. Should your Committee on Finance deliberate further on this measure, your Committee respectfully requests that it further scrutinize these concerns.

Additionally, your Committee notes that in the current fiscal climate, steps should be taken to explore all potential avenues of funding for various State initiatives. One such avenue for the ERIC may be grants from Pew Charitable Trusts, a non-profit, non-governmental organization aimed at public

opinion research, arts and culture, and the improvement of environmental, health, state, and consumer policy, whose recent election initiatives have included financial support for states moving to participate in the ERIC.

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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2444, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2444, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 1208-16 Judiciary on S.B. No. 2446

The purpose of this measure is to increase fees that notaries may charge to their clients.

One concerned individual opposed this measure.

Your Committee has amended this measure by changing the notary public fees from \$25 to \$10 for:

- (1) Every deposition or official certificate;
- (2) The administration of oath, including the certificate of the oath; and
- (3) Each party signing any acknowledgement.

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. 2446, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2446, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 1209-16 Judiciary on S.B. No. 2554

The purpose of this measure is to propose a constitutional amendment in the disposition of excess general fund revenues to include the appropriation of general funds for the pre-payment of general obligation bond debt service, pre-payment of pension or other post-employment benefit liabilities, or both.

The Department of Budget and Finance supported the intent 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. 2554 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Morikawa and Woodson.

SCRep. 1210-16 Judiciary on S.B. No. 3024

The purpose of this measure is to reduce by \$80,000 the appropriation in Act 151, Session Laws of Hawaii 2015, to the Hawaii State Ethics Commission to design and develop an electronic filing system. This measure reappropriates an unspecified amount of the reduction to the Hawaii State Ethics Commission to establish a task force to review and make recommendations regarding the lobbyist laws under chapter 97, Hawaii Revised Statutes.

The State Ethics Commission and League of Women Voters testified in support of this measure.

The Committee finds that establishing a task force within the State Ethics Commission for the specific purpose of examining the State's lobbying laws, and supporting that task force with re-directed funds, is a worthwhile endeavor. It is your Committee's understanding that the task force will be charged with conducting a broad analysis of the lobbyist laws under chapter 97 and other related state laws. Your Committee finds that it is necessary to additionally oblige the task force to specifically examine the State's lobbying laws as they relate to all aspects of the executive branch. This may include the procurement process, state department rulemaking, and interactions and transactions with the Governor's office, Lieutenant Governor's office, and state departments.

Your Committee has amended this measure by:

- (1) Including an additional purpose for the task force to review and examine the lobbying laws as they relate to the executive branch;
- (2) Specifying an appropriation of \$80,000 to fund the proposed task force; and
- (3) Making 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. 3024, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3024, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1211-16 Judiciary on S.B. No. 2512

The purpose of this measure is to increase the penalties for animal desertion by subjecting a person who leaves an animal without intending to return to it to:

- (1) A \$1,000 fine and a petty misdemeanor charge for animal desertion; and
- (2) A \$2,000 fine and a misdemeanor charge for animal desertion if the deserted animal suffers death or substantial bodily injury.

This measure also provides that each instance of a violation constitutes a separate offense.

The Department of Land and Natural Resources, Animal Rights Hawaii, Conservation Council for Hawaii, Hawaiian Humane Society, Poi Dogs & Popoki, The Humane Society of the United States, West Hawaii Humane Society, and many concerned individuals testified in support of this measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Specifying that the offense of animal desertion does not apply to the release of an animal as part of a population management program; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

It is your Committee's intent that this measure not apply to dogs that fail to return to their owners after engaging in the act of hunting. Your Committee also wishes to note that a trap-neuter-return management program, even if conducted by an individual in an unofficial capacity, is considered a population management program for purposes 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. 2512, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2512, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Morikawa and Woodson.

SCRep. 1212-16 Judiciary on S.B. No. 2551

The purpose of this measure is to require the Judiciary to submit annual reports to the Legislature on the Judiciary's management of non-general funds.

The Judiciary and Office of the Auditor testified in support of this measure.

Your Committee has amended this measure to:

- (1) Require the Judiciary to report annually on its administratively created funds and accounts by replacing an amendment to chapter 601, Hawaii Revised Statutes (HRS), with an amendment to section 37-52.5, HRS, that deletes the Judiciary's exemption from reporting; and
- (2) 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. 2551, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2551, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Morikawa and Woodson.

SCRep. 1213-16 Education on S.B. No. 2604

The purpose of this measure is to require the Department of Education to implement an off-grid microgrid pilot project at a school of the Department's choice through Ka Hei, an educational-enrichment and comprehensive energy and sustainability program within the Department.

The Department of Education, Hawaii State Teachers Association, and Opterra Energy Services supported this measure. The Board of Education supported the intent of the measure. The Hawaiian Electric Company, Maui Electric Company, Hawaii Electric Light Company, and 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 S.B. No. 2604, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, Kong and Tupola.

SCRep. 1214-16 Education on S.B. No. 2782

The purpose of this measure is to increase the number of teachers in Hawaii by:

- (1) Creating an Educational Assistant Certification Incentive Program that provides tuition reimbursement to help educational assistants employed by the Department of Education achieve necessary teacher certification if they meet certain criteria and commit to teaching in a hard-to-fill school for three years;
- (2) Appropriating funds for the Educational Assistant Certification Incentive Program; and
- (3) Appropriating funds for alternate teacher route contracts.

The Department of Education, State Public Charter School Commission, University of Hawaii, Hawaii Teacher Standards Board, Hui for Excellence in Education, Hawaii Government Employees Association, and a concerned individual supported this measure. The Hawaii State Teachers Association supported the measure with amendments.

Your Committee has amended this measure by:

- (1) Requiring, as an additional condition of eligibility for the Educational Assistant Certification Incentive Program, that an educational assistant must have achieved full licensure in the subject area, as required by the Hawaii Teacher Standards Board, within two years of being accepted into the Program;
- (2) Specifying, as an additional requirement of the Educational Assistant Certification Incentive Program, that individuals accepted into the Program must commit to teaching in a hard-to-fill subject area for three consecutive years;
- (3) Deleting the requirement that the Department of Education must adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, to implement the Educational Assistant Certification Incentive Program;
- (4) Changing the term "alternate teacher route contracts" to "alternate teacher route programs"; 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 S.B. No. 2782, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2782, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Kong and Tupola.

SCRep. 1215-16 Education on S.B. No. 2731

The purpose of this measure is to help address the need for school infrastructure amid the construction of new housing units by:

- (1) Establishing and appropriating funds for a School Impact Fee Review Task Force; and
- (2) Clarifying that if a new residential development within a designated school impact district requires a county subdivision approval, county building permit, or condominium property regime approval, then the developer must also fulfill certain impact fee requirements of the Department of Education, even if the projects are processed pursuant to section 46-15, Hawaii Revised Statutes, or section 201H-38, Hawaii Revised Statutes, with the involvement of the Hawaii Housing Finance and Development Corporation or a corresponding county agency.

The Hawaii Housing Finance and Development Corporation, Building Industry Association of Hawaii, and Chamber of Commerce of Hawaii supported this measure. The Hawaii State Teachers Association supported the measure with amendments. The Department of Education submitted comments.

Your Committee has amended this measure by:

- (1) Deleting the establishment of and appropriation of funds for the School Impact Fee Review Task Force;
- (2) Providing that in urban Honolulu, fee in lieu funds may be used to purchase completed construction, construct new school facilities, improve or renovate existing structures for school use, or lease land or facilities for school use;
- (3) Changing its effective date to July 1, 2050; 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 S.B. No. 2731, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2731, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Kong and Tupola.

SCRep. 1216-16 Education on S.B. No. 2426

The purpose of this measure is to ensure that students in public schools are provided with sufficient nutrition by:

- (1) Prohibiting the denial of a meal for a student under the school meals program:

- (A) Within the first 30 days of a semester while the student's application for free or reduced lunch is being processed; or
 - (B) Within one week following the student's meal fund account reaching a zero or negative balance; and
- (2) Authorizing the Department of Education to adopt rules or policies governing the collection of funds for student meal accounts with negative fund balances.

The United Public Workers, AFSCME, Local 646, LGBT Caucus of the Democratic Party of Hawaii, and a concerned individual supported this measure. The Hawaii State Teachers Association supported the measure with amendments. The Department of Education submitted comments.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Education cannot deny a meal for a student under the school meals program within the first 30 days of the first semester of a school year while the student's application for free or reduced lunch is being processed; and
- (2) 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2426, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2426, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, Kong and Tupola.

SCRep. 1217-16 Education on S.B. No. 2981

The purpose of this measure is to recognize American Sign Language as a world language and allow public school students who successfully complete courses in American Sign Language to receive credit toward graduation requirements for world language.

The Disability and Communication Access Board, Aloha State Association of the Deaf, Hawaii Deaf Surfriders Association, and several concerned individuals supported this measure. The Department of Education submitted 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2981, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2981, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, Kong and Tupola.

SCRep. 1218-16 Education on S.B. No. 3099

The purpose of this measure is to provide safe, high-quality educational activities during out-of-school hours for students attending public schools from grades kindergarten through twelve by:

- (1) Establishing the Hawaii Three to Six Out-of-school Program and Hawaii Three to Six Out-of-school Program Special Fund; and
- (2) Appropriating funds for this purpose.

The Department of Education, State Public Charter School Commission, Office of Youth Services, Hawaii Teacher Standards Board, Pioneering Healthy Communities – Honolulu, Hawaii Afterschool Alliance, Parents and Children Together, Hui for Excellence in Education, High Tech Youth Network, Hawaii Youth Services Network, After-school All-stars Hawaii, and numerous concerned individuals supported this measure. The Department of Human Services supported the intent of the measure.

Your Committee has amended the measure by making technical, nonsubstantive amendments, including by correcting the number of public charter schools referenced in its purpose section.

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. 3099, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3099, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Kong and Tupola.

SCRep. 1219-16 Education on S.B. No. 814

The purpose of this measure is to honor the late United States Representative Patsy Takemoto Mink by requiring the Board of Education to name the new public high school in Kihei, Maui, the "Patsy Takemoto Mink Kihei High School".

The Hawaii State Teachers Association supported this measure. A member of the Maui County Council opposed the measure. The Kihei Community Association submitted comments.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 814, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 814, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, Kong and Tupola.

SCRep. 1220-16 Public Safety/Judiciary on S.B. No. 2914

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) Adds definitions of danger of physical harm to others or self to clarify when the petitions are to be used;
- (2) Allows declarations as an alternative to affidavits in the filing of the petition;
- (3) Increases the number of days of the examination prior to the petition submission from two days to five days, allowing for better operational coordination;
- (4) Limits the petition notification requirement to persons identified as emergency contacts or legal guardians of the subject of the petition, to support timelier proceedings; and
- (5) Clarifies the ability of the Department of Public Safety to seek an extension of an order to treat prior to expiration if necessary.

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

Your Committees have amended this measure by changing its effective date to upon its approval.

As affirmed by the records of votes of the members of your Committees on Public Safety and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2914, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2914, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Har, Kawakami, Keohokalole, McDermott and Tupola.

SCRep. 1221-16 Human Services/Education on S.B. No. 2231

The purpose of this measure is to provide a standardized framework and funding for after-school programs in public middle and intermediate 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) Specifies the powers and duties of the Office of Youth Services with regard to the R.E.A.C.H. Program and requires an annual report to the Legislature on the implementation of programs and use of funds under the R.E.A.C.H. Program; and
- (3) Authorizes the Office of Youth Services to establish program requirements and fees to be assessed to each participant for the cost of administering and operating the R.E.A.C.H. Program.

The Department of Education, Office of Hawaiian Affairs, Office of the Lieutenant Governor, Office of Youth Services, State Public Charter School Commission, Molokai Middle School, Waialua High and Intermediate School, Kalakaua Middle School, Jarrett Middle School, Hawaii Youth Services Network, Hawaii Medical Service Association, Family Programs Hawaii, Hawaii Afterschool Alliance, and Pioneering Healthier Communities supported this measure. The Hawaii Educational Policy Center supported the intent of this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2231 and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ichiyama, Ing, Ito, Kong and Oshiro.

SCRep. 1222-16 Human Services on S.B. No. 2277

The purpose of this measure is to authorize the issuance of \$20,000,000 in special purpose revenue bonds (SPRBs) to assist Goodwill Industries of Hawaii, Inc., and its affiliates with the planning, acquisition, construction, furnishing, and renovation of its facilities, as well as to assist them with other capital improvement projects in the State.

Goodwill Industries of Hawaii, Inc. and an individual supported this measure. The Department of the Attorney General and Department of Budget and Finance provided comments.

Your Committee notes the concern raised by the Department of the Attorney General in its testimony that the project described in this measure may be subject to challenge as not falling within the scope of "industrial enterprise" under article VII, section 12 of the Hawaii State Constitution, and that the project may not qualify as an "industrial enterprise" for the purpose of SPRBs.

Your Committee has amended this measure by changing the amount of SPRBs authorized to be issued from \$20,000,000 to an unspecified amount.

Should your Committee on Finance deliberate on this measure further, your Committee on Human Services respectfully requests that it consider authorizing \$20,000,000 in SPRBs to assist Goodwill Industries of Hawaii, Inc., and its affiliates.

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. 2277, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2277, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1223-16 Human Services on S.B. No. 2559

The purpose of this measure is to address homelessness by increasing the availability of cost-effective emergency and transitional shelter space. Specifically, this measure:

- (1) Provides that emergency shelters shall comply with certain minimum requirements that meet basic needs and preferences of homeless families and individuals;
- (2) Requires homeless shelter stipend payments to be made based on performance measures that are actually achieved;
- (3) Repeals the automatic annual adjustment of the homeless stipend amount;
- (4) Revises existing provisions on the establishment and collection of shelter and service payments by a provider agency from homeless families and individuals;
- (5) Requires each provider agency to submit a financial audit to the Department of Human Services at least annually;
- (6) Establishes and funds positions for the Department of Human Services to assist in the operation of the homeless program; and
- (7) Appropriates funds for the establishment or improvement of homeless shelter space and expenditure on other non-recurring costs.

The Family Life Center opposed this measure. The Department of Human Services, Governor's Coordinator on Homelessness, Partners In Care, Institute for Human Services, and Hawaii Youth Services Network provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriations to unspecified amounts;
- (2) Allowing, rather than requiring, emergency shelters to have partitioned space for each family or individual, which provides separation from other homeless families or individuals in the shelter; and
- (3) Changing its effective date to July 1, 2030, to encourage further discussion.

Should your Committee on Finance deliberate on this measure further, your Committee on Human Services respectfully requests that it consider appropriating:

- (1) \$117,471 for the personal services costs of two program specialist IV positions to assist in the operation of the homeless program; and
- (2) \$5,000,000 for the establishment or improvement of homeless shelter space and funding of other non-recurring costs for projects or programs to assist homeless families and individuals.

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. 2559, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2559, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1224-16 Human Services on S.B. No. 2878

The purpose of this measure is to:

- (1) Clarify the payment framework and duration of higher education stipends;
- (2) Afford former foster youth a longer timeline to access higher education by extending from age 22 to age 26 the age limit applicable to former foster youth who are applying for a higher education stipend;

- (3) Specify that financial assistance available to Hawaii's former foster youth encompasses all related higher education costs, rather than just room and board costs;
- (4) Clarify that the higher education stipend amount is based on the financial support the Department of Human Services (DHS) provides in accordance with rules adopted by DHS;
- (5) Clarify the eligibility and program requirements of the Young Adult Voluntary Foster Care Program; and
- (6) Repeal the requirement that DHS must submit an annual report to the Legislature on information regarding the Young Adult Voluntary Foster Care Program.

DHS; Judiciary; Family Programs Hawaii; Hawaii Youth Services Network; EPIC 'Ohana, Inc.; and many individuals supported this measure.

Your Committee has amended this measure by:

- (1) Clarifying that DHS and a young adult who chooses to participate in the Young Adult Voluntary Foster Care Program shall enter into a voluntary care agreement requiring the young adult to meet all the requirements of the Program for the duration of the agreement; 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. 2878, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2878, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1225-16 Human Services on S.B. No. 2396

The purpose of this measure is to preserve access to health care for Medicaid recipients by:

- (1) Providing an inflationary adjustment to the long-term care reimbursement methodology used to reimburse facilities for Medicaid recipients; and
- (2) Appropriating funds for the inflationary adjustment.

Aloha Nursing Rehab Centre, East Hawaii Region of Hawaii Health Systems Corporation, Ann Pearl Rehabilitation and Healthcare Center, Garden Isle Healthcare and Rehabilitation, Hale Kupuna Heritage Home, Hale Makua Wailuku, Healthcare Association of Hawaii, Ohana Pacific Management Company, Inc., Palolo Chinese Home, Pu'uwai 'O Makaha, The Queen's Health Systems, Hawaii Pacific Health, Hale Makua Health Services, The Clarence T.C. Ching Villas at St. Francis, The Chamber of Commerce Hawaii, Hawaii Health Systems Corporation Oahu Region, One Kalakaua Senior Living, and Protect Leahi & Maluhia 'Ohana supported this measure. The Department of Human Services provided comments.

Your Committee has amended this measure by changing its effective date to take effect upon its approval.

Should your Committee on Finance deliberate on this measure further, your Committee on Human Services respectfully requests that it consider inserting \$1,900,000 for the purpose of providing a cost increase to long-term care facilities' provider-specific prospective payment rates.

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. 2396, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2396, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1226-16 Human Services on S.B. No. 2583

The purpose of this measure is to mandate the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems.

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 is in accord with the intent and purpose of S.B. No. 2583 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1227-16 Labor & Public Employment on S.B. No. 2077

The purpose of this measure is to authorize the state executive branch and other jurisdictions to offer a voluntary severance benefit or a special retirement benefit to employees who elect to separate from service when their positions are identified for abolishment or when they are directly affected by a reduction-in-force or workforce restructuring plan, including privatization.

Specifically, the measure establishes the following benefits for separated public employees:

- (1) A voluntary severance benefit of five percent of the employee's base annual salary for each year of service, up to a maximum of ten years, provided that the amount is not more than fifty percent of the employee's base annual salary; and
- (2) A special retirement benefit that allows the employee to receive an unreduced pension benefit if the employee meets certain age and length of service requirements.

The United Public Workers, AFSCME, Local 646, and AFL-CIO, Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and numerous individuals testified in support of this measure. The Department of Budget and Finance testified in opposition. The Employees' Retirement System and City and County of Honolulu provided comments.

Your Committee has amended this measure by:

- (1) Clarifying which employees qualify for the severance benefit in lieu of exercising any reduction-in-force rights and in lieu of receiving a special retirement benefit;
- (2) Requiring the State, through the Department of Budget and Finance, to pay a percentage of the base Medicare or non-Medicare monthly contribution to the Hawaii Employer-Union Health Benefits Trust Fund calculated based on the years of service worked and one-half of the monthly contributions for the employee-beneficiary or employee-beneficiary with dependent beneficiaries upon the death of the employee;
- (3) Changing the effective date to July 1, 2091, 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 S.B. No. 2077, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2077, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1228-16 Energy & Environmental Protection on S.B. No. 2369

The purpose of this measure is to authorize the issuance of \$30,000,000 in special purpose revenue bonds (SPRBs) to assist Hawaii Renewable Resources, LLC, with the establishment of a renewable natural gas energy production facility on Maui that will grow energy crops to produce renewable natural gas, carbon dioxide, recovered organic composts, and recovered irrigation water.

Hawaii Renewable Resources, LLC; Renewable Energy Action Coalition of Hawaii; and Hawaii Farm Bureau supported this measure. The Department of Budget and Finance provided comments.

Your Committee has amended this measure by:

- (1) Changing the amount authorized to be issued to an unspecified amount; and
- (2) Making a technical, nonsubstantive amendment for purposes of consistency.

Should your Committee on Finance deliberate on this measure further, your Committee on Energy & Environmental Protection respectfully requests that it consider authorizing \$30,000,000 in SPRBs to assist Hawaii Renewable Resources, LLC.

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. 2369, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2369, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1229-16 Education/Consumer Protection & Commerce on S.B. No. 2976

The purpose of this measure is to improve oversight of private trade, vocational, and technical schools by transferring administration of the licensing and regulation program for these schools from the Department of Education to the Department of Commerce and Consumer Affairs.

The Department of Education and Office of the Auditor supported this measure. The Department of Commerce and Consumer Affairs, Pacific Center for Awareness and Bodywork, Hawaii Institute of Hair Design, and numerous concerned individuals opposed the measure.

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.

Your Committees respectfully request that your Committee on Finance, should it choose to advance this measure, consider appropriating general funds to the Department of Commerce and Consumer Affairs after the transfer of administration occurs so that licensees do not experience a drastic increase in licensing fees.

As affirmed by the records of votes of the members of your Committees on Education and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2976, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2976, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Ing, Ito, Kawakami, Kong, Lee, Yamane and Fukumoto Chang.
(Representative McDermott voted no.)

SCRep. 1230-16 Education on S.B. No. 2476

The purpose of this measure is to provide assistance to children who are deaf, hard of hearing, or deaf-blind by:

- (1) Requiring the Department of Health to provide early intervention services for infants and toddlers who are deaf, hard of hearing, or deaf-blind;
- (2) Requiring the Department of Health, Department of Education, and Executive Office on Early Learning to establish a working group on issues related to supporting age-appropriate development for children up to five years of age who are deaf, hard of hearing, or deaf-blind; and
- (3) Appropriating funds for two permanent full-time equivalent (2.0 FTE) positions in the Department of Health to provide early language services for children up to three years of age who are deaf, hard of hearing, or deaf-blind.

The Department of Human Services, Disability and Communication Access Board, Aloha State Association of the Deaf, and numerous concerned individuals supported this measure. The Department of Health, Department of Education, and Executive Office on Early Learning 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. 2476, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Ito, Kong and Tupola.

SCRep. 1231-16 Education on S.B. No. 2232

The purpose of this measure is to help prevent child sexual abuse by forming the Erin's Law Task Force (Task Force) to guide the establishment of a program to educate public school students on sexual abuse prevention through use of age-appropriate curricula; provide relevant training to school teachers and staff; and inform parents about important child sexual abuse topics. More specifically, this measure:

- (1) Requires the Task Force to review current policies, programs, and curricula for educating public school students about sexual abuse prevention and make recommendations for the establishment of the program;
- (2) Requires the Department of Education to implement the recommendations of the Task Force in the 2017-2018 school year or to notify the chairs of the Senate and House of Representatives standing committees with primary jurisdiction over education and human services if the Department is unable to do so; and
- (3) Appropriates funds for the operations of the Task Force.

The Hawaii State Commission on the Status of Women, Hawaii Youth Services Network, Hawaii Children's Action Network, Sex Abuse Treatment Center, IMUAlliance, Hawaii Women's Coalition, and American Association of University Women – Hawaii supported this measure. The Hawaii State Teachers Association and UNITE supported the measure with amendments. The Department of Education and Executive Office on Early Learning supported the intent of the measure.

Your Committee has amended this measure by:

- (1) Adding a teacher, to be designated by the Superintendent of Education, as a member of the Task Force;
- (2) Specifying that the program must also provide strategies to identify victims of sex trafficking in public schools and to assist in the prevention of the sex trafficking of 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 S.B. No. 2232, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2232, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ing, Ito, Kong and Tupola.

SCRep. 1232-16 Judiciary on S.B. No. 612

The purpose of this measure is to increase public safety on Hawaii's roadways. Specifically, this measure:

- (1) Authorizes a court to include a period of probation in sentencing any person convicted of the offense of operating a vehicle under the influence of an intoxicant (OVUII);

- (2) Provides for a period of probation for any person convicted of operating a vehicle after a license and privilege to operate a motor vehicle have been suspended or revoked for OVUII conviction; and
- (3) Makes defendants charged with offenses relating to OVUII or operating a vehicle after license and privilege have been suspended or revoked ineligible for deferred acceptance of guilty or nolo contendere pleas.

The County of Kauai Office of the Prosecuting Attorney, County of Hawaii Office of the Prosecuting Attorney, Honolulu Police Department, Hawaii Chapter of Mothers Against Drunk Driving and one individual testified in support. The Judiciary and Office of the Public Defender 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. 612, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1233-16 Judiciary on S.B. No. 2313

The purpose of this measure is to encourage equal pay between men and women.

Specifically, this measure:

- (1) Requires employers to provide equal pay to employees that perform substantially equal work, except where the employer demonstrates the wage differential is based upon certain specified factors;
- (2) Changes the requirement of "equal work" to "substantially equal work";
- (3) Prohibits employers from barring employees from discussing their own wages or discussing and inquiring about the wages of other employees; and
- (4) Prohibits prospective employers from:
 - (A) Screening a job applicant based on wage or salary history; and
 - (B) Requesting the wage or salary history of a job applicant from any current or former employer of the job applicant.

The Hawaii State Commission on the Status of Women, Office of Hawaiian Affairs, County of Kauai Committee on the Status of Women, Hawaii Civil Rights Commission, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, YWCA Oahu, Hawaii Coalition for Immigrant Rights, IMUAlliance, and one individual supported this measure. The Hawaii Food Industry Association, Chamber of Commerce Hawaii, National Federation of Independent Business, and Society for Human Resource Management opposed this measure. The Hawaii Women Lawyers 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. 2313, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1234-16 Judiciary on S.B. No. 2723

The purpose of this measure is to increase the fines for contractors and subcontractors who violate the wage and hour requirements for public works projects. Specifically, this measure changes the monetary fines as follows:

- (1) For a first violation, from \$25 to \$1,000 per offense;
- (2) For a second violation within two years of the first notice of violation, from 100 percent of back wages or \$100 to 50 percent of back wages found due, plus \$5,000 for each offense; and
- (3) For a third violation within three years of the second notice of violation, from two times back wages or \$200 to full back wages found due, plus \$10,000 for each offense.

The Department of Labor and Industrial Relations and Hawaii Construction Alliance testified in support of this measure. LYZ, Inc.; HSI Mechanical, Inc.; the General Contractors Association of Hawaii; Building Industry Association of Hawaii; Robert M. Kaya Builders, Inc.; S&M Sakamoto, Inc.; and Lindemann Construction Inc. testified in opposition. The Chamber of Commerce Hawaii and Subcontractors Association of 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 S.B. No. 2723, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1235-16 Judiciary on S.B. No. 2926

The purpose of this measure is to make adjustments to the Department of Taxation's Expedited Appeals and Dispute Resolution Program by:

- (1) Changing the name of the Program to the Administrative Appeals and Dispute Resolution Program;
- (2) Changing the title of the independent appeals officer to Administrative Appeals Officer;
- (3) Making taxpayers or return preparers eligible to petition to participate in the Administrative Appeals and Dispute Resolution Program; and
- (4) Establishing conditions, procedures, and deadlines for submitting a petition to participate in the Administrative Appeals and Dispute Resolution Program.

The Department of Taxation testified in support of this measure. One concerned individual testified in opposition. The Tax Foundation of Hawaii, Chamber of Commerce Hawaii, and one concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Requiring a taxpayer to petition the Administrative Appeals and Dispute Resolution Program after a notice of proposed assessment has been issued and before the proposed assessment becomes final;
- (2) Requiring a taxpayer to petition the Administrative Appeals and Dispute Resolution Program after a notice of final assessment has been issued and before the taxpayer files an appeal to the District Board of Review or Tax Appeal Court; and
- (3) Deleting the requirement that a taxpayer or return preparer who has filed a tax appeal must first obtain permission from the Director of Taxation and the respective court to participate in the Administrative Appeals and Dispute Resolution 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. 2926, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2926, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Kawakami and Morikawa.

SCRep. 1236-16 Judiciary on S.B. No. 1022

The purpose of this measure is to propose a constitutional amendment to repeal the one-year minimum Hawaii residency requirement to qualify for appointment as an officer of a department pursuant to article V, section 6, of the Constitution of the State of Hawaii.

Ho‘omana Pono, LLC and an individual provided testimony in opposition to the measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1022, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1237-16 Judiciary on S.B. No. 2083

The purpose of this measure is to protect public health and safety, particularly for children. Specifically, this measure:

- (1) Prohibits smoking in a motor vehicle in which a person under the age of 18 is present;
- (2) Provides for penalties for persons convicted or found in violation of the smoking prohibition; and
- (3) Requires the Department of Health to submit a report to the Legislature on the enforceability and coordination of data collection efforts of the respective law enforcement agencies with regard to the smoking prohibition.

The Department of Health, County of Kauai Office of the Prosecuting Attorney, County of Hawaii Office of the Prosecuting Attorney, University of Hawaii Student Health Advisory Council, Hawaii Public Health Association, Coalition for a Tobacco-Free Hawaii, American Heart Association, and numerous individuals supported this measure. The Hawaii Smokers Alliance and numerous individuals opposed this measure.

Secondhand smoke is a dangerous class A carcinogen in the same class as asbestos and benzene, which can cause heart disease, lung cancer, and stroke. Secondhand smoke typically contains at least 7,000 identifiable chemicals, around 70 of which are known or probable carcinogens. The Fiftieth Anniversary United States Surgeon General Report, released on January 17, 2014, states that any level of exposure to secondhand smoke is dangerous and over 2,500,000 nonsmokers have died from health problems caused by secondhand smoke since 1964.

Your Committee finds that children generally breathe in more air than adults because their lungs are still developing. Additionally, children usually have little or no control over their environments and cannot leave if secondhand smoke bothers them, resulting in greater risk of exposure to secondhand smoke and its damaging health effects. As of June 2015, over 20 jurisdictions within the United States, including California, Oregon, and the County of Hawaii, have enacted smoke-free vehicle laws to protect minors. This measure allows Hawaii to join these jurisdictions to ensure that children are not subjected to the harmful effects of secondhand smoke while in a motor vehicle.

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. 2083, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.
(Representative McDermott voted no.)

SCRep. 1238-16 Judiciary on S.B. No. 2149

The purpose of this measure is to establish a working group to review and discuss the State's forfeiture laws and make recommendations to improve those laws to better fit their intended purpose.

The Department of the Attorney General, County of Hawaii Office of the Prosecuting Attorney, County of Maui Office of the Prosecuting Attorney, County of Kauai Office of the Prosecuting Attorney, City and County of Honolulu Department of the Prosecuting Attorney, City and County of Honolulu Police Department, American Civil Liberties Union of Hawaii, Drug Policy Forum of Hawaii, and an individual provided testimony in support of the measure.

Your Committee has amended this measure by making it 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. 2149, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2149, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1239-16 Judiciary on S.B. No. 2156

The purpose of this measure is to allow the Department of Land and Natural Resources to become a member of the Interstate Wildlife Violator Compact, a multistate agreement that promotes enforcement of hunting, fishing, trapping and other wildlife related regulations across jurisdictions, or similar agreement.

The Department of Land and Natural Resources, Conservation Council for Hawaii, Animal Rights Hawaii, Humane Society of the United States-Hawaii, Humane Society International, Interstate Wildlife Violator Compact Board of Compact Administrators, For the Fishes, and NSEFU Wildlife Conservation Foundation supported this measure. One individual provided comments.

Your Committee has amended this measure by:

- (1) Removing the provisions that allowed for employees of the Department to obtain immunity from civil liability, legal representation, and indemnification when acting in accordance with the terms of the Interstate Wildlife Violator Compact or similar agreement; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1240-16 Judiciary on S.B. No. 2298

The purpose of this measure is to adopt the Uniform Fiduciary Access to Digital Assets Act (2015). Specifically, this measure:

- (1) Authorizes an internet services user to establish a plan for the management and disposition of the user's electronic records, known as digital assets, following the user's death or incapacity;
- (2) Establishes procedures for custodians of digital assets to disclose users' digital assets;
- (3) Provides limitations on how digital assets may be used by a fiduciary following a user's death or incapacity; and
- (4) Grants immunity to custodians of records for compliance with the Act.

The Commission to Promote Uniform Legislation; Google; Facebook, Inc.; and State Privacy & Security Coalition, Inc. 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. 2298, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1241-16 Judiciary on S.B. No. 2425

The purpose of this measure is to permit state government employees to engage in extracurricular service and receive detached remuneration for the performance of the extracurricular service if certain conditions are met.

The Department of Education and IMUAlliance testified in support of this measure. The Hawaii State Teachers Association testified in support of this measure and provided amendments. The Hawaii State Ethics Commission, League of Women Voters, Common Cause Hawaii, and two individuals testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Removing provisions permitting state government employees to engage in extracurricular service and receive detached remuneration under certain conditions; and
- (2) Establishing a framework for the exemption of certain Department of Education and Public Charter School employees from the State Ethics Code relating to gifts, gift reporting, and conflicts of interest, when the employee meets certain organizational requirements and participates in a non-publicly funded student education trip;
- (3) Requiring the Department of Education and State Public Charter School Commission to review any existing policy, procedure, or rule previously adopted for consistency and compliance with the proposed exemption framework within 90 days of this measure's effective date; 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. 2425, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2425, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1242-16 Judiciary on S.B. No. 2755

The purpose of this measure is to establish a temporary Advisory Law Enforcement Employment Standards and Training Board to develop statewide standards for employment and training for state and county law enforcement officers who carry firearms and wear badges.

The Department of Land and Natural Resources; Department of Public Safety; ACLU of Hawaii; Hoomana Pono, LLC; IMUAlliance; and numerous individuals supported this measure. One individual opposed this measure.

Your Committee has amended this measure by removing the provision that specified that no person shall have a cause of action against the State, county, government agency, or officer for not implementing any employment standard or training recommendation of the advisory board. Technical nonsubstantive amendments were also made for clarity, consistency, and style.

Your Committee finds that Hawaii is the only state without a statewide law enforcement board for employment standards or training. Given the considerable power and authority given by the State and counties to police, sheriffs, and other law enforcement officers, it is important to establish statewide standards for these officers. These standards will provide a common core of knowledge and training for state and county law enforcement officers.

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. 2755, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2755, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1243-16 Judiciary on S.B. No. 2815

The purpose of this measure is to mitigate the personal monetary risk of professionally licensed or certified State or county employees by:

- (1) Specifying that the State and the counties are exclusively liable for the claims of their respective professionally licensed or certified employees for injury or loss of property, or personal injury or death, arising or resulting from the negligent or wrongful act or omission of the respective employee while acting within the scope of employment; and
- (2) Precluding any civil action or proceeding for money damages arising out of or related to the same subject matter against the employee or the employee's estate without regard to when the act or omission occurred.

The Department of Public Safety, Department of Taxation, Department of Accounting and General Services, Department of Transportation, City and County of Honolulu Board of Water Supply, City and County of Honolulu Department of Human Resources, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. The Department of the Attorney General supported this measure with comments. Hawaii Association for Justice testified in opposition to this measure.

Your Committee finds that the purpose of this measure is to mitigate the personal monetary risk of professionally licensed or certified State and county employees. Your Committee also finds unacceptable the actions of a state-employed physician that the Intermediate Court of Appeals held to have been a "classic medical malpractice case," which caused an individual incarcerated at a state correctional facility to suffer serious medical injuries including gangrene, amputation of the scrotal sac, multiple skin grafts, prolonged hospitalization, and infertility. *Slingluff v. State*, 317 P.3d 683 (Haw. App. 2013). It is not your Committee's intention that this measure lead State- or county-employed professionals to believe that they do not need to follow the applicable professional standards because they believe they will not be personally liable.

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. 2815, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1244-16 Judiciary on S.B. No. 2906

The purpose of this measure is to permanently allow the use of new safe harbor agreements, habitat conservation plans, and incidental take licenses as recovery options for conserving and protecting the State's threatened and endangered species. This measure also requires the Department of Land and Natural Resources to submit biennial reports to the Legislature on safe harbor agreements.

The Department of Business, Economic Development, and Tourism, Sempra US Gas and Power, Kamehameha Schools, and Land Use Research Foundation of Hawaii provided testimony in support of the measure. The Department of Land and Natural Resources provided testimony in support of the measure with amendments. The Conservation Council for Hawaii provided comments.

Your Committee has amended this measure by deleting the language requiring reporting of safe harbor agreements for which approval is pending.

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. 2906, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2906, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1245-16 Judiciary on S.B. No. 2863

The purpose of this measure is to improve the regulation of massage therapy establishments, massage therapists, and massage therapist apprentices. Specifically, this measure:

- (1) Authorizes the Department of Commerce and Consumer Affairs to issue a citation to any person who holds a massage therapist or massage therapy establishment license issued by the Board of Massage Therapy or who is designated the principal massage therapist by the massage therapy establishment for specified minor licensing violations or violation of Board of Massage Therapy rules;
- (2) Requires the presence during operating hours of a principal massage therapist, who is a massage therapist designated by an establishment or an out-call massage service as the person in charge;
- (3) Establishes content and service requirements for citations;
- (4) Provides that a citation may contain an order of abatement and assessment of a fine in the amount of \$250 for each violation; and
- (5) Establishes a process for a licensee to contest a citation.

The Department of Commerce and Consumer Affairs and Board of Massage Therapy supported this measure.

Your Committee finds that the intent of this measure is to free up enforcement staff to handle more serious violations. This measure also adds a set of procedures for citations for minor violations of laws and rules relating to massage therapy, with the opportunity to contest the citations. The minor violations for which citations may be issued include:

- (1) Failure to conspicuously display a current massage therapy establishment license and current licenses and permits of all persons employed by the establishment who engage in the practice of massage therapy;
- (2) Failure to ensure that a massage therapist apprentice wears a conspicuously placed name tag stating the apprentice's name and the word "apprentice";
- (3) Operating a massage therapy establishment without a licensed principal massage therapist in attendance at all times; and
- (4) Failure to include a massage therapist's or massage therapy establishment's current license number in any advertisement.

When the Department of Commerce and Consumer Affairs uses the citation procedure, the fines are limited to \$250 and may include orders of abatement. The licensee may respond with a written request for hearing by the Board of Massage Therapy.

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. 2863, S.D. 2, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1246-16 Judiciary on S.B. No. 2915

The purpose of this measure is to update the Uniform Controlled Substances Act for consistency with amendments in federal law, as required by section 329-11, Hawaii Revised Statutes.

The Department of Public Safety, Hawaii Veterinary Medical Association, and several individuals testified in support of this measure. Walgreen Company and the Tax Foundation of Hawaii commented 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 S.B. No. 2915, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1247-16 Consumer Protection & Commerce on S.B. No. 2910

The purpose of this measure is to assist in the implementation of the Commissioners of Deeds Program (Program) within the Office of the Lieutenant Governor by:

- (1) Clarifying the Lieutenant Governor's rulemaking authority and responsibility for the Program;
- (2) Authorizing the Lieutenant Governor to assess and collect fees and administrative fines for the Program;
- (3) Increasing the surety bond requirement for Commissioners of Deeds; and
- (4) Appropriating funds for the establishment and administration of the Program.

The Office of the Lieutenant Governor; Department of the Attorney General; Department of Commerce and Consumer Affairs; Department of Land and Natural Resources; ARDA Hawaii; Wyndham Vacation Ownership; and Starwood Vacation Ownership supported this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

Should the Committee on Finance further deliberate on this measure, your Committee respectfully requests that it insert an amount of \$60,000.

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. 2910, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2910, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1248-16 Consumer Protection & Commerce on S.B. No. 3033

The purpose of this measure is to improve the regulation of self-storage facilities.

More specifically, this measure authorizes a self-storage facility owner to:

- (1) Provide notice to an occupant in default and tow a motor vehicle or boat from the facility after sixty days or more of an occupant's default on rent;
- (2) Provide notice by telephone or electronic mail, in addition to traditional mail, to an occupant of delinquent rent and charges, lien, or final demand and sale; provided that the facility owner uses at least two of those three methods;
- (3) Disseminate advertisements of sales in any commercially reasonable manner, including via a website that customarily conducts self-storage lien sales, not sooner than fifteen days after sending a final demand and notice of sale, provided that at least three independent bidders participate in the sale;
- (4) Specify in a rental agreement a limit on the monetary value of personal property that may be stored in an occupant's space, which shall be deemed the maximum value of that property for purposes of determining any liability of the facility owner; and
- (5) Impose a reasonable late fee for each month that an occupant does not pay rent when due, provided the fee is included in a written rental agreement or addendum.

Your Committee received written testimony in support of this measure from the National Self Storage Association.

Your Committee finds that this measure will update and clarify the State's self-storage lien law, which has remained virtually unchanged since 1984, and will provide important protections to self-storage facility owners and to occupants who rent space to store 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 S.B. No. 3033, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1249-16 Consumer Protection & Commerce on S.B. No. 2807

The purpose of this measure is to formally consolidate the Office of Information Management and Technology and the Information and Communication Services Division.

Specifically, this measure:

- (1) Formally establishes the Office of Enterprise Technology Services, which was created by Administrative Directive No. 15-02;

- (2) Abolishes the Office of Information Management and Technology and transfers the functions of that office to the Office of Enterprise Technology Services;
- (3) Abolishes the Information and Communication Services Division within the Department of Accounting and General Services and transfers the functions of that division to the Office of Enterprise Technology Services;
- (4) Directs the Office of Enterprise Technology Services to:
 - (A) Work with the executive branch departments and agencies to develop information technology plans;
 - (B) Coordinate the information technology budget requests of each department;
 - (C) Provide centralized computer information management and processing services; and
 - (D) Provide a means for the public to access public information; and
- (4) Authorizes the Chief Information Officer to appoint a portal program manager.

Your Committee received testimony in support of the measure from the Department of Accounting and General Services and the Office of Enterprise Technology Services.

Your Committee finds that the Chief Information Officer currently heads both the Office of Information Management and Technology and the Information and Communication Services Division. Formally consolidating the information technology functions of these two offices under the authority of the Chief Information Officer will help coordinate the State's efforts to modernize its technology functions and improve the delivery of technology services by the executive departments.

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. 2807, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1250-16 Consumer Protection & Commerce on S.B. No. 2732

The purpose of this measure is to:

- (1) Require the interest earned on the balance of the Hurricane Reserve Trust Fund to be retained in the Hurricane Reserve Trust Fund;
- (2) Require the Board of Directors of the Hawaii Hurricane Relief Fund to conduct a study of the acquisition of a catastrophic hurricane loss financing arrangement with all or a portion of the interest earned in the Hurricane Reserve Trust Fund; and
- (3) Appropriate moneys from the Hurricane Reserve Trust Fund for the study.

The Hawaii Emergency Management Agency, Hawaii Association of Realtors, and two individuals testified in support of this measure. The Hawaii Hurricane Relief Fund provided comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Board of Directors of the Hawaii Hurricane Relief Fund to conduct a study to determine whether the use of parametric disaster insurance policies for the State is feasible, practical, affordable, and in the public interest instead of on the acquisition of a catastrophic hurricane loss financing arrangement with all or a portion of the interest earned in the Hurricane Reserve Trust Fund;
- (2) Changing the appropriation to an unspecified amount and specifying that the purpose of the appropriation is to conduct a study on whether the use of parametric disaster insurance policies for the State is feasible, practical, affordable, and in the public interest; 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. 2732, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2732, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Har, Kawakami and Yamane.

SCRep. 1251-16 Consumer Protection & Commerce on S.B. No. 2672

The purpose of this measure is to improve patient access to medical care by clarifying the circumstances under which advanced practice registered nurses may practice to the fullest extent of their training and education.

Specifically, this measure amends various statutes related to prescription drugs, emergency mental health exams, determinations of cause of death, workers' compensation, and nursing to clarify the roles and the scope of practice of advanced practice registered nurses.

Your Committee received testimony in support of this measure from the Department of Health, the Department of Labor and Industrial Relations, the Board of Nursing, Hawaii State Center for Nursing, Hawaii Pacific Health, Hawaii Association of Professional Nurses, Hawaii Chapter of the American Organization of Nurse Executives, and three individuals.

Your Committee finds that advanced practice registered nurses provide a wide variety of health care services in Hawaii. Your Committee also finds that certain sections within the Hawaii Revised Statutes omit advanced practice registered nurses from the definitions or designations of health care entities who may provide health care, prescribe drugs, or sign relevant forms. Your Committee believes that this measure prudently amends these outdated statutes, and will thus enable improved access to health care services, expedite the processing of paperwork, and provide optimal care at the initial point of access for Hawaii patients, especially in rural and underserved areas.

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. 2672, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2672, S.D. 1, H.D. 1.

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

SCRep. 1252-16 Higher Education on S.B. No. 2398

The purpose of this measure is to:

- (1) Authorize the establishment of public employee collective bargaining units not already specifically authorized in law; and
- (2) Allow part-time and full-time graduate student assistants employed by the University of Hawaii to collectively bargain their wages, hours, and other terms; provided that no collective bargaining agreement shall take effect prior to July 1, 2017.

The University of Hawaii Graduate Student Organization, Hawaii State AFL-CIO, and ILWU Local 142 testified in support of this measure. The University of Hawaii, Department of Budget and Finance, and Office of Collective Bargaining testified in opposition. The University of Hawaii Professional Assembly, Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and one individual provided comments.

Your Committee has amended the contents of this measure to reflect the substance of S.B. No. 2398, S.D. 2, which establishes collective bargaining unit (15) for graduate student assistants employed by 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 S.B. No. 2398, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2398, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Ito, Kong, Takumi and Tupola.

SCRep. 1253-16 Higher Education on S.B. No. 2040

The purpose of this measure is to help the Hawaii Post-secondary Education Authorization Program to carry out its duties more effectively by:

- (1) Specifying that when a private institution of post-secondary education ceases to operate in the State, it must deposit with the Department of Commerce and Consumer Affairs only those educational records that have been requested by the Department;
- (2) Clarifying that when a private institution of post-secondary education ceases to operate in the State, the student transcripts permanently retained by the Department shall be in a form prescribed by the Director of Commerce and Consumer Affairs; and
- (3) Allowing any other records requested and obtained by the Department from a private institution of post-secondary education that has ceased to operate in the State, to be retained for the length of time of prescribed by the Director.

The Hawaii Post-secondary Education Authorization Program supported this measure.

Your Committee has amended this 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 S.B. No. 2040, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2040, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Kong, Takumi and Tupola.

SCRep. 1254-16 Water & Land on S.B. No. 2647

The purpose of this measure is to improve coordination between state and other government authorities as encouraged in section 183D-8, Hawaii Revised Statutes, and to remove any potential conflicts of law that unintentionally make Hawaii an attractive market for illegal wildlife trafficking by:

- (1) Prohibiting the sale, offering to sell, purchase, trade, or barter of any part or product from various animal and marine species; and
- (2) Imposing penalties for violations of the prohibition on trafficking animal parts and products.

The William S. Richardson School of Law Animal Legal Defense Fund, Natural Resources Defense Council, Humane Society International, Humane Society of the United States, Hawaii Wildlife Fund, Wildlife Conservation Society, Conservation Council for Hawaii, Nsefu Wildlife Conservation Foundation, Monk Seal Foundation, Vulcan Inc., Global March for Elephants and Rhinos, March for Elephants, Babes Against Biotech, Hawaiian Humane Society, Texoma Earth Day Festival, Apollo Kauai, Zero Waste Kauai, West Hawaii Humane Society, International Fund for Animal Welfare, Elephants DC, and many individuals provided testimony in support of the measure. The National Rifle Association of America and some individuals provided testimony in opposition. The Department of Land and Natural Resources, Snorkel Bobs, and some individuals provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that possession with intent to sell is among the activities prohibited;
- (2) Including the animal family or genus of listed prohibited species;
- (3) Requiring the Board of Land and Natural Resources to concur in prohibiting actions against listed marine animals, sharks, and rays;
- (4) Deleting the requirement that the prohibited marine animals, sharks, and rays be on the International Union for the Conservation of Nature Red List;
- (5) Clarifying that the prohibited marine animals, sharks, and rays can be either endangered or threatened under the Endangered Species Act;
- (6) Excepting from prohibition marine animal activities authorized under the Magnuson-Stevens Fishery Conservation and Management Act;
- (7) Adding to the requirement of protected bona fide antiques, that the covered animal species part or product be a fixed component or components of a larger manufactured item of which the animal species part or product is not the primary source of value;
- (8) Not requiring protected covered animal species parts or products to pass on the death of the owner if through trusts or estates;
- (9) Adding guns and knives to the list of exceptions if the covered animal species portion is less than 20 percent of the gun or knife;
- (10) Authorizing the Department of Land and Natural Resources to adopt rules to implement and enforce the measure;
- (11) Making it effective upon its approval but delaying enforcement until December 31, 2017; and
- (12) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2647, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2647, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1255-16 Energy & Environmental Protection on S.B. No. 2021

The purpose of this measure is to extend the special purpose revenue bond authorization pursuant to Act 89, Session Laws of Hawaii 2011, to assist BioEnergy Hawaii, LLC, with establishing a cogeneration facility and related energy production facilities from June 30, 2016, to June 28, 2021.

BioEnergy Hawaii, LLC; Ulupono Initiative; Hawaii Gas; and a concerned individual supported 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2021, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2021, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1256-16 Energy & Environmental Protection on S.B. No. 2652

The purpose of this measure is to:

- (1) Establish a five-year renewable fuels production income tax credit;
- (2) Require the Department of Business, Economic Development, and Tourism to certify all tax credits and submit a report regarding the production and sale of renewable fuels to the Governor and Legislature each year; and
- (3) Repeal the existing ethanol facility tax credit.

For the purposes of a public hearing on this measure, your Committee circulated a proposed draft, and notified the public that it would be accepting testimony on the proposal, which adds language establishing an organic foods production tax credit to this measure as received. Specifically, the proposed draft allows qualified taxpayers to claim an income tax credit to offset the costs incurred in obtaining organic certification and producing organically produced agricultural products.

The Hawaii Renewable Energy Alliance; Renewable Energy Action Coalition of Hawaii; Pacific Biodiesel; Hawaii Center for Food Safety; Farm Lovers Farmers Market; Ulupono Initiative; Blue Planet Foundation; Hawaii Renewable Resources, LLC; Hawaii Gas; Hawaii Energy Policy Forum; and an individual supported the proposed draft. The Department of Agriculture; Department of Business, Economic Development, and Tourism; Department of Taxation; and Tax Foundation of Hawaii provided comments on the proposed draft.

Your Committee considered the merits of both S.B. No. 2652, S.D. 2, as received by your Committee, and the proposed draft, and upon careful consideration, adopted the proposed draft.

Your Committee has further amended the proposed draft by:

- (1) Changing the certifying agency for the organic foods production tax credit to the Department of Agriculture; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2652, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2652, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1257-16 Consumer Protection & Commerce on S.B. No. 2383

The purpose of this measure is to:

- (1) Repeal the Hawaii Health Connector (Connector) as part of the transition to a federally supported, state-based exchange;
- (2) Specify that any debts and liabilities of the Connector remain that of the Connector and do not constitute the debts and liabilities of the State; and
- (3) Specify that the provisions in the measure shall not diminish or limit the consumer protections contained in or alter the provisions of the Hawaii Prepaid Health Care Act.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Department of Labor and Industrial Relations, and ILWU Local 142. Comments were received from the Department of the Attorney General.

Your Committee finds that the Hawaii Health Connector is effectively no longer in existence and that this measure will formalize its dissolution.

Your Committee has amended this measure by changing the effective date from July 1, 2112, to upon approval.

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. 2383, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2383, S.D. 2, H.D. 2.

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

SCRep. 1258-16 Consumer Protection & Commerce on S.B. No. 2850

The purpose of this measure is to clarify the applicable regulatory scope of the Secure and Fair Enforcement for Mortgage Licensing Act, chapter 454F, Hawaii Revised Statutes, and the mortgage servicers law under chapter 454M, Hawaii Revised Statutes, which regulate the related industries of mortgage loan origination and mortgage servicing, respectively.

Specifically, this measure:

- (1) Amends statutory definitions and updates provisions related to controlling federal laws to make the use of terminology and application of federal requirements consistent across both chapters; and
- (2) Segregates statutory provisions related to each class of licensee into the appropriate chapter to avoid confusion and redundancy in licensing and enforcement requirements for mortgage servicers and mortgage loan originators respectively.

The Department of Commerce and Consumer Affairs; Hawaii Habitat for Humanity Association, Habitat for Humanity Maui, Habitat for Humanity Kauai, Habitat for Humanity West Hawaii, and Habitat for Humanity Leeward Oahu, Inc.; ARDA Hawaii; and HHOC Mortgage testified in support of this measure.

Your Committee has amended this measure by:

- (1) Inserting language that applies the same confidentiality requirements to mortgage loan originators as are already operative for mortgage servicers;
- (2) Specifying that a mortgage servicer licensee shall maintain adequate records of each of its residential mortgage loan transactions for seven years;
- (3) Exempting a person or entity solely involved in extensions of credit relating to timeshare plans from mortgage servicer requirements in the same manner as they are already exempt from mortgage loan originator requirements;

- (4) Changing the 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 S.B. No. 2850, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2850, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1259-16 Consumer Protection & Commerce on S.B. No. 2859

The purpose of this measure is to increase from \$1,000,000 to an unspecified sum the maximum balance that may be retained in the Public Utilities Commission special fund at the end of each fiscal year.

Your Committee received testimony in support of this measure from the Public Utilities Commission and Blue Planet Foundation.

Your Committee finds that pursuant to a statutory requirement established over twenty years ago, all moneys in excess of \$1,000,000 remaining on balance in the Public Utilities Commission special fund lapse to the general fund on June 30 of each year. Your Committee recognizes that in modern times, the complexity and size of the Commission's workload has dramatically increased. Your Committee believes that because of new statutory mandates, evolving technologies, new utility business models, and other important Commission matters, the \$1,000,000 maximum balance is insufficient to help the Commission meet its ongoing financial obligations. Your Committee recognizes the testimony of the Public Utilities Commission, which stated in part that the Commission's financial obligations due in July 2015 were \$2,118,085.

Your Committee requests that if the Committee on Finance should hear this measure, the sum of \$3,000,000 be inserted as the new maximum balance that may be retained in the special fund at the end of each fiscal year.

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. 2859, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1260-16 Consumer Protection & Commerce on S.B. No. 2329

The purpose of this measure is to require a mortgagee to release an associated security interest in leases or rents upon satisfaction and discharge of the mortgage.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that mortgagees are currently required to provide a mortgage release upon full satisfaction of the mortgage and discharge of any secured debt. However, no corresponding provision requires the release of an assignment of the borrower's security interest in leases or rents following full satisfaction and discharge of the mortgage. Your Committee further finds that requiring the release of a recorded assignment of leases or rents, following full satisfaction and discharge of the mortgage, will assist in clearing the public record of assignments that are no longer valid and will help to avoid unnecessary expenses in clearing improperly clouded title search results.

Your Committee has amended this measure by changing the effective date from July 1, 2050, to upon approval.

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. 2329, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2329, S.D. 1, H.D. 2.

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

SCRep. 1261-16 Consumer Protection & Commerce on S.B. No. 2861

The purpose of this measure is to abolish the Joint Formulary Advisory Committee.

The Board of Nursing, Hawaii State Center for Nursing, Hawaii Association of Professional Nurses, and two individuals provided testimony in support of this measure.

Your Committee finds that the Joint Formulary Advisory Committee was established for the singular purpose of making recommendations to the Board of Nursing regarding the applicable formulary for advanced practice registered nurses who are granted prescriptive authority. Despite the Advisory Committee's sole purpose of recommending an applicable formulary, the Board of Nursing makes the final determination of the applicable formulary for advanced practice registered nurses. Your Committee believes that the Board of Nursing has the experience, resources, and authority to independently determine an applicable formulary, thus making the Joint Formulary Advisory Committee unnecessary. Accordingly, your Committee finds that the Joint Formulary Advisory Committee should be abolished.

Your Committee has amended this measure by changing its 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. 2861, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2861, S.D. 2, H.D. 1.

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

SCRep. 1262-16 Ocean, Marine Resources, & Hawaiian Affairs/Energy & Environmental Protection on S.B. No. 2245

The purpose of this measure is to exclude certain locally sourced beach sand from the definition of "water pollutant" as used in chapter 342D, Hawaii Revised Statutes, to allow for the use of sand for erosion mitigation, sediment management, beach restoration, erosion control, or dune restoration on Hawaii's beaches.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Coastal Planners, LLC, Hawaii Shore and Beach Preservation Association, Land Use Research Foundation of Hawaii, and one concerned individual. Your Committee received opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2245, S.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1263-16 Higher Education on S.B. No. 2971

The purpose of this measure, as received by your Committee, is to repeal section 304A-1144, Hawaii Revised Statutes (HRS), which requires the Office of the Vice President for the University of Hawaii Community Colleges to prepare an annual report relating to the Construction Academy.

For the purposes of a public hearing on this bill, your Committee circulated a Proposed S.B. No. 2971, H.D. 1 (Proposed Draft), and notified the public that it would be accepting testimony on the proposal. In addition to repealing section 304A-1144, HRS, the Proposed Draft extends to June 30, 2017, the authority of the University of Hawaii System to maintain a separate accounting and financial management system that is compatible with the State of Hawaii accounting and financial systems.

The University of Hawaii System and the Department of Accounting and General Services supported the Proposed Draft.

Your Committee considered the merits of both S.B. No. 2971, as received by your Committee, and the Proposed Draft, and upon careful consideration, amended this measure by:

- (1) Adopting the Proposed Draft; and
- (2) Amending 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 S.B. No. 2971, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2971, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Kong, Takumi and Tupola.

SCRep. 1264-16 Energy & Environmental Protection/Education on S.B. No. 3126

The purpose of this measure is to address the need for air conditioning and other heat abatement equipment in public schools. Specifically, this measure:

- (1) Appropriates funds to the Department of Education for equipment and installation costs for air conditioning and other heat abatement and energy efficiency measures in public schools; and
- (2) Authorizes, the issuance of general obligation bond funds and appropriates funds for the Department of Education to fund capital improvement program equipment and installation costs for air conditioning, other heat abatement, and energy efficiency measures in public schools.

Pursuant to the requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 5 to the Legislature, requested immediate consideration and passage of this measure by the Legislature to appropriate emergency funds needed to implement a rapid response plan for heat abatement at public schools most in need before the start of the next school year.

The Department of Budget and Finance; Department of Business, Economic Development, and Tourism; Department of Education; IMUAlliance; Hawaii State Teachers Association; and an individual supported this measure. The Board of Education supported the intent of this measure. The Hawaii Green Infrastructure Authority provided comments.

Your Committees have amended this measure by deleting its contents and inserting in its place an amended version of House Bill No. 2569, H.D. 1, which is a similar measure that was passed out of your Committee on Energy and Environmental Protection earlier this Session. As amended, this measure:

- (1) Requires the Department of Education to establish a goal of becoming net-zero with respect to energy use by January 1, 2035;

- (2) Requires the Department of Education to establish in each county at least one microgrid pilot project at public schools that also serves as emergency shelters to allow for continued operations even during the failure of the larger electric grid during a natural disaster;
- (3) Requires the Department of Education to expedite the cooling of all public school classrooms to a temperature acceptable for student learning, and to submit a report to the Legislature about the implementation of measures taken to cool public school classrooms;
- (4) Appropriates \$100,000,000 from the Hawaii Green Infrastructure Special Fund to the Department of Business, Economic Development, and Tourism for maximizing the energy efficiency of all schools;
- (5) Authorizes the Department of Education and Department of Budget and Finance, with the approval of the Governor, to borrow \$100,000,000 from the Green Infrastructure Loan Program for capital improvement program equipment and installation costs for air conditioning and other energy efficiency measures related to heat abatement in public schools; and
- (6) Appropriates \$30,000,000 for general obligation bond funds to fund capital improvement program equipment and installation costs for air conditioning and other energy efficiency measures related to heat abatement in public schools.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3126, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3126, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Cullen, Ichiyama, Ing, Ito, Kong, Nishimoto, Matsumoto and Pouha.

SCRep. 1265-16 Agriculture on S.B. No. 1374

The purpose of this measure is to fulfil the mandate of the Hawaii State Constitution to conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands by requiring the Department of Agriculture to:

- (1) Negotiate and, as appropriate, facilitate the exchange of state lands for lands owned by Dole Food Company, Inc. that are suitable for long-term diversified agricultural production, in accordance with state law;
- (2) Coordinate with other state agencies that hold title to or an assignment of state lands that may be appropriate for exchange; provided that title to lands received by the State through an exchange transaction shall be transferred to the Agribusiness Development Corporation; and
- (3) Submit a report to the Legislature prior to the 2017 Regular Session that includes the feasibility of acquiring through exchange lands of high interest to the State and necessary appropriations, legislation, and administrative actions to carry out the exchanges.

The Agribusiness Development Corporation, Dole Food Company Hawaii, Larry Jefts Farms, LLC, Hawaii Cattlemen's Council, Inc., Ponoholo Ranch, Hawaii Farm Bureau, Freely Associated States Empowerment, Sierra Club of Hawaii Oahu Group, Ho'omana Pono, LLC., Land Use Research Foundation of Hawaii and several concerned individuals supported this measure. The Department of Agriculture supported the intent of this measure. The Department of Land and Natural Resources, Office of Hawaiian Affairs, and Chamber of Commerce Hawaii submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Agriculture is required to negotiate, but not facilitate, land exchanges with Dole Food Company, Inc.;
- (2) Deleting the requirement that title to lands received by the State through exchange transactions be transferred to the Agribusiness Development Corporation;
- (3) Clarifying that the report from the Department of Agriculture to the Legislature regarding the feasibility of exchanging parcels of high interest to the State include the description and market value of the high interest parcels; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

Your Committee respectfully informs the Committee on Finance that S.B. No. 1374 S.D. 2 provided for an appropriation of \$400,000 from the Hawaii Agricultural Development Revolving Fund to investigate the possibility of acquiring specified parcels owned by Dole Food Company, Inc. that are suitable for long-term diversified agricultural production. This appropriation was subsequently deleted.

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. 1374, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1374, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Cachola, Kawakami, Kong and Ward.

SCRep. 1266-16 Consumer Protection & Commerce on S.B. No. 2376

The purpose of this measure is to:

- (1) Allow in counties with an area of 2,000 square miles or more, prescription drug benefit plan beneficiaries to obtain a prescription without penalty from a non-network retail community pharmacy located within 10 miles of a beneficiary's residence, when the nearest network retail community pharmacy is located over 10 miles away;

- (2) Require non-network retail community pharmacies to be reimbursed for dispensing to non-network beneficiaries; and
- (3) Require the Insurance Commissioner to submit reports to the Legislature regarding the impact on healthcare costs.

The Hawaii Employer-Union Health Benefits Trust Fund; CVS Health; Walgreen Co.; Kaiser Permanente Hawaii; Hawaii Medical Service Association; Hawaii Association of Health Plans; and Ohana Health Plan opposed this measure. The Department of Commerce and Consumer Affairs and the Queen's Health Systems provided comments.

Your Committee has amended this measure by:

- (1) Making it applicable to counties with an area of 3,000 square miles or more; and
- (2) Inserting a dispensing fee of \$12.50 to be reimbursed to non-network retail community pharmacies that dispense prescriptions to non-network beneficiaries.

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. 2376, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2376, S.D. 1, H.D. 2.

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

SCRep. 1267-16 Consumer Protection & Commerce on S.B. No. 2894

The purpose of this measure is to facilitate compliance with the federal Patient Protection and Affordable Care Act (Affordable Care Act).

Specifically, this measure:

- (1) Requires the Department of Human Services to develop and administer outreach, as required by the Affordable Care Act, subject to the availability of state and federal funding;
- (2) Establishes a state health insurance exchange, the Hawaii Health Insurance Programs, within the Department of Labor and Industrial Relations, to conform state law to the Affordable Care Act; and
- (3) Appropriates funds to the Department of Labor and Industrial Relations and the Department of Human Services.

The Department of Commerce and Consumer Affairs, Department of Human Services, Department of Labor and Industrial Relations, Hawaii Medical Service Association, Healthcare Association of Hawaii, International Longshore and Warehouse Union Local 142, Kaiser Permanente Hawaii, and Ohana Health Plan submitted testimony in support of this measure.

Your Committee finds that the Affordable Care Act requires the establishment of health insurance exchanges where individuals and small businesses may compare and purchase private insurance plans. However, the viability of state-based health insurance exchanges has been a challenge across the country, particularly in small states with low numbers of uninsured residents. Your Committee also finds that, due to the small number of uninsured residents, the State's former health insurance exchange, the Hawaii Health Connector, was not financially self-sustaining and ceased operations in December 2015. Your Committee further finds that, pursuant to discussions initiated by the federal Centers for Medicare and Medicaid Services, the State is transitioning from a state-based health insurance exchange to a state-based marketplace using the federal platform for individuals and families. This measure makes amendments to state law that are necessary to facilitate this transition.

Your Committee has amended this measure by changing the effective date to July 1, 2016.

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. 2894, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2894, S.D. 2, H.D. 2.

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

SCRep. 1268-16 Higher Education on S.B. No. 3073

The purpose of this measure, as received by your Committee, is to establish a school of aviation at the University of Hawaii at Hilo to offer a bachelor of science degree in aeronautical science and to appropriate the funds necessary for implementation of the school.

For purposes of the public hearing, your Committee circulated a proposed H.D. 1 (Proposed Draft) for public review and comment. The purpose of the Proposed Draft is to:

- (1) Establish a five-year pilot program for a school of aviation, commencing on July 1, 2016, and terminating on June 30, 2021, under which the school of aviation must be financially and managerially independent;
- (2) Requiring the University of Hawaii Board of Regents to perform a program evaluation to consider whether the school of aviation should be continued or terminated, based mainly on the program's ability to achieve fiscal sustainability; and
- (3) Appropriating funds necessary for implementation of the school.

Hawaiian Airlines and a concerned individual supported the Proposed Draft. The Department of Business, Economic Development, and Tourism supported the intent of the Proposed Draft. Two concerned individuals opposed the Proposed Draft. The University of Hawaii submitted comments.

Your Committee has amended this measure by adopting the Proposed Draft and further amending the Proposed Draft by:

- (1) Extending the pilot program for the school of aviation by an additional year, until June 30, 2022;
- (2) Clarifying that the school of aviation must be financially, though not managerially, independent;
- (3) Removing the school of aviation's exemption from any fees or assessments that may generally be levied by the University of Hawaii system upon its programs, departments, and schools;
- (4) Deleting the separate budget Program ID for the school of aviation;
- (5) Clarifying that no general funds can be appropriated or expended for costs directly associated with the school of aviation without the prior approval of the Legislature;
- (6) Instead of requiring the University of Hawaii Board of Regents to perform a program evaluation to consider whether the school of aviation should be continued or terminated, directly requiring the Board of Regents to initiate proceedings to terminate the school of aviation pilot program if the school is not financially independent;
- (7) Adding a definition of "financially independent";
- (8) Changing its effective date to July 1, 2525, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee respectfully requests that your Committee on Finance, should it choose to advance this measure:

- (1) Consider incorporating the school of aviation pilot program into the Executive Budget; and
- (2) Appropriate \$500,000 to implement the school of aviation pilot 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 S.B. No. 3073, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3073, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ito, Kong, Takumi and Tupola.

SCRep. 1269-16 Judiciary on S.B. No. 3034

The purpose of this measure is to propose an amendment to the Constitution of the State of Hawaii to provide recognized and protected rights for victims of crime and certain surviving immediate family members.

The Hawaii State Commission on the Status of Women, Prosecuting Attorneys of the County of Kauai and the City and County of Honolulu, Mayor of the County of Maui, Domestic Violence Action Center, The Children's Alliance of Hawaii, Mothers Against Drunk Driving Hawaii, Kailua Neighborhood Board, Visitor Aloha Society of Hawaii, Mothers Against Drunk Driving National Office, American Association of University Women Hawaii, Hawaii State Coalition Against Domestic Violence, Parents and Children Together, The Sex Abuse Treatment Center, Friends of the Missing Child Center Hawaii, National Organization of Parents of Murdered Children, YWCA of Hawaii Island, Louis Pohl Gallery, Maui Search and Rescue, and many concerned individuals testified in support of this measure. The Department of the Attorney General, Crime Victim Compensation Commission, and Marsy's Law Hawaii testified in support and provided comments. The Office of the Public Defender, Prosecuting Attorney of the County of Maui, Community Alliance on Prisons, American Civil Liberties Union of Hawaii, and two concerned individuals testified in opposition.

Your Committee finds that existing statutory rights for victims of crime simply do not work and have not been implemented in a consistently useful manner. Your Committee believes that constitutionally protected rights will better ensure meaningful and enforceable rights for victims.

It is your Committee's intent that these rights apply to "all proceedings related to the criminal conduct" including probation, sentencing, parole, and any other process or deliberation that may result in the offender's release or change in custody status. The period for which these rights exist is, as well, intentionally broad and intended to mean all stages of the criminal justice process, meaning from the time an injury was inflicted on the victim and continuing until the offender is no longer in the criminal justice system including parole, probation, release from a mental institution, or no longer being subject to registration on the sex offender registry.

Your Committee has amended this measure by:

- (1) Specifying that the rights afforded to victims of crime shall attach upon the victimization of a person by a crime and continue throughout the criminal justice process;
- (2) Stating a clear and concise list of rights of victims of crime including:
 - (A) To be reasonably protected from the accused, including the consideration of the victim's safety in the decision to deny or fix the amount of bail and release conditions for the accused;
 - (B) To reasonable, accurate, and timely notice of all proceedings related to the criminal conduct;
 - (C) To not be excluded from any proceeding related to the criminal conduct, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding;

- (D) To be reasonably heard at all proceedings related to the criminal conduct;
 - (E) To the reasonable right to confer with the attorney for the State in the case or other proceeding related to the criminal conduct;
 - (F) To full and timely restitution as provided in law;
 - (G) To proceedings free from unreasonable delay;
 - (H) To be treated with fairness and with respect for the victim's dignity and privacy;
 - (I) To be informed in a timely manner of any plea bargain, deferred prosecution agreement or final disposition, and other major developments, as that term may be defined by law, in proceedings related to the criminal conduct; and
 - (J) To be informed of these rights and of other rights and services available for crime victims;
- (3) Defining the terms "victim of crime", "crime victim", and "victim" for the purposes of this section; and
 - (4) Making nonsubstantive, technical 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. 3034, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3034, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1270-16 Judiciary on S.B. No. 2162

The purpose of this measure is to appropriate funds to the Judiciary to establish, in collaboration with the University of Hawaii System, Hawaiian language resources for the Judiciary.

The Judiciary, University of Hawai'i at Mānoa, University of Hawai'i at Hilo, University of Hawai'i Institute of Hawaiian Language Research and Translation, 'Aha Pūnana Leo, 'Ai Pohaku, Kamehameha Schools, and many individuals testified in support of this measure. The Center for Hawaiian Sovereignty Studies testified in opposition to this measure.

Your Committee finds that the State must encourage and advance the use and utility of the Hawaiian language as provided in article X, section 4, of the Hawaii State Constitution, which directs the State to "promote the study of Hawaiian culture, history, and language." Your Committee further finds that recommendations made by the Hawaiian Language Web Feasibility Task Force in its report can help to establish long-term Hawaiian language resources and capacity building to train experts in the Hawaiian language.

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. 2162, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1271-16 Judiciary on S.B. No. 2451

The purpose of this measure is to:

- (1) Change the general administrative penalties for timber trespass in forest reserves to a fine of not more than the current market value of the Koa tree or other tree or plant destroyed or harvested;
- (2) Clarify that a person who violates the provisions of or rules related to the State's forest reserve laws is subject to imprisonment and escalating minimum fines and also clarify that a trespass in forest reserve violation is punishable as a misdemeanor; and
- (3) Repeal the general penalty provision in section 183-4, Hawaii Revised Statutes (HRS), related to chapters 183 to 185, HRS, as these chapters provide penalties for any violations.

The Department of Land and Natural Resources provided testimony in support of the measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by clarifying that the market value in determining the maximum administrative fine for destroying or harvesting a koa tree or other tree or plant, is to be determined as of the time of the violation, in addition to the location of the violation.

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. 2451, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2451, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1272-16 Judiciary on S.B. No. 2659

The purpose of this measure is to determine the feasibility of industrial hemp farming in Hawaii by:

- (1) Establishing an Industrial Hemp Pilot Program (Pilot Program) that allows for the cultivation of industrial hemp and the distribution of its seed in Hawaii by and to qualifying licensees acting as limited agents of and under regulatory supervision by the Board of Agriculture;
- (2) Exempting the possession, cultivation, sale, receipt, or transfer of industrial hemp in accordance with the Pilot Program from acts constituting offenses related to drugs and intoxicating compounds; and
- (3) Appropriating funds for a full-time equivalent position in the Department of Agriculture to effectuate the Pilot Program.

The Hawai'i Center for Food Safety; Hawaii Farm Bureau; Maui Causes; Haleakala Chapter of the Hawaii Farmers Union United; We Are One, Inc.; 'Ai Pohaku; Kihei Community Association; National Hemp Association; HempStrand; Ka'u Specialty LLC; Soil Culture Consulting; Maui Hemp Institute for Research and Innovation; Maui Farmers Union United; Vote Hemp; Hawaii Farmers Union United Legislative Committee; and many individuals provided testimony in support of the measure. The Department of Agriculture supported the intent of the measure. Alexander and Baldwin, Inc. and Hawaii Farmers Union United supported the measure with amendments. A few individuals provided testimony in opposition. An individual provided comments.

Your Committee recognizes the positive effects the cultivation of industrial hemp will have on the State, such as the creation of jobs. Your Committee further recognizes innovative uses of industrial hemp, such as the efforts of farmers in northeastern Colorado who utilize hemp fibers as a substitute for graphene, a common but expensive component of batteries that can be replaced by hemp components at a fraction of the price.

Your Committee has amended this measure by:

- (1) Deleting the provision allowing for the cultivation or possession of industrial hemp with a laboratory test report that indicates a percentage of tetrahydrocannabinol (THC) concentration that is greater than 0.3 percent for purposes of developing new types of compliant industrial hemp as the 2014 Farm Bill does not currently authorize a THC concentration greater than 0.3 percent;
- (2) Amending the definition of "industrial hemp" to include industrial hemp with a THC concentration greater than 0.3 percent if allowed by federal law in order to accommodate an increase to the THC concentration limit should the federal government decide to do so in the future;
- (3) Clarifying that the Pilot Program may be conducted on multiple test sites; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2659, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2659, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1273-16 Judiciary on S.B. No. 2924

The purpose of this measure is to exempt the following from current prohibitions regarding the disclosure of tax returns and return information:

- (1) The limited disclosure of tax returns and return information to federal or state officials where such information is essential to the investigation or prosecution of a crime or to various civil, criminal, or administrative proceedings; and
- (2) The disclosure of tax return information for purposes of information management and other administrative service provisions relating to the administration, management, carrying out, direction, or supervision of the execution and application of federal or state tax laws.

This measure enables the Director of Taxation to adopt rules to ensure that any parties to whom information is disclosed shall take adequate measures to safeguard the tax return or tax return information that is disclosed.

The Department of Taxation testified in support of this measure. The Tax Foundation of Hawaii and one concerned individual provided comments.

Your Committee has amended this measure to require each person or agency that receives taxpayer information to:

- (1) Establish and maintain a permanent system of standardized records to track all of its requests for taxpayer information;
- (2) Establish and maintain secure storage for the taxpayer information; and
- (3) Restrict access to the taxpayer information to those who need the information to execute their responsibilities,

pursuant to procedures that are approved by the Director of Taxation.

Your Committee has amended this measure to make it effective upon approval and to 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. 2924, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2924, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1274-16 Judiciary on S.B. No. 2569

The purpose of this measure is to address the nonviolent offenses that overburden the court system and the recidivism of these offenders by establishing a community court outreach project in the City and County of Honolulu to offer combined accountability and treatment options to offenders through a mobile justice system administered by the Judiciary.

The Judiciary, Governor's Coordinator on Homelessness, Department of Public Safety, Office of the Public Defender, Department of the Prosecuting Attorney City and County of Honolulu, and an individual supported this measure.

Your Committee has amended this measure by:

- (1) Removing the provisions that plea agreements for defendants shall not include imprisonment and that the mobile court shall not hear a case when a plea agreement proposes any imprisonment;
- (2) Clarifying that the mobile court travel to communities where defendants live or congregate; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2569, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2569, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1275-16 Judiciary on S.B. No. 2411

The purpose of this measure is to increase transparency, accountability, and protection for law enforcement officers and civilians by:

- (1) Establishing standards and prohibitions regarding county police department body-worn and vehicle camera usage, training, and recorded footage retention; and
- (2) Appropriating funds as a grant-in-aid to each county for the purchase of body-worn video cameras and law enforcement vehicle cameras subject to dollar-for-dollar match by the county.

This measure also requires county police departments receiving grant-in-aid funds to report to the Legislature regarding the costs of implementing and maintaining the body-worn camera and vehicle camera program.

The Office of Information Practices and numerous individuals testified in support of this measure. The American Civil Liberties Union testified in support of this measure and offered amendments. The County of Hawaii Police Department, County of Maui Police Department, County of Kauai Police Department, and Civil Beat Law Center for the Public Interest testified in opposition to this measure. The State of Hawaii Organization of Police Officers and an individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the public inspection exemption for video footage, falling under the automatic minimum three-year retention period rule, that involves an encounter where a complaint has been registered by the subject of the video footage and the subject requests the footage not be made available to the public;
- (2) Establishing privacy interest presumptions, the violation of which may be deemed to constitute an unwarranted invasion of personal privacy, for the following individuals; provided that the video recorded by the body-worn camera is subject to three-year retention:
 - (A) Individuals appearing in video footage where a complaint has been registered by the individual and the individual requests that the video footage not be made available to the public; and
 - (B) Individuals appearing in video footage, where the law enforcement officer who recorded or appears in the body-worn camera footage, or the superior officer of such law enforcement officer, reasonably asserts the video footage has evidentiary or exculpatory value;
- (3) Specifying that each county police department shall become fully operational with respect to police body-worn and vehicle-mounted cameras as soon as practicable, and in any event, not later than July 1, 2018;
- (4) Changing its effective date to July 1, 2016; and
- (5) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2411, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2411, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1276-16 Energy & Environmental Protection/Water & Land on S.B. No. 2535

The purpose of this measure is to promote uniformity throughout Hawaii with respect to geothermal energy by:

- (1) Clarifying that the regulation of geothermal resources development and geothermal resources exploration are reserved to the State, unless delegated to the counties by statute;
- (2) Requiring the lessee of a mining lease to comply with state and county laws relating to building, grading, and flood control codes; and
- (3) Requiring the rules of the Board of Land and Natural Resources regarding mining operations, geothermal resources development, and geothermal resources exploration, including drilling conditions and restrictions, to be uniform throughout Hawaii.

The Geothermal Energy Association, Hawaii Association of Realtors, Hawaii Laborers-Employers Cooperation and Education Trust, Ormat Nevada Inc., Chamber of Commerce of Hawaii, Hawaii Island Chamber of Commerce, Japanese Chamber of Commerce and Industry of Hawaii, Island Energy Inquiry, and numerous concerned individuals supported this measure. The Department of Land and Natural Resources supported the intent of the measure. Puna Pono Alliance; Life of the Land; Pele Lani Farm LLC; Malama O Puna; Malu 'Aina; We Are One, Inc.; and numerous concerned individuals opposed the measure. The Office of Hawaiian Affairs; Department of Business, Economic Development, and Tourism; Hawaii County Civil Defense Agency; and two concerned individuals submitted comments.

Your Committees have amended this measure by deleting its substantive contents while stakeholders work out their differences.

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 S.B. No. 2535, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2535, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1277-16 Health/Energy & Environmental Protection on S.B. No. 75

The purpose of this measure is to require the Department of Health to establish the Hawaii Battery Storage Recycling Task Force (Task Force) to make recommendations for a workable recycling program for battery storage devices in the State.

The Department of Health; Department of Business, Economic Development, and Tourism; and Distributed Energy Resources Council of Hawaii testified in support of this measure. Hawaiian Electric, Maui Electric, and Hawaii Electric Light commented on this measure.

Your Committees have amended this measure by:

- (1) Adding a representative from Hawaiian Electric to serve on the Task Force to, among other things, provide input and guidance on the recycling of batteries used for utility-side and customer-side applications; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the records of votes of the members of your Committees on Health and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 75, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 75, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Yamane and Pouha.

SCRep. 1278-16 Health/Judiciary on S.B. No. 2384

The purpose of this measure is to require the Department of Health (DOH) to conduct:

- (1) Unannounced visits and inspections, including inspections for relicensing or recertification, for certain state-licensed or state-certified care facilities on an annual basis at intervals determined by DOH; and
- (2) Unannounced inspections for license renewals for medical marijuana production centers and dispensaries.

The Policy Advisory Board for Elderly Affairs and two individuals testified in support of this measure. DOH supported this measure with amendments. The Adult Foster Home care Association of Hawaii, Alliance of Residential Care Administrators, and numerous individuals testified in opposition to this measure. The State Council on Developmental Disabilities commented on this measure.

Your Committees have amended this measure by 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 Health and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2384, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2384, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Kawakami, Lee, Oshiro, McDermott and Tupola.
(Representative San Buenaventura voted no.)

SCRep. 1279-16 Health on S.B. No. 2394

The purpose of this measure is to establish influenza vaccination requirements for health care workers.

Specifically, this measure, among other things:

- (1) Requires hospitals to ensure that health care workers receive the influenza vaccination as a precondition to employment and, subsequently, on an annual basis;
- (2) Requires hospitals to provide health care workers with information on the influenza vaccination; and
- (3) Exempts health care workers from receiving an influenza vaccination if the health care worker has a condition contraindicated for the vaccination, holds a sincere religious belief opposing the vaccination, or there is an insufficient supply of vaccine.

The Department of Health, Hawaii Health Systems Corporation, Hawaii State Center for Nursing, Chamber of Commerce Hawaii, Kapiolani Medical Specialists, Hawaii Pacific Health, Wilcox Memorial Hospital, Hawaii Chapter of the Association for Professionals in Infection Control and Epidemiology, CVS Health/Longs Drugs Hawaii, Walgreen Company, Healthcare Association of Hawaii, Pali Momi, Hawaii Chapter of American Academy of Pediatrics, Board of Directors of the Hawaii Academy of Family Physicians, American Organization of Nurse Executives, Hawaii Chapter, and numerous individuals testified in support of this measure. Birth Sovereignty, the National Vaccine Information Center, Hawaii Nurses Association, OPEIU Local 50, and numerous individual testified in opposition. Kaiser Permanente, the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and three individuals 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. 2394 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1280-16 Health on S.B. No. 3085

The purpose of this measure is to:

- (1) Clarify the requirements for licensure as a dental hygienist, to specifically require official certification in the administration of both intra-oral infiltration local anesthesia and intra-oral block anesthesia by an accredited dental hygiene school or by a certification program previously approved by the Board of Dental Examiners;
- (2) Specify the supportive dental procedures a dental assistant is authorized to perform under the direct supervision, direction, evaluation, and responsibility of a licensed dentist or dental hygienist and the appropriate training a dental assistant must receive; and
- (3) Specify the functions and activities that a dental assistant is prohibited from performing.

Numerous individuals testified in support of this measure. The Board of Dental Examiners, Hawaii Dental Association, and two individuals opposed this measure. The Hawaii Dental Hygienists' Association and an individual 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 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. 3085, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3085, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

SCRep. 1281-16 Energy & Environmental Protection on S.B. No. 2131

The purpose of this measure is to restore the fuel license tax on naphtha fuels sold for use in a power-generating facility.

The Kauai Island Utility Cooperative supported this measure. The Department of Transportation supported the intent of the measure. The Department of Taxation and Tax Foundation of Hawaii submitted comments.

Your Committee has amended this measure by, additionally:

- (1) Providing that any appropriations or other funds required by law to be deposited must be deposited into the High Technology Special Fund;

- (2) Authorizing the Director of Finance to issue \$3,000,000 in general obligation bonds for the development of an electrolysis process hydrogen production, storage, and dispensing facility;
- (3) Appropriating \$1,800,000 in general revenues for operating costs for an electrolysis process hydrogen production, storage, and dispensing facility; provided that no funds can be made available, unless private enterprises or private entities provide matching funds on a dollar-for-dollar basis;
- (4) Temporarily raising the ceiling for the High Technology Special Fund to \$4,800,000 for fiscal year 2016-2017;
- (5) Requiring the High Technology Development Corporation to adopt rules in accordance with Chapter 91, Hawaii Revised Statutes, to enable the establishment, collection, and deposit into the High Technology Special Fund of fees imposed on the sale of hydrogen made commercially available at electrolysis process hydrogen production, storage, and dispensing facilities; 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 S.B. No. 2131, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2131, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1282-16 Energy & Environmental Protection on S.B. No. 2738

The purpose of this measure is to address incentives for renewable energy technologies, specifically energy storage.

In a Proposed H.D. 1, your Committee included provisions that:

- (1) Allow the High Technology Special Fund to receive any appropriations or other funds required to be deposited by law;
- (2) Authorize the Director of Finance to issue general obligation bonds in the sum of \$3,000,000 to be appropriated for the development of an electrolysis process hydrogen production, storage, and dispensing facility;
- (3) Appropriate \$1,800,000 for deposit into the High Technology Special Fund for operating costs for an electrolysis process hydrogen production, storage, and dispensing facility; and
- (4) Require the High Technology Development Corporation to adopt rules in accordance with chapter 91, Hawaii Revised Statutes, to enable the establishment, collection and deposit into the High Technology Special Fund of fees imposed on the sale of hydrogen made commercially available at certain facilities.

Your Committee received written comments in support of the proposed H.D. 1 from the Department of Transportation, SunPower, High Technology Development Corporation, Alliance of Automobile Manufacturers, Enphase Energy, Blue Planet Foundation, Energy Excelsator, Stem Inc., Hawaii Energy Connection, Hawaii Automobile Dealers' Association, Distributed Energy Resources Council of Hawaii, and Kairos Energy Capital. Your Committee received comments on the proposed H.D. 1 from the Department of Taxation; Department of Business, Economic Development, and Tourism; Hawaiian Electric Company, Inc. and its subsidiary utilities, Maui Electric and Hawaii Electric Light Company; Hawaii Association of Realtors; Inter-Island Solar Supply; Hawaii Solar Energy Association; and Tax Foundation of Hawaii. Your Committee received testimony in opposition to the proposed H.D. 1 from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs.

Your Committee notes the recent policy changes made by the Hawaii Public Utilities Commission have impacted Hawaii consumers' ability to deploy renewable energy without an associated energy storage device. To this end, your Committee concludes that incentivizing energy storage would further Hawaii's clean energy goals and help Hawaii consumers reduce their high electric bills.

The Department of Taxation testified that changes to the current renewable energy technology systems tax credit, however, may make the measure difficult to administer and have unintended consequences on residents who relied on the existing tax credit.

Your Committee observes that in 2013, this Legislature established a green infrastructure finance program to deploy more renewable energy and to principally help consumers lower their energy costs. Your Committee finds that the funds raised in this program have been largely unspent to date and are not serving the intended purpose.

Accordingly, your Committee proposed to use the funds raised by the green infrastructure finance program to create a rebate program modeled on the successful California Solar Initiative Program. This would help Hawaii's consumers lower their energy costs, advance our state's clean energy goals, and stimulate our economy.

Your Committee further observes the State has never required a consumer to purchase goods or services from a utility. Rather, the hallmark of good utility regulation has been to encourage competition and greater customer choice when possible. Your Committee recognizes electric utilities may need additional time to incorporate and compete with technological changes, however, and is willing to incentivize consumers to keep energy storage devices on the grid. This measure attempts to balance these two goals: increasing competition and customer choice while also encourage timely grid monetization.

Upon further consideration, your Committee has amended this measure by replacing its contents with provisions that:

- (1) Establish the Energy Storage System Rebate Program, to be administered by the Department of Business, Economic Development, and Tourism, which allows individuals who purchase and install in the State an eligible energy storage system to claim a one-time rebate from the Energy Storage System Fund;

- (2) Allocate and appropriate funds from the Hawaii Green Infrastructure Special Fund to create the Energy Storage System Fund, which shall provide funding for the Energy Storage System Rebate Program; and
- (3) Specify the amount of rebate that may be claimed based on type of system and the amount of funds remaining in the Energy Storage System Fund.

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. 2738, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2738, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1283-16 Transportation on S.B. No. 2618

The purpose of this measure is to begin the process of establishing an alternative mode of interisland transportation of passengers and goods. Specifically, this measure requires the Department of Transportation to conduct a study on the feasibility of establishing an interisland ferry system and appropriates funds for the study.

The Department of Transportation, Hawaii Farm Bureau, United Public Workers, AFSCME Local 646, AFL-CIO, Hawaii Lodging & Tourism Association, Libertarian Party of Hawaii, IOMM&P and several concerned individuals testified in support of this measure. The Building Industry Association of Hawaii and Hawaii Shippers Council testified in support of the intent of this measure. Aloha Analytics testified in opposition to this measure.

As the only island state in the nation, Hawaii does not enjoy the benefit of being linked to other states, cities, or towns via the federal interstate highway system or a network of interconnected state and local highways. This presents unique challenges for residents and visitors alike who wish to travel between the islands of the State as air transportation is currently the only available means of travel between Hawaii's major islands. While other states, such as the State of Washington, use ferry systems as a transportation alternative, Hawaii has no such system in place. Your Committee finds that an interisland ferry system can serve as an efficient alternative for transporting passengers, cargo, farm produce, and motor vehicles between islands and that the feasibility of establishing such a system should be explored.

However, your Committee understands that concerns regarding traffic congestion and the transmission of invasive species have been raised with the establishment of an interisland ferry system in the past. Accordingly, your Committee has amended this measure by requiring the Department of Transportation to include in its study:

- (1) Consideration and determination of the impacts an interisland ferry system would have on traffic congestion on all islands served by an interisland ferry; and
- (2) Consideration of the impacts an interisland ferry system could have on the transmission of invasive species between islands and determination of inspection requirements to limit the transmission of invasive species between islands.

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. 2618, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2618, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee.

SCRep. 1284-16 Transportation on S.B. No. 2246

The purpose of this measure is to address a recent Hawaii Supreme Court holding that criminal penalties for refusal to submit to testing for blood alcohol content are facially unconstitutional. Specifically, this measure repeals the statute providing that an individual suspected of Operating a Vehicle Under the Influence of an Intoxicant (OVUII) who refuses to submit to a breath, blood, or urine test is guilty of a petty misdemeanor.

The Department of Transportation, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, and a concerned individual testified in support of this measure.

Act 166, Session Laws of Hawaii 2010, was enacted to promote safety on Hawaii's roadways by adopting the recommendations of Hawaii's Ignition Interlock Implementation Task Force, which included establishing the offense of refusal to submit to a breath, blood, or urine test as a petty misdemeanor. However, on November 25, 2015, the Hawaii Supreme Court in *State v. Won*, 136 Haw. 292 (2015), found this penalty to be an unconstitutional violation of the warrant requirement of the Fourth Amendment of the United States Constitution and article 1, section 7 of the Constitution of the State of Hawaii. Since this Hawaii Supreme Court ruling, a number of OVUII cases have been dismissed and police departments have discontinued charging individuals for refusing to submit to a blood, breath, or urine test. Your Committee finds that, as a result of the Hawaii Supreme Court ruling, the statutory penalty for refusal to submit to a blood, breath, or urine test must be repealed.

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. 2246 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

SCRep. 1285-16 Transportation on S.B. No. 2934

The purpose of this measure is to ensure that Hawaii's driver's license procedures are compliant with the federal REAL ID Act of 2005.

The Department of Transportation testified in support of the intent of this measure.

The REAL ID Act enacted the 9/11 Commission's recommendation that the federal government set standards for the issuance of sources of identification, such as state-issued driver's licenses and identification cards. The REAL ID Act also prohibits federal agencies from accepting, for official purposes, licenses and identification cards from states that do not meet these standards.

While your Committee notes that Hawaii's requirements for driver's licenses and state identification cards have been enhanced to comply with the requirements of the REAL ID Act, existing law does not require that a renewed driver's license contain a photograph of the licensee, even though the REAL ID Act requires a digital photograph of the licensee to be on the identification. To comply with the REAL ID Act, this measure requires an applicant to appear in person to renew the applicant's license if at least 16 years have passed since the applicant last appeared in person.

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. 2934, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

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

SCRep. 1286-16 Transportation on S.B. No. 2372

The purpose of this measure is to address questions regarding responsibility for the repair and maintenance of privately owned highways. Specifically, this measure, among other things:

- (1) Requires the counties to accept the surrender of a highway, road, alley, street, way, lane, bikeway, bridge, or trail if there has been an absence of any act of private ownership over the highway, road, alley, street, way, lane, bikeway, bridge, or trail for five years or the county has undertaken repair and maintenance of the highway, road, alley, street, way, lane, bikeway, bridge, or trail pursuant to a county maintenance and repair program;
- (2) Deems a highway, road, alley, street, way, lane, bikeway, bridge, or trail that has been commonly used by residents of a particular area for emergency access purposes or for health and safety reasons to be publicly accessible for those reasons, without regard to actual ownership or responsibility for maintenance; and
- (3) Exempts the State and counties from:
 - (A) Maintaining surrendered highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails;
 - (B) Liability arising from use of a surrendered highway, road, alley, street, way, lane, bikeway, bridge, or trail for a period of two years following the performance of construction, reconstruction, preservation, resurfacing, restoration, or rehabilitation; and
 - (C) Acquiring liability due to the negligent acts or omissions of others that the State or county did not already have before the surrender of the highway, road, alley, street, way, lane, bikeway, bridge, or trail, solely by reason of the surrender.

The Hawaii Association of Realtors and Bank of Hawaii testified in support of this measure. The Chamber of Commerce Hawaii testified in support of the intent of this measure. The Office of the Mayor of the City and County of Honolulu, Department of the Attorney General, Department of Land and Natural Resources, Department of Public Works of the County of Hawaii, Hawaii Association for Justice, and two concerned individuals testified in opposition to this measure. The Department of Transportation commented on 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 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 were not for unknown reasons. 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 who is responsible for the repair and maintenance of such roads. Your Committee finds that this important issue must be addressed.

Your Committee has amended this measure by deleting its contents and replacing it with language that:

- (1) Establishes a temporary roads commission within the Department of Transportation to, among other things, determine ownership of each private road and road in limbo, advise the appropriate legislative body of the determination of ownership of the private road or road in limbo, and recommend action regarding the private road or road in limbo to the appropriate legislative body, including the initiation of condemnation proceedings as appropriate;
- (2) Expands the State and counties' authority to condemn public highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails;
- (3) Allows any private owner of a highway, road, alley, street, way, lane, bikeway, bridge, or trail to petition the Mayor of the county in which the highway, road, alley, street, way, lane, bikeway, bridge, or county trail is located to initiate condemnation proceedings if certain conditions are met;
- (4) Exempts highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails constructed and completed in accordance with the requirements of any ordinance, rule, or regulation in effect at the time of construction and completion from meeting construction standards in place at the time of transfer to the county;
- (5) Exempts the State and counties from requirements to maintain or improve highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails taken by condemnation; and

- (6) Appropriates funds for road repair work, including resurfacing, flood mitigation, and installation of drainage infrastructure to certain roads.

Your Committee has also amended this measure by:

- (1) Inserting a severability clause; 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. 2372, S.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2372, S.D. 3, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Nakashima and Yamashita.

SCRep. 1287-16 Transportation/Water & Land on S.B. No. 3072

The purpose of this measure is to increase the efficient operation, management, and oversight of Hawaii's air transportation system by, among other things:

- (1) Requiring the Governor to establish the Hawaii Airport Authority (Authority) pursuant to and on a date specified by Executive Order and after notification to the Legislature;
- (2) Establishing a board of directors of the Authority and setting out procedures for the appointment of board members;
- (3) Establishing the position of Administrator of the Authority, appointment requirements, and powers and duties;
- (4) Establishing the powers and duties of the Authority;
- (5) Transferring the aeronautics functions of the Department of Transportation to the Authority upon execution of the Governor's Executive Order and providing for the transfer of all employees, appropriations, records, equipment, supplies, contracts, books, papers, documents, maps, machines, and other personal property of the Department of Transportation relating to the functions transferred to the Authority; and
- (6) Requiring the Department of Transportation to conduct a feasibility study on implementing the Authority.

The Department of Transportation, Chair of the Maui County Council, American Society of Civil Engineers, Napili Kai Beach Resort, Airport Concessionaires Committee, Enterprise Holdings, LLC, Airlines Committee of Hawaii, Maui Hotel & Lodging Association, Hawaii Lodging & Tourism Association, Aircraft Owners and Pilots Association, Hawaiian Airlines, and several concerned individuals testified in support of this measure. A concerned individual testified in opposition to this measure. The Department of the Attorney General, Department of Budget and Finance, and Office of Hawaiian Affairs provided comments on this measure.

Hawaii's air transportation planning, management, marketing, and development functions are currently spread out among a number of agencies. This multijurisdictional situation has resulted in inefficiencies and can sometimes lead to conflicting plans of action among agencies seeking to implement differing goals.

Your Committees find that the economic well-being of the State depends, in part, on the efficient use of all of its air transportation resources, and that a single entity having overall consolidated jurisdiction of Hawaii's air transportation resources will allow for a more efficient coordination of the planning and development of Hawaii's air transportation system.

Your Committees have amended this measure by:

- (1) Administratively attaching the Authority to the Department of Transportation;
- (2) Requiring that the feasibility study include consideration of specific actions necessary to:
- (A) Establish water reclamation programs for State facilities located at all airports statewide; and
- (B) Limit the transmission of invasive species through airports, including the hiring of any necessary additional staff;
- (3) Inserting an unspecified appropriation for the construction of a radar facility and a 100 foot by 150 foot concrete pad for installation of a radar unit at Kalaeloa Airport; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Transportation and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3072, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3072, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Ing, Johanson, Lee, Nakashima and Pouha.

SCRep. 1288-16 Transportation/Water & Land on S.B. No. 3077

The purpose of this measure is to properly, effectively, and efficiently address the numerous issues facing transit-oriented development statewide through a coordinated, intergovernmental, and interagency approach by establishing the Hawaii Interagency Council for Transit-Oriented Development (Interagency Council) and appropriating funds for the creation and operations of the Interagency Council.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation testified in support of this measure. The Office of Planning, Hawaii Public Housing Authority, Department of Education, and Department of Planning and Permitting of the City and County of Honolulu testified in support of the intent of this measure. The Chamber of Commerce Hawaii, Building Industry Association of Hawaii, and Land Use Research Foundation of Hawaii provided comments.

Transit-oriented development can provide significant economic, social, and environmental benefits through the co-location of jobs, workforce housing, and economic opportunities in mixed-use communities at public transportation hubs. However, the development of transit-oriented development plans encompasses a wide spectrum of issues over multiple jurisdictions. Your Committees find that establishing the Interagency Council will allow for a more coordinated effort among county, state, and federal governmental agencies, as well as the private and nonprofit sectors, to comprehensively address the issues facing transit-oriented development plans statewide.

Your Committees note that concerns were raised regarding the lack of professionals with real estate development experience on the Interagency Council and that this issue should be considered further.

Your Committees have amended this measure by:

- (1) Clarifying that the responsibility of the Interagency Council is to coordinate and facilitate state agency transit-oriented development planning, and facilitate consultation and collaboration between the State and the counties on transit-oriented development initiatives;
- (2) Clarifying that the Interagency Council is the State's transit-oriented development planning and policy development entity;
- (3) Clarifying that the plan formulated by the Interagency Council is a strategic plan rather than a unified ten-year statewide plan;
- (4) Clarifying that the jurisdiction of the Interagency Council is limited to projects on State lands to avoid conflicts with transit-oriented development planning and policy efforts currently underway at the county level;
- (5) Clarifying that reviews by the Interagency Council of all capital improvement project requests to the Legislature for transit-oriented development projects on state lands be for projects on state lands within county-designated transit-oriented development zones or within a one-half-mile radius of public transit stations, if a county has not designated transit-oriented development zones;
- (6) Requiring the Interagency Council to compile an inventory of state, county, and private sector transit-oriented development projects lacking infrastructure, identify the type of infrastructure each project lacks, and approximate the timeframe when additional capacity is needed for each county as part of its strategic plan;
- (7) Designating the Office of Planning as the lead agency to coordinate and advance smart growth and transit-oriented development planning within the State and specifying mandated activities of the Office of Planning regarding smart growth and transit-oriented development;
- (8) Authorizing school impact fees collected from transit-oriented development projects to be used by existing schools in the transit-oriented development area; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Finance deliberate this measure further, your Committees on Transportation and Water & Land respectfully request that it consider appropriating \$50,000 for the Department of Business, Economic Development, and Tourism to carry out the purposes of this measure.

As affirmed by the records of votes of the members of your Committees on Transportation and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3077, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3077, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Ing, Johanson, Lee, Nakashima and Pouha.

SCRep. 1289-16 Judiciary on S.B. No. 2102

The purpose of this measure is to appropriate supplemental funds for the operating costs of the Judiciary for fiscal year 2016-2017. Specifically, this measure appropriates funds for the Judiciary's operating budget including:

- (1) Funds for additional permanent full time positions and to establish one additional judgeship;
- (2) \$600,000 for the purchase of service contracts for civil legal services;
- (3) Two permanent full time positions and funds for the Mental Health Court; and
- (4) The conversion of one full time temporary position to permanent for the Kona Fiscal Unit of the Third Circuit.

The Judiciary, Office of the Public Defender, Legal Aid Society of Hawaii, Volunteer Legal Aid Services Hawaii, Hawaii State Bar Association, Mothers Against Drunk Driving Hawaii Chapter, Hawaii Society of Addiction Medicine, and Farrell & Associates testified in support of this measure. Several concerned individuals provided comments.

Your Committee supports the Judiciary's supplemental budget request for 24 new permanent positions, \$2,200,000 in additional funding to support essential staffing needs for the courts and administrative operations, and the capital improvement program funding request totaling \$13,700,000 to address the Judiciary's infrastructure.

Your Committee has amended this measure by:

- (1) Restoring the Judiciary's initial request of \$2,227,149 in general funds, including 24 full-time equivalent permanent positions;
- (2) Including an appropriation of \$2,159,632 for purchase of service contracts for civil legal services for low and moderate income persons, and requiring the Judiciary to report to the Legislature on the Judiciary's purchases of the service contracts;
- (3) Deleting the requirement that the Judiciary establish only one of three potential judgeships with an appropriation of \$330,000;
- (4) Restoring the Judiciary's initial capital improvement project requests that total \$13,684,000; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As noted earlier, your Committee has included funds in the amount of \$2,159,632 for the Judiciary to contract with civil legal services providers to deliver civil legal services for low- and moderate-income individuals. The funding amount and selection of the Judiciary to administer legal service funding was recommended by a working group established by House Resolution No. 12, H.D.1, Regular Session of 2015. The working group, convened by the Hawaii Access to Justice Commission, determined that the Judiciary is the best agency to house the administration of legal services funding for low- and moderate- income individuals. The funding amount would restore civil legal services to prerecession levels. The legal services funding is in addition to the Judiciary's supplemental budget request and to the correction to the budget worksheets for civil legal services for indigent persons that was incorporated into Act 138, Session Laws of Hawaii 2015. It is not your Committee's intent that the legal services funding be used to supplant the Judiciary's funding request.

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. 2102, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2102, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1290-16 Judiciary on S.B. No. 2496

The purpose of this measure is to implement an incremental conversion to a system of elections by mail in voting for the State. Specifically, this measure:

- (1) Requires the Office of Elections to implement elections by mail:
 - (A) Beginning with the 2018 primary election in a county with a population of fewer than one hundred thousand; and
 - (B) Beginning with the 2020 primary election in all counties and for all elections;
- (2) Specifies the requirements for the distribution, voting, and tabulation of absentee, permanent absentee, and mail in ballots, including specifications for voter service centers to receive the personal delivery of ballots and to accommodate voters with special needs;
- (3) Establishes the responsibility of the State and counties for the expense of operating the mail in voting system;
- (4) Makes an appropriation for the implementation and administration of the election by mail system; and
- (5) Requires the Office of Elections to submit annual reports to the Legislature from 2017 until 2023 regarding the implementation of the elections by mail system.

The Office of Elections, Disability and Communication Access Board, Office of Hawaiian Affairs, Office of the County Clerk of the Counties of Kauai and Maui, Office of the City Clerk of the City and County of Honolulu, Planned Parenthood Votes Northwest and Hawaii, Common Cause Hawaii, League of Women Voters of Hawaii, and one concerned individual testified in support of this measure.

Your Committee has amended this measure to:

- (1) Incrementally phase in statewide elections by mail beginning with the County of Kauai in the 2018 primary; including the County of Hawaii and County of Maui beginning with the 2020 primary; and all counties beginning with the 2022 primary. Thereafter, all elections in all counties shall be conducted by mail; and
- (2) Limit the Election Day state holiday to individuals voting by mail at an absentee polling place, effective January 1, 2022.

Your Committee finds that increased citizen participation in the electoral process is a crucial component of maintaining a successful democracy. This measure would reduce hurdles for voter participation by allowing the convenience of voting by mail.

The elimination of the Election Day state holiday is not intended to impact any collective bargaining agreements.

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. 2496, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2496, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1291-16 Judiciary on S.B. No. 2196

The purpose of this measure is to establish a Law Enforcement Officer Independent Review Board (Board) within the Department of the Attorney General to review criminal investigations of incidents of officer-involved death or serious bodily injury conducted by law enforcement agencies and make recommendations to the respective county prosecuting attorney. This measure makes appropriations to establish the Board.

The Libertarian Party, Hawaii State Coalition Against Domestic Violence, and many concerned individuals testified in support of this measure. The Prosecuting Attorney of the City and County of Honolulu, Common Cause Hawaii, Maui Police Department, and Civil Beat Law Center for the Public Interest testified in opposition. The Department of the Attorney General and Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Limiting the scope of the Board's review to cases of officer-involved death;
- (2) Clarifying that the Board must expeditiously submit its recommendation to the appropriate prosecutor; however, the prosecutor may decide to prosecute or decline prosecution before receiving a recommendation from the Board;
- (3) Prohibiting the Board from access to physical evidence;
- (4) Specifying that records, documents, and information that are maintained or in the possession of the Board shall not be subject to disclosure in any civil or criminal proceeding; 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. 2196, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2196, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1292-16 Health on S.B. No. 2557

The purpose of this measure is to:

- (1) Expand the concussion educational program established by Act 197, Session Laws of Hawaii 2012, to include youth athletic activities for participants aged 11 to 18, and incorporate additional concussion protocol and program requirements;
- (2) Appropriate funds for the development and implementation of the concussion monitoring and educational program for school athletics and youth athletic activities and concussion testing of high school students; and
- (3) Appropriate funds for implementing a concussion awareness and management program for students who are aged 11 to 13.

The University of Hawaii at Manoa College of Education, Hawaii High School Athletic Association, Hawaii Chapter of the American Physical Therapy Association, and Hawaii Athletic Trainers' Association supported this measure with amendments. The Department of Health and Department of Education commented on this measure.

Your Committee has amended this measure by:

- (1) Limiting the scope of the concussion monitoring and educational program to school athletics and not to youth athletic activities;
- (2) Specifying that the concussion monitoring and education program for school athletics include cognitive testing of student participants prior to the start of each season of school athletics but not a youth athletic activity;
- (3) Clarifying that the appropriation for the implementation of a concussion awareness program is for Hawaii public school students aged 11 to 13;
- (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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2557, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2557, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Jordan.

SCRep. 1293-16 Health on S.B. No. 2387

The purpose of this measure is to promote students' physical health and well-being by requiring:

- (1) Beginning with the 2017-2018 school year, every child entering seventh grade to present written documentation from a licensed physician or advanced practice registered nurse showing completion of a physical examination performed within 12 months before the date of school attendance;

- (2) The Department of Health to contact, no later than the end of the seventh-grade school year, the parents or guardians of students who have not yet obtained the required physical examination, including, subject to the availability of funds, follow-up consultations about a healthy lifestyle, preventative health care, and health insurance; and
- (3) Appropriating funds for the purposes identified in paragraph (2).

The Hawaii Public Health Institute, Hawaii Chapter of the American Academy of Pediatrics, Waianae Coast Comprehensive Health Center, Hawaii Pacific Health, and many individuals provided testimony in support of the measure. The Department of Health, Department of Education, and Hawaii Primary Care Association provided comments.

Your Committee has amended this measure by:

- (1) Adding physician assistants to the list of individuals who can provide students with the necessary report on the results of a physical examination;
- (2) Adding a definition of "physical examination";
- (3) Specifying that notice to Department of Health of students who need follow-up contact may be provided electronically;
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style; and
- (5) 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2387, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2387, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representative Jordan.

SCRep. 1294-16 Health on S.B. No. 2690

The purpose of this measure is to reduce tobacco usage in the State by amending:

- (1) The excise tax amount on cigarettes and little cigars sold on or after July 1, 2016; and
- (2) The allocation of levied cigarette and little cigar excise tax amounts to various funds and programs, including the Hawaii Cancer Research Special Fund, Trauma System Special Fund, Community Health Centers Special Fund, Emergency Medical Services Special Fund, and smoking cessation and education programs administered by the Department of Health Chronic Disease Prevention and Health Program Division.

The University of Hawaii Cancer Center, American Lung Association, The Queen's Health Systems, Hawaii Public Health Institute, Coalition for Tobacco-Free Hawaii, Hawaii Pacific Health, Hawaii Medical Service Association, American Cancer Society Cancer Action Network, Hawaii Primary Care Association and numerous individuals testified in support of this measure. The Department of Health and American Heart Association testified in support of this measure and provided amendments. The Hawaii Smokers Alliance, Hawaii Vapers United, Hawaii Bar Owners Association, ABC Stores, 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:

- (1) Changing the applicability dates of the amended excise tax amounts and allocations to on or after January 1, 2017, rather than on or after July 1, 2016, to provide the Department of Taxation with sufficient time needed to make changes to tax stamps, forms, instructions, and computer systems; 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2690, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2690, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Oshiro and Tupola.

SCRep. 1295-16 Health/Judiciary on S.B. No. 2523

The purpose of this measure is to authorize licensed medical marijuana production centers to include secured greenhouses or shade houses if the contents are not visible from any street or road used by the public, nor visible to adjoining landowners.

Your Committees received written testimony in support of this measure from the Community Alliance on Prisons, the Drug Policy Action Group, the Drug Policy Forum of Hawaii, the Hawaii Dispensary Alliance, and nine individuals. Your Committees received written testimony in opposition to this measure from one individual. Your Committees received written comments on this measure from the Department of the Attorney General and the Department of Health.

Your Committees find that authorizing licensed medical marijuana dispensary production centers to include secured greenhouses and shade houses will promote efficient and economical production and decrease energy consumption by facilitating the use of the State's abundant sunshine to grow medical marijuana, rather than by relying solely on artificial lighting.

Your Committees have amended this measure by:

- (1) Adding definitions of "enclosed indoor facility," "greenhouse," and "shade house";
- (2) Providing that, until September 30, 2017, an enclosed indoor facility excludes a greenhouse or shade house that does not comply with the definition of an enclosed indoor facility;
- (3) Providing that production centers operated pursuant to a dispensary license issued on or after October 1, 2017, need not be enclosed indoor facilities, but must be secured at all times;
- (4) For a greenhouse or shade house used pursuant to a dispensary license issued on or after October 1, 2017, deleting the requirement that the contents not be visible from any street or road used by the public nor visible to adjoining landowners;
- (5) Providing that section 1 of the measure shall be repealed on September 30, 2017; and sections 2 and 3 of the measure shall take effect on October 1, 2017; and
- (6) Changing the effective date to July 1, 2012, to facilitate further discussion on the 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. 2523, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2523, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Kawakami, Lee, Oshiro, McDermott and Tupola.

SCRep. 1296-16 Health/Consumer Protection & Commerce on S.B. No. 1311

The purpose of this measure is to specify that a licensed or credentialed educational or healthcare practitioner practicing within the practitioner's own recognized scope of practice is exempt from chapter 465D, Hawaii Revised Statutes (HRS), which includes the licensure requirements of behavior analysts.

The Department of Education testified in support of this measure. The State Council on Developmental Disabilities testified in support of this measure with amendments. The Hawaii State Teachers Association, Keiki Educational Consultants, Inc., Hawaii School Counselor Association, Hawaii Association for Behavior Analysis, and numerous individuals opposed this measure. The Department of Health, Special Education Advisory Council, Hawaii Disability Rights Center, and an individual commented on this measure.

Upon consideration, your Committees have amended this measure by:

- (1) Broadening the exemptions from chapter 465D, HRS, to specify that a licensed or credentialed practitioner, rather than a licensed or credentialed educational or healthcare practitioner, practicing within the practitioner's own recognized scope of practice is exempt from chapter 465D, HRS;
- (2) Temporarily exempting from the licensing requirements for the practice of behavior analysis, direct support workers who provide autism treatment services pursuant to an Individualized Education Plan (IEP) on or before January 1, 2019;
- (3) Exempting from the licensing requirements for the practice of behavior analysis, a family member or legal guardian implementing an applied behavior analysis plan and who acts under the direction of a behavior analyst licensed in this State;
- (4) Defining "direct support worker";
- (5) Requiring the Department of Education to submit a report to the Legislature prior to the Regular Sessions of 2017 and 2018 on its plans and progress in implementing measures to comply with the licensure and certification requirements of chapter 465D, HRS;
- (6) Changing its effective date to July 1, 2012, to facilitate further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should this measure proceed further in the legislative process, your Committees respectfully request that:

- (1) The Department of Education report to the Committee on Finance on:
 - (A) The numbers of Board certified behavior analysts and registered behavior technicians currently employed by the Department of Education, including a breakdown by complex areas;
 - (B) The number of children with an Individualized Education Plan (IEP) in the State, how many of the IEPs have provisions for autistic services, and how many of the IEPs involved children with Medicaid;
 - (C) A description of DOE contracts with third-party providers that provide autistic services and the timeline of the request for proposal (RFP) that has been issued for these contracts, including any amendments that have been issued to the RFP; and
 - (D) Information on the fiscal impact of the certification and licensure requirements of Chapter 465D, HRS; and
- (2) The Department of Human Services report to the Chairs of the Committees on Health, Human Services, Consumer Protection and Commerce, and Finance on the prohibitions within the State plan and Medicaid managed care plans that prohibit collaboration of Medicaid providers in developing IEPs for children who have Medicaid and receive autistic services through their Medicaid plans.

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. 1311, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1311, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Lee, Morikawa and McDermott.

SCRep. 1297-16 Health/Consumer Protection & Commerce on S.B. No. 2670

The purpose of this measure is to reduce the surcharge on behavior analyst license and renewal fees from \$100 to \$50.

The Department of Commerce and Consumer Affairs, Keiki Educational Consultants, Inc., and two individuals testified in support of this measure. The Department of Health, State Council on Developmental Disabilities, Hawaii Association for Behavior Analysis, and Hawaii Disability Rights Center commented on this measure.

Your Committees have amended this measure by:

- (1) Temporarily exempting from the licensing requirements for the practice of behavior analysis paraprofessional direct support workers who directly implement applied behavioral analysis intervention or assessment plans under supervision to clients under Medicaid home and community-based services pursuant to the Social Security Act through January 1, 2019;
- (2) Making the exemption apply retroactive to January 1, 2016;
- (3) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on 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. 2670, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2670, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Har, Kawakami, Morikawa and McDermott.

SCRep. 1298-16 Consumer Protection & Commerce on S.B. No. 2681

The purpose of this measure is to help protect minor children and other protected persons from credit fraud and identity theft by:

- (1) Requiring consumer credit reporting agencies to create credit records or files for protected consumers, including minors under the age of sixteen and incapacitated persons;
- (2) Authorizing protected consumers or their representatives to place a security freeze on the protected consumer's credit report or any record created for the protected consumer; and
- (3) Establishing provisions for fees, timelines, and penalties pertaining to protected consumer requests for the creation of a record, placing of a security freeze, or removal of a security freeze.

The Department of Commerce and Consumer Affairs testified in support of this measure. Experian, Consumer Data Industry Association, and Equifax provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that a consumer reporting agency shall remove a security freeze for a protected consumer within thirty days, rather than three days, of receiving an appropriate request to remove the security freeze;
- (2) Changing the effective date to July 1, 2016; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

Your Committee notes that that at least twenty-two other states have enacted similar legislation, and the majority, if not all of them provide a standard thirty days account freeze removal time, which is the same length of time credit bureaus are allowed to place an account freeze. Your Committee finds that this is necessary to allow the credit bureaus to make sure that they are placing or removing the right freeze for the right person for the right reason.

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. 2681, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2681, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1299-16 Consumer Protection & Commerce on S.B. No. 2395

The purpose of this measure is to enhance access to care via telehealth by:

- (1) Requiring the State's medicaid managed care and fee-for-service programs to cover services provided through telehealth;

- (2) Specifying that any telehealth services provided shall be consistent with all federal and state privacy, security, and confidentiality laws;
- (3) Specifying medical professional liability insurance policy requirements with regard to telehealth coverage;
- (4) Clarifying that reimbursement for services provided through telehealth shall be equivalent to reimbursement for the same services provided via face-to-face contact between a health care provider and a patient;
- (5) Requiring written disclosure of coverages and benefits associated with telehealth services;
- (6) Ensuring that telehealth encompasses store and forward technologies, remote monitoring, live consultation, and mobile health;
- (7) Ensuring that telehealth is covered when originating in a patient's home and other non-medical environments;
- (8) Clarifying requirements for physicians and out-of-state physicians to establish a physician-patient relationship via telehealth;
- (9) Ensuring that reimbursement requirements for telehealth services apply to all health benefits plans under chapter 87A, Hawaii Revised Statutes; and
- (10) Making other conforming amendments related to telehealth for clarity.

The Department of Human Services, Healthcare Association of Hawaii, The Queen's Health Systems, Planned Parenthood Votes Northwest and Hawaii, Hawaii Medical Service Association, Hawaii Pacific Health, Kaiser Permanente, Hawaii Association of Health Plans, and an individual testified in support of this measure.

Your Committee has amended this measure by:

- (1) Including in the definition of "health care provider," other practitioners licensed by the State and working within their scope of practice;
- (2) Deleting language that would have allowed certain out-of-state physicians to establish a provider-patient relationship with a Hawaii-based patient through telehealth;
- (3) Inserting a savings clause; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2395, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2395, S.D. 1, H.D. 2.

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

SCRep. 1300-16 Consumer Protection & Commerce on S.B. No. 2776

The purpose of this measure is to address issues relating to service as a Commissioner on the Public Utilities Commission.

More specifically, this measure:

- (1) Authorizes the attendance of Commissioners of the Public Utilities Commission at hearings, other than contested case hearings, by teleconference or videoconference for:
 - (A) Commissioners that reside on an island other than Oahu to attend hearings held on Oahu; and
 - (B) Commissioners that reside on Oahu to attend hearings held on islands other than Oahu;
- (2) Clarifies public notice and quorum requirements with respect to public hearings held by teleconference or videoconference;
- (3) Provides for per diem compensation for Commissioners that reside on an island other than Oahu for the days on which actual service is rendered; and
- (4) Authorizes the use of a person's island of residence as a criterion when determining the person's qualification to serve as a Commissioner.

The Division of Consumer Advocacy and Young Brothers testified in support of this measure. The Public Utilities Commission and Hawaii Energy Policy Forum provided comments on this measure.

Your Committee has amended this measure by:

- (1) Mandating the Public Utilities Commission to adopt rules regarding the attendance of Commissioners at hearings, other than contested case hearings, by teleconference or videoconference;
- (2) Authorizing a Commissioner to be reimbursed for reasonable travel and lodging expenses; and

- (3) Specifying that the provisions of this measure relating to the authorization of the attendance of Commissioners of the Public Utilities Commission at hearings, other than contested case hearings, by teleconference or videoconference, compensation for Commissioners that reside on an island other than Oahu, and use of a person's island of residence as a criterion when determining the person's qualification to serve as a Commissioner shall take effect on January 1, 2018.

Your Committee notes that the Public Utilities Commissioner testified that exercising the option to attend public hearings via teleconference or videoconference could be costly, particularly if the service employed would afford a level of functionality and reliability similar to that which could be expected as if the commissioner were physically present. Therefore, your Committee has delayed the implementation date regarding the option to attend public hearings via teleconference or videoconference until January 1, 2018 to allow the Public Utilities Commission ample time to prepare, including through the adoption of rules.

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. 2776, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2776, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1301-16 Consumer Protection & Commerce on S.B. No. 2408

The purpose of this measure is to adopt the Uniform Partition of Heirs Property Act, which establishes procedures and remedies applicable to actions for partition of real property held in tenancy in common and that is deemed heirs property.

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

Your Committee has amended this measure by:

- (1) Specifying that the Court, rather than the movant, shall send notice:
- (A) Send notice to the parties of the fair market value of the property if the court determines the fair market value of the property, after an evidentiary hearing;
 - (B) To each party regarding the fair market value of the property as set forth in the appraisal and rights of appeal, if an appraisal is conducted;
 - (C) To the parties of the fair market value of the property before considering the merits of an action for partition; and
 - (D) To the parties that any cotenant except a cotenant that requested partition by sale may buy the interest of any cotenant that requested partition by sale, if any cotenant requested partition by sale;
- (2) Deleting the requirement that the appraiser shall notify the movant for determination that the property is heirs property and that the appraisal has been filed with the clerk of the court; 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. 2408, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2408, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

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

SCRep. 1302-16 Consumer Protection & Commerce on S.B. No. 2854

The purpose of this measure is to make various amendments throughout the Insurance Code to improve clarity and efficiency. Specifically, the measure amends various provisions in the Insurance Code relating to:

- (1) Property insurance;
- (2) Market conduct;
- (3) Insurance premium taxes;
- (4) Insurance contracts;
- (5) Accident and health insurance;
- (6) Unfair methods of competition;
- (7) Captive insurance companies;
- (8) Mental health and alcohol and drug abuse treatment insurance benefits;
- (9) Hawaii hurricane relief fund;

- (10) Prescription drug benefits;
- (11) Mutual benefit societies; and
- (12) Health maintenance organizations.

The Department of Commerce and Consumer Affairs testified in support of this measure. The Hawaii Medical Service Association, Tax Foundation of Hawaii, and Property Casualty Insurers Association of America provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that only insurers with a tax liability in excess of \$100,000 must file reports of business transacted and gross premiums collected electronically;
- (2) Clarifying that the due date and payment of tax via automated clearing house requirements imposed by section 431:7-202, Hawaii Revised Statutes (HRS), as amended, are independent of the annual and monthly tax statement filing requirements of section 431:7-201, HRS;
- (3) Removing a provision amending the definition of "contraceptive services" for the purposes of determining mutual benefit society coverage and benefits for contraceptive services;
- (4) Further clarifying notice requirements where accident and health or sickness insurance benefit reimbursement claims are contested, denied, or require more time for review; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2854, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2854, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

SCRep. 1303-16 Consumer Protection & Commerce on S.B. No. 2961

The purpose of this measure is to:

- (1) Establish a family leave insurance program, which allows 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 for up to twelve weeks per calendar year of family leave; and
- (2) Appropriate funds to the Department of Labor and Industrial Relations (DLIR) to implement the program and require a study to be performed by DLIR and an actuarial study to be performed by the Department of Budget and Finance.

The Hawaii State Democratic Women's Caucus, Hawaii State Commission on the Status of Women, Family Programs Hawaii, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, Hawaii Public Health Institute, American Association of University Women, Hawaii Children's Action Network, Hawaii State Teachers Association, and numerous individuals testified in support of this measure. The Department of Labor and Industrial Relations, ILWU Local 142, and Society for Human Resource Management-Hawaii Chapter testified in opposition to this measure. NFIB Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting the language that establishes the family leave insurance program and appropriates funds to the DLIR to implement the program and require a study to be performed by DLIR and an actuarial study to be performed by the Department of Budget and Finance;
- (2) Inserting language that requires the Office of the Lieutenant Governor and the DLIR to conduct an actuarial study and report back to the Legislature on the projected cost and benefits of implementing a family leave insurance program and whether health savings accounts can serve as a viable model to implement the program;
- (3) Appropriating an unspecified amount for the study and report;
- (4) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee finds that this measure, as received by your Committee, may be unworkable as an insurance model because participants' discretion to opt-in or out of the program in anticipation of filing a claim circumvents basic insurance models that rely on claims uncertainty, or barring duplicate recovery under temporary disability insurance policies or similar products suggests this model may be extremely problematic. Therefore, your Committee finds that additional data is necessary to determine the viability of this insurance model, which requires an actuarial study at this time. In addition, your Committee feels that rather than using the insurance model, the Health Savings Accounts model may be more workable, and therefore directed the study to explore its viability.

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. 2961, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2961, S.D. 2, H.D. 2.

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

SCRep. 1304-16 Consumer Protection & Commerce on S.B. No. 2319

The purpose of this measure is to expand access to prescription contraceptives by requiring health insurers, including health benefits plans under the Employer-Union Health Benefits Trust Fund and Medicaid managed care programs, to cover reimbursement to a prescribing health care provider or dispensing entity for contraceptive supplies that are intended to last for up to a 12-month period for an insured.

The Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Public Health Association, Hawaii Women's Coalition, and Hawaii State Democratic Women's Caucus testified in support of this measure. The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association testified in support of the intent of this measure. The Department of Budget and Finance, Hawaii Employer-Union Health Benefits Trust Fund, and Department of Human Services provided comments on 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2319, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2319, S.D. 1, H.D. 2.

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

SCRep. 1305-16 Consumer Protection & Commerce/Judiciary on S.B. No. 2392

The purpose of this measure is to promote the responsible use of opioid antagonists to treat drug overdoses by, among other things:

- (1) Providing immunity for health care professionals and pharmacists who prescribe, dispense, distributes, possess, or administer an opioid antagonists such as naloxone hydrochloride to persons at risk of experiencing an opioid-related drug overdose;
- (2) Authorizing emergency personnel and first responders to administer opioid antagonists opioid antagonists to a person believed to be suffering from opioid-related drug overdose;
- (3) Requiring Medicaid coverage for opioid antagonists;
- (4) Allowing harm reduction organizations to store and distribute opioid antagonists; and
- (5) Requiring the Department of Health to provide education and training related to drug overdose prevention, recognition, and response, including opioid antagonist administration.

The Department of Health; Walgreen Co.; Hawaii Medical Service Association; Hawaii Association of Professional Nurses; Ku Aloha Ola Mau; The CHOW Project; Hawaii Community Pharmacists Association; Hawaii Medical Association; Drug Policy Forum of Hawaii; Hawaii Substance Abuse Coalition; Drug Policy Action Group; Community Alliance of Prisons; Hawaii ACEP; and numerous individuals supported this measure. The Department of the Attorney General; Department of Human Services; and Hawaii Association for Justice provided comments.

Your Committee has amended this measure by 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. 2392, S.D. 2, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as S.B. No. 2392, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Oshiro and Thielen.

SCRep. 1306-16 Consumer Protection & Commerce on S.B. No. 2619

The purpose of this measure is to improve the management and oversight of unclaimed property by:

- (1) Permitting holders of unclaimed property to provide notice to the apparent owner of unclaimed property valued at \$50 or more through electronic mail or telephone, as an alternative to currently required notice by mail; and
- (2) Requiring the holder to include a statement in its report to the Director of Finance that the holder has complied with notice requirements.

The Department of Commerce and Consumer Affairs and the Department of Budget and Finance supported this measure. The State Farm Mutual Automobile Insurance Company and Hawaii Bankers Association opposed this measure.

Your Committee has amended this measure by:

- (1) Clarifying that holders are to provide notice to the apparent owner of the unclaimed property valued at \$50 or more through electronic mail, telephone, or any other reasonable method in addition to notice through mail; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee notes that there was a concern that the use of mail as a method of contact may be outdated soon, and that a wide array of methods to communicate with unclaimed property owners is used. Your Committee finds that the use of mail coupled with one of these other methods provides the industry with sufficient flexibility while ensuring proper consumer protection.

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. 2619, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2619, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Har, Kawakami, Lee and Yamane.

SCRep. 1307-16 Consumer Protection & Commerce on S.B. No. 2660

The purpose of this measure is to make permanent section 501-261.5, Hawaii Revised Statutes, which authorizes owners of registered non-time share interests to deregister those interests from the Land Court system.

Specifically, this measure removes the sunset date of December 31, 2016, set forth in section 13 of Act 119, Session Laws of Hawaii 2013, as amended by Act 47, Session Laws of Hawaii 2014.

The Department of Land and Natural Resources and the American Resort Development Association Hawaii submitted testimony in support of this measure.

Your Committee finds that, during the Regular Session of 2013, the Legislature required that all time share interests be deregistered from recordation in the Land Court system and, instead, be recorded in the Bureau of Conveyances' system. The Legislature also authorized the voluntary deregistration of non-time share interests from recordation in the Land Court system, which is codified as section 501-261.5, Hawaii Revised Statutes. However, the Legislature established a sunset date for section 501-261.5, Hawaii Revised Statutes, which is currently set as December 31, 2016.

Your Committee believes that allowing section 501-261.5, Hawaii Revised Statutes, to sunset will cause the recordation of fee interests to become unnecessarily complex. For example, a single development project that contains both time share and non-time share units would be required to record some parts of the project in the Land Court system and other parts of the project in the Bureau of Conveyances' system. Repealing the sunset date of section 501-261.5, Hawaii Revised Statutes, will permanently allow developers to withdraw entire projects from the Land Court system and record the ownership of each unit in the Bureau of Conveyances' system, which will help to avoid needless complexity in legal documentation.

Your Committee has amended this measure by changing the effective date from July 1, 2051, to upon approval.

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. 2660, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2660, H.D. 2.

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

SCRep. 1308-16 Consumer Protection & Commerce on S.B. No. 2675

The purpose of this measure is to:

- (1) Authorize the Board of Dental Examiners, Hawaii Medical Board, and Board of Pharmacy to deny a license to an applicant who has been disciplined by another state or federal agency, and the Board of Nursing to deny a license to an applicant who has been disciplined by another state;
- (2) Authorize the Board of Dental Examiners, Hawaii Medical Board, Board of Nursing, and Board of Pharmacy to impose the same disciplinary action upon a licensee as that taken by another state or federal agency, subject to notice and administrative hearing requirements;
- (3) Prohibit a licensee from practicing in the State until a final order by the respective board is issued, if the licensee has been prohibited from practicing in another state; and
- (4) Require any final order of discipline to be public record.

The Hawaii Medical Board testified in support of this measure. The Department of Commerce and Consumer Affairs provided comments on 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2675, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as S.B. No. 2675, S.D. 1, H.D. 1.

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

SCRep. 1309-16 Consumer Protection & Commerce on S.B. No. 2667

The purpose of this measure is to promote the timely payment of claims made by health insurers to health care providers. Specifically, this measure:

- (1) Requires health insurers to treat claims for payment that are in all aspects correctly filed and priced, otherwise known as clean claims, in the same manner as uncontested claims for purposes of payment timeframes; and
- (2) Repeals the exemption of Medicaid claims from the definition of clean claims.

Hawaii Pacific Health, Healthcare Association of Hawaii, and The Queen's Health Systems testified in support of this measure. The Department of Commerce and Consumer Affairs testified in support of the intent of this measure. The Department of Human Services, Hawaii Medical Service Association, and Ohana Health Plan provided comments on this measure.

Your Committee has amended this measure by:

- (1) Enabling a claim for services through a self-insured employer group to be recognized as a clean claim; and
- (2) Changing the effective date to July 1, 2016.

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. 2667, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2667, S.D. 1, H.D. 2.

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

SCRep. 1310-16 Consumer Protection & Commerce on S.B. No. 2852

The purpose of this measure is to amend the Insurance Holding Company System Regulatory Act under article 11 of chapter 431, Hawaii Revised Statutes, to maintain the Insurance Division's accreditation with the National Association of Insurance Commissioners.

The Department of Commerce and Consumer Affairs and the American Council of Life Insurers provided testimony in support of this measure.

Your Committee notes that Act 234, Session Laws of Hawaii 2014, adopted revisions to the National Association of Insurance Commissioners' model laws on the Insurance Holding Company System Regulatory Act, including the establishment of certain exemptions to requirements of the Act for domestic insurance holding company systems, similar to those that were created in National Association of Insurance Commissioners member states such as Texas and Kansas. In August 2014, the National Association of Insurance Commissioners reviewed the Insurance Division of the Department of Commerce and Consumer Affairs for accreditation purposes. In this review, the Association found that in order for the Insurance Division to maintain its accreditation, the State's Insurance Holding Company System Regulatory Act needs to be further amended to conform to the Insurance Holding Company System Regulatory Model Act. Accordingly, your Committee finds that this measure is necessary to amend the State's Insurance Holding Company System Regulatory Act to ensure compliance and accreditation with the National Association of Insurance Commissioners.

Your Committee further notes that exempting certain non-insurance affiliates of a domestic insurance holding company system that were formed prior to January 1, 1995, from examinations required by the State's Insurance Holding Company System Regulatory Act provides a compromise that allows the State to maintain National Association of Insurance Commissioners accreditation while not adversely affecting one of the State's largest insurance companies.

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. 2852, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Har, Kawakami and Yamane.

SCRep. 1311-16 Consumer Protection & Commerce on S.B. No. 2607

The purpose of this measure is to limit the ways in which the operator of a website, online service, online application, or mobile application working with the Department of Education can use student data.

Your Committee received testimony in support of this measure from Microsoft Corporation and the Hawaii State Teachers Association. Testimony in support of the intent of the measure was received from the Department of Education. Testimony in opposition to the measure was received from ACT, Inc.

Your Committee finds that arguments against this measure were well-articulated, but ultimately unpersuasive, because they were based upon the premise of perpetuating the sale of student data for private commercial marketing purposes. Your Committee further finds that this measure will protect school children from data mining and help ensure that student data is kept private and used only for the purposes for which the data is collected.

Your Committee has amended this measure by changing the effective date from January 7, 2059, to upon approval.

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. 2607, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as S.B. No. 2607, S.D. 2, H.D. 1.

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

SCRep. 1312-16 Consumer Protection & Commerce on S.B. No. 3092

The purpose of this measure is to authorize procurement officers to consider a previously licensed and listed subcontractor's license as valid; provided that certain conditions are satisfied.

The General Contractors Association of Hawaii; Genba Hawaii, Inc.; Healy Tibbitts Builders, Inc.; Lindemann Construction Inc.; and Building Industry Association of Hawaii testified in support of this measure. The State Procurement Office testified in opposition to this measure. The Contractors License Board and Subcontractors Association of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the procurement officer may only consider a listed subcontractors license as valid if the subcontractor was previously licensed to perform the scope of work indicated within sixty days prior to bid opening; and
- (2) 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. 3092, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 3092, S.D. 2, H.D. 2.

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

SCRep. 1313-16 Judiciary on S.B. No. 2439

The purpose of this measure is to establish exceptions to the offense of obstructing government operations and the offense of violation of privacy in the second degree to include a person making a video or audio recording or taking a photograph of a law enforcement officer in the performance of the officer's duties in a public place or under circumstances in which the officer has no reasonable expectation of privacy; provided that the officer may take reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect public safety and order.

Your Committee notes that at present, United States Supreme Court decisions do not clearly affirm a constitutional right to record police conduct in public places. Recent events have shown that such a right needs to be protected.

The American Civil Liberties Union of Hawaii, Americans for Democratic Action, Progressive Democrats of Hawaii, and numerous 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2439, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.

SCRep. 1314-16 Energy & Environmental Protection/Health on S.B. No. 3084

The purpose of this measure is to disallow a tax credit for cesspool upgrade, conversion, or connection for taxpayers whose adjusted gross income exceeds certain amounts, ranging from \$100,000 to \$200,000, depending on the taxpayers filing status.

The Department of Health, Department of Taxation, and the Tax Foundation of Hawaii offered comments on this measure.

Your Committee has amended this measure by:

- (1) Adding a new section that allows the Department of Health to establish a cesspool upgrade, conversion, or connection tax credit or rebate program to offset qualified expenses incurred by low-income households;
- (2) Doubling income eligibility thresholds;
- (3) Adding a reporting requirement for the Department of Health, to report to the Legislature no later than 20 days before Regular Session of 2017; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3084, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3084, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Yamane and Pouha.

SCRep. 1315-16 Consumer Protection & Commerce/Judiciary on S.B. No. 2812

The purpose of this measure is to amend the charitable solicitation and registration law.

Specifically, this measure:

- (1) Exempts individuals who prepare grant or subsidy applications from the charitable solicitation and registration requirements;
- (2) Requires professional solicitors to make various disclosures at the start of any contribution solicitation;
- (3) Authorizes the Attorney General to require that professional solicitors submit their end of solicitation campaign financial reports electronically;
- (4) Imposes fees for reports not filed in a timely manner;
- (5) Amends late filing penalties labeled as "fines" to "late filing fees"; and
- (6) Expands the charitable organizations that are exempt from registration and financial disclosure requirements.

The Hawaii Alliance of Nonprofit Organizations; Association of Fundraising Professionals Aloha Chapter; and an individual supported this measure. The Department of the Attorney General (Department) offered comments.

Your Committees have amended this measure by:

- (1) Specifying that charitable organizations that do not solicit contributions are not subject to registration;
- (2) Requiring an accounting to each charity by a commercial co-venturer no more than 90 days after any charitable sales promotion;
- (3) Authorizing the Department to issue cease and desist orders and impose administrative fines for to commercial co-venturers for violations;
- (4) Providing for the electronic submission of consent forms signed by both the charitable organization and the commercial co-venturer;
- (5) Clarifying that a charitable organization may submit its financial annual report to the Department within 10 days after it has been filed with the Internal Revenue Service;
- (6) Clarifying that a registered charitable organization must submit an audited financial report if its contributions rather than gross revenue exceeds \$500,000;
- (7) Removing the \$10 annual fee for registered charities with under \$25,000 in gross revenues;
- (8) Clarifying that charitable organizations must apply for and be granted an exemption from registration from the Department;
- (9) Removing the expanded exemption to registration and financial disclosure requirements of licensed hospitals;
- (10) Authorizing that the Department may require electronic submission of applications for exemption; and
- (11) 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. 2812, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2812, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Oshiro and Thielen.

SCRep. 1316-16 Consumer Protection & Commerce on S.B. No. 2076

The purpose of this measure is to establish a durable medical equipment supplier license program.

Specifically, this measure:

- (1) Requires that a durable medical equipment supplier obtain a license to sell, dispense, deliver, or service durable medical equipment to a consumer in the State;
- (2) Requires that a durable medical equipment supplier designate an agent to provide timely and satisfactory customer service to consumers in the State;
- (3) Requires that a durable medical equipment supplier notify consumers within two business days if any item or equipment ordered cannot be provided; and
- (4) Allocates revenue from the license fees to the office of health care assurance special fund.

Your Committee received testimony in support of the measure from the Healthcare Association of Hawaii, The Queen's Health Systems, Hawaii Pacific Health, and Hawaii COPD Coalition. The Hawaii Medical Service Association submitted comments on the measure.

Your Committee finds that the federal Durable Medical Equipment Competitive Bidding program has created discharge delays and imposed additional challenges for Hawaii patients in obtaining necessary durable medical equipment from vendors. Your Committee further finds that this measure will assist in mitigating those problems and will help to ensure that Medicare beneficiaries have consistent access to durable medical equipment.

Your Committee respectfully requests that subsequent Committees to which this measure is referred consider amending the measure to retain the existing caps of:

- (1) \$300,000 on the amount of moneys that may be used in the office of health care assurance special fund during each fiscal year for activities carried out by the office of health care assurance; and
- (2) \$356,000 on the amount of moneys that may be maintained in the office of health care assurance special fund at the end of each fiscal year.

Your Committee has amended the measure by changing the effective date to January 21, 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. 2076, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2076, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami and Oshiro.
(Representative McDermott voted no.)

SCRep. 1317-16 Judiciary on S.B. No. 2856

The purpose of this measure is to clarify that the police powers of Office of Consumer Protection investigators only include the authority to serve process or subpoenas.

The Office of Consumer Protection 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. 2856 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, Lee and Thielen.

SCRep. 1318-16 Consumer Protection & Commerce on H.C.R. No. 47

The purpose of this measure is to request the Commissioner of Financial Institutions to ascertain the capitalization requirements for a state-operated financial institution based on the projected revenues of marijuana-related businesses, as reported to the Department of Health from medical marijuana dispensary license applications in accordance with Act 241, Sessions Law 2015.

One individual testified in opposition. Department of Commerce and Consumer Affairs, Hawaii Bankers Association and Hawaii Credit Union League 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. 47 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Kawakami, Lee, Nakashima and McDermott.

SCRep. 1319-16 Consumer Protection & Commerce on H.R. No. 28

The purpose of this measure is to reduce homeowners associations dispute litigation, which results in association coffers being used for legal fees rather than common maintenance repairs, and delays that can ultimately affect the health and safety of hundreds of people, by developing a plan for requiring homeowners association disputes to be resolved by dispute resolution alternatives prior to resorting to litigation.

The Community Association Institute Hawai'i Chapter and one individual testified in support of this measure. The Hawai'i Association of Realtors 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.R. No. 28 and recommends that it be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1320-16 Consumer Protection & Commerce on H.C.R. No. 63

The purpose of this measure is to reduce homeowners associations dispute litigation, which results in association coffers being used for legal fees rather than common maintenance repairs, and delays that can ultimately affect the health and safety of hundreds of people, by developing a plan for requiring homeowners association disputes to be resolved by dispute resolution alternatives prior to resorting to litigation.

The Community Association Institute Hawai'i Chapter and one individual testified in support of this measure. The Hawai'i Association of Realtors 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. 63 and recommends that it be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1321-16 Consumer Protection & Commerce on H.R. No. 20

The purpose of this measure is to request that the Department of Budget and Finance convene a work and save working group to investigate the feasibility and impact of establishing a retirement savings trust fund to promote greater retirement savings for private-sector employees in the State.

The American Council of Life Insurers testified in support of this measure. The National Association of Insurance and Financial Advisors Hawaii testified in opposition of this measure. 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 20 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1322-16 Consumer Protection & Commerce on H.C.R. No. 53

The purpose of this measure is to request that the Department of Budget and Finance convene a work and save working group to investigate the feasibility and impact of establishing a retirement savings trust fund to promote greater retirement savings for private-sector employees in the State.

The National Association of Insurance and Financial Advisors Hawaii testified in opposition of this measure. The American Council of Life Insurers testified in support and the Department of Budget and Finance provided comments.

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. 53 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Brower, Lee, Nakashima and McDermott.

SCRep. 1323-16 Agriculture on H.R. No. 149

The purpose of this measure is to seek a way to allow enclosed country stores on agricultural land to provide farmers a venue to sell agricultural products grown on their land by requesting the Department of Agriculture to engage in consultation and discussions with government entities and stakeholders to enable farmers to construct enclosed country stores on lands zoned for agriculture.

The Hawaii Farm Bureau and a concerned individual supported this measure. The Department of Agriculture submitted comments on this measure.

Your Committee finds that the prohibition against constructing enclosed country stores on agriculture zoned lands should be addressed at the county level. Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Agriculture to engage with the Mayors and planning departments of each county and the Hawaii Farm Bureau to facilitate the construction of enclosed country stores;
- (2) Giving the Department of Agriculture more flexibility by deleting language regarding the scope of discussion to facilitate the construction of enclosed country stores; and
- (3) Limiting the transmission of this measure to the Chairperson of the Board of Agriculture, Mayors and directors of the planning department of each county, and the President of the Hawaii Farm Bureau.

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. 149, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 149, H.D. 1.

Signed by all members of the Committee except Representatives Cachola, Kawakami, Kong, Woodson and Ward.

SCRep. 1324-16 Agriculture on H.C.R. No. 203

The purpose of this measure is to seek a way to allow enclosed country stores on agricultural land to provide farmers a venue to sell agricultural products grown on their land by requesting the Department of Agriculture to engage in consultation and discussions with government entities and stakeholders to enable farmers to construct enclosed country stores on lands zoned for agriculture.

The Hawaii Farm Bureau and a concerned individual supported this measure. The Department of Agriculture submitted comments on this measure.

Your Committee finds that the prohibition against constructing enclosed country stores on agriculture zoned lands should be addressed at the county level. Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Agriculture to engage with the Mayors and planning departments of each county and the Hawaii Farm Bureau to facilitate the construction of enclosed country stores;
- (2) Giving the Department of Agriculture more flexibility by deleting language regarding the scope of discussion to facilitate the construction of enclosed country stores; and

- (3) Limiting the transmission of this measure to the Chairperson of the Board of Agriculture, Mayors and directors of the planning department of each county, and the President of the Hawaii Farm Bureau.

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

Signed by all members of the Committee except Representatives Cachola, Kawakami, Kong, Woodson and Ward.

SCRep. 1325-16 Public Safety on H.R. No. 47

The purpose of this measure is to request the establishment of a task force to study effective incarceration policies in Hawaii and other jurisdictions, and suggest improvements for Hawaii's correctional system including recommendations for designs of future correctional facilities.

The Judiciary; Hawaii Paroling Authority; Office of Hawaiian Affairs; Holomua Puuhonua Committee; Ho'omana Pono, LLC; and several concerned individuals supported this measure. The Department of Public Safety, Legislative Reference Bureau, Community Alliance on Prisons, and a concerned individual offered comments.

Your Committee has amended this measure by:

- (1) Requesting the Administrator of the Judiciary's Adult Client Services Branch, or the Administrator's designee, and the Chairperson of the Holomua Puuhonua Committee, or the Chairperson's designee, to join the task force;
- (2) Requesting the Judiciary and the Department of Public Safety, rather than the Legislative Reference Bureau, to provide administrative support to the task force;
- (3) Changing the reporting date of the task force's report from 2018 to 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 Public Safety that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 47, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.R. No. 47, H.D. 1.

Signed by all members of the Committee except Representative Har.

SCRep. 1326-16 Public Safety on H.C.R. No. 85

The purpose of this measure is to request the establishment of a task force to study effective incarceration policies in Hawaii and other jurisdictions, and suggest improvements for Hawaii's correctional system including recommendations for designs of future correctional facilities.

The Judiciary; Hawaii Paroling Authority; Office of Hawaiian Affairs; Holomua Puuhonua Committee; Ho'omana Pono, LLC; and several concerned individuals supported this measure. The Department of Public Safety, Legislative Reference Bureau, Community Alliance on Prisons, and a concerned individual offered comments.

Your Committee has amended this measure by:

- (1) Requesting the Administrator of the Judiciary's Adult Client Services Branch, or the Administrator's designee, and the Chairperson of the Holomua Puuhonua Committee, or the Chairperson's designee, to join the task force;
- (2) Requesting the Judiciary and the Department of Public Safety, rather than the Legislative Reference Bureau, to provide administrative support to the task force;
- (3) Changing the reporting date of the task force's report from 2018 to 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 Public Safety that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 85, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.C.R. No. 85, H.D. 1.

Signed by all members of the Committee except Representative Har.

SCRep. 1327-16 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.R. No. 112

The purpose of this measure is to request Waipi'o Valley Stakeholders Alliance to coordinate with other interested parties to provide guidance and mana'o regarding the future preservation and stewardship of Waipi'o Valley.

The Aha Moku Advisory Committee, Waipi'o Valley Stakeholders Alliance, Ho'omana Pono, LLC, and a few individuals provided testimony in support of the 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.R. No. 112 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1328-16 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 162

The purpose of this measure is to request Waipi‘o Valley Stakeholders Alliance to coordinate with other interested parties to provide guidance and mana‘o regarding the future preservation and stewardship of Waipi‘o Valley.

The Aha Moku Advisory Committee, Waipi‘o Valley Stakeholders Alliance, Ho‘omana Pono, LLC, and a few individuals provided testimony in support of the 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. 162 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1329-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 35

The purpose of this measure is to provide the thousands of immigrants residing on the neighbor islands with equal access to the immigration process by urging the United States Citizenship and Immigration Services to immediately resume mobile biometric intake and interviews in the counties of Hawaii, Maui, and Kauai.

The Hawaii State Commission on the Status of Women, Catholic Charities Hawaii, Hawaii Coalition for Immigrant Rights, and several 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 concurs with the intent and purpose of H.R. No. 35 and recommends that it be referred to your Committee on Judiciary.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong, Ohno and Woodson.

SCRep. 1330-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 40

The purpose of this measure is to honor and acknowledge the service of deceased veterans and retirees of the United States Air Force by requesting the Secretary of the Air Force to provide eight-person firing parties at the funerals of all Air Force veterans and retirees who were discharged or released under conditions other than dishonorable.

The Office of Veterans' Services 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 H.C.R. No. 40 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong, Ohno and Woodson.

SCRep. 1331-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 77

The purpose of this measure is to establish a relationship with the Province of Aklan, Republic of the Philippines, by authorizing and establishing a sister-state/province relationship, as advised by the Hawaii Sister-State Committee, between the State of Hawaii and the Province of Aklan.

The Consulate General of the Republic of the Philippines, Honolulu, Aklan State University, and Aklan Cultural Society of Hawaii Foundation supported this measure. The Department of Business, Economic Development, and Tourism submitted comments on this measure.

Your Committee has amended this measure by correcting a typographical error in the spelling of the Province of Isabela.

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. 77, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 77, H.D. 1.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1332-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 123

The purpose of this measure is to establish a relationship with the Province of Aklan, Republic of the Philippines, by authorizing and establishing a sister-state/province relationship, as advised by the Hawaii Sister-State Committee, between the State of Hawaii and the Province of Aklan.

The Consulate General of the Republic of the Philippines, Honolulu, Aklan State University, and Aklan Cultural Society of Hawaii Foundation supported this measure. The Department of Business, Economic Development, and Tourism submitted comments on this measure.

Your Committee has amended this measure by correcting a typographical error in the spelling of the Province of Isabela.

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. 123, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 123, H.D. 1.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1333-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 83

The purpose of this measure is to provide a tangible, permanent reminder of the sacrifice, dedication, and service of the men and women of the United States Armed Forces by requesting the Governor to take all necessary action to rename and designate the section of Kapule Highway from Rice Street to Ahukini Road in the County of Kaua'i as the Kaua'i Veterans Memorial Highway and requesting the Department of Transportation to provide and maintain the appropriate signage.

The Office of Veterans' Services 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 H.R. No. 83 and recommends that it be referred to your Committee on Transportation.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1334-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 130

The purpose of this measure is to provide a tangible, permanent reminder of the sacrifice, dedication, and service of the men and women of the United States Armed Forces by requesting the Governor to take all necessary action to rename and designate the section of Kapule Highway from Rice Street to Ahukini Road in the County of Kaua'i as the Kaua'i Veterans Memorial Highway and requesting the Department of Transportation to provide and maintain the appropriate signage.

The Office of Veterans' Services 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 H.C.R. No. 130 and recommends that it be referred to your Committee on Transportation.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1335-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 81

The purpose of this measure is to determine the feasibility of creating an economic sector around artist, craft persons, performing artists, writers, and the culture they create by requesting the Legislative Reference Bureau to conduct a survey and evaluation of artist relocation programs and the potential for the creation of such a program in Hawaii.

The State Foundation on Culture and the Arts supported this measure. The Legislative Reference Bureau 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 concurs with the intent and purpose of H.R. No. 81 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1336-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 128

The purpose of this measure is to determine the feasibility of creating an economic sector around artist, craft persons, performing artists, writers, and the culture they create by requesting the Legislative Reference Bureau to conduct a survey and evaluation of artist relocation programs and the potential for the creation of such a program in Hawaii.

The State Foundation on Culture and the Arts supported this measure. The Legislative Reference Bureau 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 concurs with the intent and purpose of H.C.R. No. 128 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1337-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 15

The purpose of this measure is to acknowledge the service and sacrifice of American prisoners of war and those missing in action, symbolized by the National League of Families' POW/MIA flag (POW/MIA flag), by requesting the Governor to order that:

- (1) Whenever the United States flag is flown on a permanent flagpole in front of the State Capitol, the POW/MIA flag be flown on the same halyard directly under the United States flag; and
- (2) If the United States and the Hawaii State flags are flown in front of the State Capitol on different halyards, the POW/MIA flag be flown directly below the United States flag, or if on the same halyard, the POW/MIA flag be flown directly under the Hawaii State flag.

The Office of Veterans' Services and National Association for Uniformed Services, Hawaii Chapter, 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 H.R. No. 15 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong, Ohno and Woodson.

SCRep. 1338-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 46

The purpose of this measure is to acknowledge the service and sacrifice of American prisoners of war and those missing in action, symbolized by the National League of Families' POW/MIA flag (POW/MIA flag), by requesting the Governor to order that:

- (1) Whenever the United States flag is flown on a permanent flagpole in front of the State Capitol, the POW/MIA flag be flown on the same halyard directly under the United States flag; and
- (2) If the United States and the Hawaii State flags are flown in front of the State Capitol on different halyards, the POW/MIA flag be flown directly below the United States flag, or if on the same halyard, the POW/MIA flag be flown directly under the Hawaii State flag.

The Office of Veterans' Services and National Association for Uniformed Services, Hawaii Chapter, 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 H.C.R. No. 46 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong, Ohno and Woodson.

SCRep. 1339-16 Water & Land on H.C.R. No. 10

The purpose of this measure is to urge the various State and county departments that manage and own land around each of the planned rail transit stations on Oahu to consider to the greatest extent possible, development of communities that provide for affordable housing, child and family services, elderly services, and recreational, historic, cultural, and other beneficial opportunities in a safe and enjoyable environment for residents.

The Hawaii Housing Finance and Development Corporation and Office of Planning 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 concurs with the intent and purpose of H.C.R. No. 10 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1340-16 Water & Land on H.C.R. No. 13

The purpose of this measure is to grant legislative approval for the sale of the leased fee interest in 41-648 Inoaole Street, Waimanalo, Hawaii to the leasehold owner of the single-family home located there in accordance with section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism and the Hawaii Housing Finance and Development Corporation provided testimony in support of the 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 concurs with the intent and purpose of H.C.R. No. 13 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1341-16 Water & Land on H.C.R. No. 14

The purpose of this measure is to grant legislative approval for the sale of the leased fee interest in 47-394 Keohapa Place, Kaneohe, Hawaii to the leasehold owner of the single-family home located there in accordance with section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation provided testimony in support of the 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 concurs with the intent and purpose of H.C.R. No. 14 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1342-16 Water & Land on H.C.R. No. 15

The purpose of this measure is to grant legislative approval for the sale of the leased fee interest located at 95-029 Kuahelani Avenue, No. 128, Mililani, Hawaii to the leasehold owner of the apartment unit located there in accordance with section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation provided testimony in support of the 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 concurs with the intent and purpose of H.C.R. No. 15 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1343-16 Water & Land on H.C.R. No. 16

The purpose of this measure is to grant legislative approval for the sale of the leased fee interest in 94-946 Meheula Parkway, No. 264, Mililani, Hawaii to the leasehold owner of the apartment unit located there in accordance with section 171-64.7, Hawaii Revised Statutes.

The Hawaii Housing Finance and Development Corporation provided testimony in support of the 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 concurs with the intent and purpose of H.C.R. No. 16 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1344-16 Water & Land on H.C.R. No. 58

The purpose of this measure is to authorize the Board of Land and Natural Resources to amend Land Office Deed No. 27836, granting a non-exclusive perpetual easement for seawall maintenance and repair purposes, and for landscaping purposes, to include an additional area of 943 square feet, more or less, within the scope of coverage under the easement at Lahaina on the island of Maui.

The Department of Land and Natural Resources 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 concurs with the intent and purpose of H.C.R. No. 58 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1345-16 Economic Development & Business on H.R. No. 131

The purpose of this measure is to request that the University of Hawaii, West Oahu, collaborate with the State Procurement Office to prepare a report to:

- (1) Explore, collect data, and report on the viability of a Workforce Development Pilot Program in the field of procurement;
- (2) Determine the educational requirements for a robust certification program, and
- (3) Explore the possibility of a partnership between the University of Hawaii, West Oahu, and the State Procurement Office for workforce development

The State Procurement Office and the University of Hawaii System offered comments on 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 concurs with the intent and purpose of H.R. No. 131 and recommends that it be referred to your Committee on Higher Education.

Signed by all members of the Committee except Representative Kong.

SCRep. 1346-16 Economic Development & Business on H.C.R. No. 184

The purpose of this measure is to request that the University of Hawaii, West Oahu, collaborate with the State Procurement Office to prepare a report to:

- (1) Explore, collect data, and report on the viability of a Workforce Development Pilot Program in the field of procurement;
- (2) Determine the educational requirements for a robust certification program, and
- (3) Explore the possibility of a partnership between the University of Hawaii, West Oahu, and the State Procurement Office for workforce development

The State Procurement Office and the University of Hawaii System offered comments on 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 concurs with the intent and purpose of H.C.R. No. 184 and recommends that it be referred to your Committee on Higher Education.

Signed by all members of the Committee except Representative Kong.

SCRep. 1347-16 Economic Development & Business on H.R. No. 142

The purpose of this measure is to request the State Procurement Office to review Hawaii's procurement laws in comparison to federal procurement laws.

The State Procurement Office submitted testimony in opposition of this measure. The Department of Accounting and General Services and the General Contractors Association of Hawaii 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.R. No. 142 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1348-16 Economic Development & Business on H.C.R. No. 196

The purpose of this measure is to request the State Procurement Office to review Hawaii's procurement laws in comparison to federal procurement laws.

The State Procurement Office submitted testimony in opposition of this measure. The Department of Accounting and General Services and the General Contractors Association of Hawaii 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. 196 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1349-16 Economic Development & Business on H.R. No. 51

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study reviewing developments in the retail sector that are projected for the next five to ten years and to analyze the economic impact of retail on the State's economy and workforce.

The Department of Business, Economic Development, and Tourism offered comments on this measure. Retail Merchants of Hawaii 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 concurs with the intent and purpose of H.R. No. 51 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1350-16 Economic Development & Business on H.C.R. No. 89

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study reviewing developments in the retail sector that are projected for the next five to ten years and to analyze the economic impact of retail on the State's economy and workforce.

The Department of Business, Economic Development, and Tourism offered comments on this measure. Retail Merchants of Hawaii 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 concurs with the intent and purpose of H.C.R. No. 89 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1351-16 Tourism on H.R. No. 53

The purpose of this measure is to alleviate traffic congestion in the busy area of West Maui, reduce wear and tear on existing roads in the much traveled Lahaina area, save travel time, lessen fuel consumption, and make for a less stressful travel experience for all by urging the visitor industry, government agencies, and the vehicle global positioning system industry to encourage the use of the Lahaina Bypass.

The Department of Transportation; West Maui Taxpayers Association, Inc.; and a concerned individual 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 concurs with the intent and purpose of H.R. No. 53 and recommends that it be referred to your Committee on Transportation.

Signed by all members of the Committee except Representatives Ito, Kawakami, Kong, Tokioka, Matsumoto and Ward.

SCRep. 1352-16 Tourism on H.C.R. No. 92

The purpose of this measure is to alleviate traffic congestion in the busy area of West Maui, reduce wear and tear on existing roads in the much traveled Lahaina area, save travel time, lessen fuel consumption, and make for a less stressful travel experience for all by urging the visitor industry, government agencies, and the vehicle global positioning system industry to encourage the use of the Lahaina Bypass.

The Department of Transportation; West Maui Taxpayers Association, Inc.; and a concerned individual 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 concurs with the intent and purpose of H.C.R. No. 92 and recommends that it be referred to your Committee on Transportation.

Signed by all members of the Committee except Representatives Ito, Kawakami, Kong, Tokioka, Matsumoto and Ward.

SCRep. 1353-16 Economic Development & Business on H.R. No. 26

The purpose of this measure is to recognize aerospace as a strategic and timely growth industry for Hawaii and to request the State administration to take proactive, coordinated, and sustained action to fully realize the significant scientific, educational, and commercial benefits the aerospace industry can bring to the State.

The Department of Business, Economic Development, and Tourism 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 concurs with the intent and purpose of H.R. No. 26 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1354-16 Economic Development & Business on H.C.R. No. 59

The purpose of this measure is to recognize aerospace as a strategic and timely growth industry for Hawaii and to request the State administration to take proactive, coordinated, and sustained action to fully realize the significant scientific, educational, and commercial benefits the aerospace industry can bring to the State.

The Department of Business, Economic Development, and Tourism 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 concurs with the intent and purpose of H.C.R. No. 59 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Kong.

SCRep. 1355-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.R. No. 82

The purpose of this measure is to lessen the stigma associated with post-traumatic stress by designating June 27, 2016, as "Post-Traumatic Stress Awareness Day" to encourage all public, private, and military service providers to continue educating service members and veterans and their families, victims of abuse, crimes, and natural disasters, and the general public about causes, symptoms, and treatment for post-traumatic stress injuries.

The Office of Veterans' Services supported this measure. The Department of Defense 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.R. No. 82 and recommends its adoption.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1356-16 Veterans, Military, & International Affairs, & Culture and the Arts on H.C.R. No. 129

The purpose of this measure is to lessen the stigma associated with post-traumatic stress by designating June 27, 2016, as "Post-Traumatic Stress Awareness Day" to encourage all public, private, and military service providers to continue educating service members and veterans and their families, victims of abuse, crimes, and natural disasters, and the general public about causes, symptoms, and treatment for post-traumatic stress injuries.

The Office of Veterans' Services supported this measure. The Department of Defense 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. 129 and recommends its adoption.

Signed by all members of the Committee except Representatives Brower, Kawakami, Kong and Woodson.

SCRep. 1357-16 Judiciary on S.B. No. 2310

The purpose of this measure is to prohibit the court from granting mutual protective orders unless separate petitions are filed and reasonable noticing of the filing is provided.

The Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the City and County of Honolulu, Domestic Violence Action Center, American Association of University Women in Hawaii, Hawaii State Coalition Against Domestic Violence, and two individuals supported this measure. An individual opposed this measure.

Your Committee finds that the practice of issuing mutual protective orders in domestic abuse cases, which are protective orders issued against both parties to a dispute, should be prohibited unless the responding party files a separate petition and provides reasonable notice to the other party. Your Committee further finds that even though the practice has fallen out of fashion, the issue still persists in domestic abuse cases.

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. 2310 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kawakami, Morikawa and Woodson.

SCRep. 1358-16 Labor & Public Employment on H.R. No. 120

The purpose of this measure is to urge the Employees' Retirement System (ERS) and Employer-Union Health Benefits Trust Fund to divest all holdings in companies and stocks with a majority interest in fossil fuels no later than the year 2021.

The University of Hawaii Professional Assembly testified in support of this measure. The ERS Board of Trustees; Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund, Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and one individual testified in opposition.

Your Committee has amended this measure by:

- (1) Urging the ERS Board of Trustees, working in conjunction with a reputable firm of investment consultants, to submit a report to the Legislature assessing the impact on the ERS portfolio of fossil fuel investments rather than urging the ERS and Employer-Union Health Benefits Trust Fund to divest all holdings in companies and stocks with a majority interest in fossil fuels; and
- (2) Changing its title to read: "URGING THE EMPLOYEES' RETIREMENT SYSTEM TO WORK IN CONJUNCTION WITH A REPUTABLE FIRM OF INVESTMENT CONSULTANTS TO SUBMIT A REPORT ASSESSING THE IMPACT ON THE EMPLOYEES' RETIREMENT SYSTEM'S PORTFOLIO OF FOSSIL FUEL INVESTMENTS TO THE LEGISLATURE."

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. 120, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 120, H.D. 1.

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

SCRep. 1359-16 Labor & Public Employment on H.C.R. No. 170

The purpose of this measure is to urge the Employees' Retirement System (ERS) and Employer-Union Health Benefits Trust Fund to divest all holdings in companies and stocks with a majority interest in fossil fuels no later than the year 2021.

The University of Hawaii Professional Assembly testified in support of this measure. The ERS Board of Trustees; Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund, Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, and one individual testified in opposition.

Your Committee has amended this measure by:

- (1) Urging the ERS Board of Trustees, working in conjunction with a reputable firm of investment consultants, to submit a report to the Legislature assessing the impact on the ERS portfolio of fossil fuel investments rather than urging the ERS and Employer-Union Health Benefits Trust Fund to divest all holdings in companies and stocks with a majority interest in fossil fuels; and
- (2) Changing its title to read: "URGING THE EMPLOYEES' RETIREMENT SYSTEM TO WORK IN CONJUNCTION WITH A REPUTABLE FIRM OF INVESTMENT CONSULTANTS TO SUBMIT A REPORT ASSESSING THE IMPACT ON THE EMPLOYEES' RETIREMENT SYSTEM'S PORTFOLIO OF FOSSIL FUEL INVESTMENTS TO THE LEGISLATURE."

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. 170, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 170, H.D. 1.

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

SCRep. 1360-16 Labor & Public Employment on H.R. No. 10

The purpose of this measure is to request the Hawaii Employer-Union Health Benefits Trust Fund to:

- (1) Review its health insurance policies for retirees and their family members to ensure that retirees' dependents are afforded health insurance coverage to the same extent as their peers who are eligible for continued coverage as a dependent under the Affordable Care Act;
- (2) Provide and explain its reasons for different age eligibility requirements for dependents than those set forth in the Affordable Care Act; and
- (3) Provide retiree members with alternative options to obtain coverage for dependents who are disqualified from extended coverage under their parents' health insurance policies because they are not attending a college or other form of post-secondary education.

The University of Hawaii Professional Assembly 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.R. No. 10 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1361-16 Labor & Public Employment on H.C.R. No. 38

The purpose of this measure is to request the Hawaii Employer-Union Health Benefits Trust Fund to:

- (1) Review its health insurance policies for retirees and their family members to ensure that retirees' dependents are afforded health insurance coverage to the same extent as their peers who are eligible for continued coverage as a dependent under the Affordable Care Act;
- (2) Provide and explain its reasons for different age eligibility requirements for dependents than those set forth in the Affordable Care Act; and
- (3) Provide retiree members with alternative options to obtain coverage for dependents who are disqualified from extended coverage under their parents' health insurance policies because they are not attending a college or other form of post-secondary education.

The University of Hawaii Professional Assembly 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. 38 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1362-16 Labor & Public Employment on H.R. No. 88

The purpose of this measure is to:

- (1) Request the state departments and the several counties to affirm the tenets and principles found in the Convention on the Elimination of All Forms of Discrimination Against Women;
- (2) Urge the state departments and the several counties to work with the Hawaii State Commission on the Status of Women to develop gender analysis guidelines, and include the examination of race, disability, immigration status, sexual orientation, and other demographic characteristics that are linked to gender; and
- (3) Urge the Department of Human Resources Development and the several counties to implement a gender analysis of governmental functions.

The Hawaii State Commission on the Status of Women, YWCA of Oahu, and Planned Parenthood Votes Northwest and Hawaii 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.R. No. 88 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1363-16 Labor & Public Employment on H.C.R. No. 136

The purpose of this measure is to:

- (1) Request the state departments and the several counties to affirm the tenets and principles found in the Convention on the Elimination of All Forms of Discrimination Against Women;
- (2) Urge the state departments and the several counties to work with the Hawaii State Commission on the Status of Women to develop gender analysis guidelines, and include the examination of race, disability, immigration status, sexual orientation, and other demographic characteristics that are linked to gender; and
- (3) Urge the Department of Human Resources Development and the several counties to implement a gender analysis of governmental functions.

The Hawaii State Commission on the Status of Women, YWCA of Oahu, and Planned Parenthood Votes Northwest and Hawaii 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. 136 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1364-16 Labor & Public Employment on H.R. No. 41

The purpose of this measure is to designate April 28, 2016, as "Workers' Memorial Day" in Hawaii in memory of workers killed, injured, or disabled in the workplace.

The Department of Labor and Industrial Relations, Hawaii State AFL-CIO, and Hawaii Construction 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 concurs with the intent and purpose of H.R. No. 41 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1365-16 Labor & Public Employment on H.C.R. No. 79

The purpose of this measure is to designate April 28, 2016, as "Workers' Memorial Day" in Hawaii in memory of workers killed, injured, or disabled in the workplace.

The Department of Labor and Industrial Relations, Hawaii State AFL-CIO, and Hawaii Construction 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 concurs with the intent and purpose of H.C.R. No. 79 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1366-16 Education on H.R. No. 37

The purpose of this measure is to urge the Department of Education to include neighbor island school complexes in any future heat abatement studies and to use scientific data and methods to determine heat abatement priority rankings of schools, and increase transparency in the methodology used to determine priority rankings.

The Department of Education, the Hawaii State Teachers Association, and a concerned individual 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 concurs with the intent and purpose of H.R. No. 37 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1367-16 Education on H.C.R. No. 74

The purpose of this measure is to urge the Department of Education to include neighbor island school complexes in any future heat abatement studies and to use scientific data and methods to determine heat abatement priority rankings of schools, and increase transparency in the methodology used to determine priority rankings.

The Department of Education, Hawaii State Teachers Association, and a concerned individual 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 concurs with the intent and purpose of H.C.R. No. 74 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1368-16 Education on H.R. No. 86

The purpose of this measure is to request the convening of a working group to review after-school programs in Hawaii's public middle and intermediate schools and provide recommendations for improving the availability, quality, and coordination of these programs.

The Department of Education and Hawaii Youth Services Network supported this measure. The Department of Human Services 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 concurs with the intent and purpose of H.R. No. 86 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1369-16 Education on H.C.R. No. 133

The purpose of this measure is to request the convening of a working group to review after-school programs in Hawaii's public middle and intermediate schools and provide recommendations for improving the availability, quality, and coordination of these programs.

The Department of Education and Hawaii Youth Services Network supported this measure. The Department of Human Services 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 concurs with the intent and purpose of H.C.R. No. 133 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1370-16 Education on H.R. No. 89

The purpose of this measure is to request the Department of Education to affirm its commitment to uphold the tenets of Title IX of the Education Amendment Act of 1972 and submit a report to the Legislature regarding the addition of complex area Title IX coordinators.

The Department of Education, Hawaii State Commission on the Status of Women, Hawaii Civil Rights Commission, Hawaii Women's Coalition, and Planned Parenthood Votes Northwest and Hawaii 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 concurs with the intent and purpose of H.R. No. 89 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1371-16 Education on H.C.R. No. 137

The purpose of this measure is to request the Department of Education to affirm its commitment to uphold the tenets of Title IX of the Education Amendment Act of 1972 and submit a report to the Legislature regarding the addition of complex area Title IX coordinators.

The Department of Education, Hawaii State Commission on the Status of Women, Hawaii Civil Rights Commission, Hawaii Women's Coalition, and Planned Parenthood Votes Northwest and Hawaii 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 concurs with the intent and purpose of H.C.R. No. 137 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1372-16 Education on H.R. No. 97

The purpose of this measure is to request that the Department of Education provide equipment necessary for a full-service conventional kitchen at Keaukaha Elementary School and to provide necessary positions to operate the kitchen.

The Department of Education and several 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 concurs with the intent and purpose of H.R. No. 97 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ito, Kong and Tupola.

SCRep. 1373-16 Education on H.C.R. No. 146

The purpose of this measure is to request that the Department of Education provide equipment necessary for a full-service conventional kitchen at Keaukaha Elementary School and to provide necessary positions to operate the kitchen.

The Department of Education and several 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 concurs with the intent and purpose of H.C.R. No. 146 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1374-16 Education on H.R. No. 116

The purpose of this measure is to request that the Department of Education provide the Legislature with a comprehensive report on public school funding which includes comparisons to educational expenditures on the mainland as well as budgetary projections for expansions in educational programs and teacher retention efforts.

The Department of Education, Hawaii State Teachers Association, and Imua Alliance 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 concurs with the intent and purpose of H.R. No. 116 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1375-16 Education on H.C.R. No. 166

The purpose of this measure is to request that the Department of Education provide the Legislature with a comprehensive report on public school funding which includes comparisons to educational expenditures on the mainland as well as budgetary projections for expansions in educational programs and teacher retention efforts.

The Department of Education, Hawaii State Teachers Association, and Imua Alliance 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 concurs with the intent and purpose of H.C.R. No. 166 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1376-16 Energy & Environmental Protection on H.R. No. 9

The purpose of this measure is to encourage Hawaii's electric utilities to implement a program in which credits from excess energy received from residential photovoltaic customers may be donated to nonprofit organizations or schools for their electricity bills.

A concerned individual supported this measure. The Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company opposed the measure.

Your Committee has amended this measure by:

- (1) Encouraging the Public Utilities Commission, rather than Hawaii's electric utilities, to implement a program in which credits from excess energy received from residential photovoltaic customers may be donated to nonprofit organizations or schools for their electricity bills;
- (2) Changing its title to read: "ENCOURAGING THE PUBLIC UTILITIES COMMISSION TO IMPLEMENT A PROGRAM IN WHICH CREDITS FROM EXCESS ENERGY RECEIVED FROM RESIDENTIAL PHOTOVOLTAIC CUSTOMERS MAY BE DONATED TO NONPROFIT ORGANIZATIONS OR SCHOOLS FOR THEIR ELECTRICITY BILLS."; 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. 9, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 9, H.D. 1.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1377-16 Energy & Environmental Protection on H.C.R. No. 37

The purpose of this measure is to encourage Hawaii's electric utilities to implement a program in which credits from excess energy received from residential photovoltaic customers may be donated to nonprofit organizations or schools for their electricity bills.

A concerned individual supported this measure. The Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company opposed the measure.

Your Committee has amended this measure by:

- (1) Encouraging the Public Utilities Commission, rather than Hawaii's electric utilities, to implement a program in which credits from excess energy received from residential photovoltaic customers may be donated to nonprofit organizations or schools for their electricity bills;

- (2) Changing its title to read: "ENCOURAGING THE PUBLIC UTILITIES COMMISSION TO IMPLEMENT A PROGRAM IN WHICH CREDITS FROM EXCESS ENERGY RECEIVED FROM RESIDENTIAL PHOTOVOLTAIC CUSTOMERS MAY BE DONATED TO NONPROFIT ORGANIZATIONS OR SCHOOLS FOR THEIR ELECTRICITY BILLS."; 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. 37, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 37, H.D. 1.

Signed by all members of the Committee except Representative Thielen.

SCRep. 1378-16 Energy & Environmental Protection on H.C.R. No. 87

The purpose of this measure is to request the Public Utilities Commission to assess the feasibility and the potential merits and benefits of the energy cooperative model for the island of Hawaii.

Several concerned individuals supported this measure. The Public Utilities Commission opposed the measure.

Your Committee has amended this measure by:

- (1) Requesting the Department of Business, Economic Development, and Tourism, rather than the Public Utilities Commission, to assess the feasibility and the potential merits and benefits of the energy cooperative model for the island of Hawaii;
- (2) Changing its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSESS THE FEASIBILITY AND THE POTENTIAL MERITS AND BENEFITS OF THE ENERGY COOPERATIVE MODEL FOR THE ISLAND OF HAWAII"; 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. 87, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 87, H.D. 1.

Signed by all members of the Committee except Representative Nishimoto.

SCRep. 1379-16 Energy & Environmental Protection on H.C.R. No. 187

The purpose of this measure is to urge the Office of Environmental Quality Control to adopt the environmental justice guidance document as agency policy for use in the state environmental review process.

The Office of Environmental Quality Control, Office of Hawaiian Affairs, and a concerned 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 concurs with the intent and purpose of H.C.R. No. 187 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1380-16 Energy & Environmental Protection on H.C.R. No. 61

The purpose of this measure is to support the Ala Wai Watershed Partnership and its integrated approach to increase resilience and sustainability in the Ala Wai watershed and Waikiki and to request the chairperson of the Ala Wai Watershed Partnership to submit a progress report to the Legislature.

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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 61 and recommends that it be referred to your Committee on Water & Land.

Signed by all members of the Committee except Representatives Ing and Thielen.

SCRep. 1381-16 Ocean, Marine Resources, & Hawaiian Affairs on H.R. No. 111

The purpose of this measure is to ensure the safety of all ocean users in Kailua Bay, which is one of the most popular ocean recreation areas in the State, by urging the Department of Land and Natural Resources to increase active enforcement patrols, expand no wake speed zones, and vigorously enforce boating safety rules in Kailua Bay.

An individual submitted testimony in support of 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.R. No. 111 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1382-16 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 160

The purpose of this measure is to ensure the safety of all ocean users in Kailua Bay, which is one of the most popular ocean recreation areas in the State, by urging the Department of Land and Natural Resources to increase active enforcement patrols, expand no wake speed zones, and vigorously enforce boating safety rules in Kailua Bay.

The Kailua Neighborhood Board and several individuals submitted testimony in favor of 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. 160 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1383-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 17

The purpose of this measure is to provide prior authorization of the Legislature, as required by section 171-53, Hawaii Revised Statutes, for the issuance of a term, non-exclusive easement for state submerged lands at Kaipapau, Koolauloa on Oahu. The easement is for the purpose of repair, maintenance, and continued use of an existing rock seawall and other improvements which have been found to encroach on the state submerged lands.

The Department of Land and Natural Resources submitted 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 concur with the intent and purpose of H.C.R. No. 17 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1384-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 18

The purpose of this measure is to provide prior authorization of the Legislature, as required by section 171-53, Hawaii Revised Statutes, for the issuance of a term, nonexclusive easement for state submerged lands at Kaneohe, Koolaupoko on Oahu. This easement is for the purpose of repair, maintenance, and continued use of an existing pier and represents the conversion of a month-to-month permit that has been in existence for almost 40 years for the same purpose into a more stable instrument.

The Department of Land and Natural Resources submitted 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 concur with the intent and purpose of H.C.R. No. 18 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1385-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 19

The purpose of this measure is to provide prior authorization of the Legislature, as required by section 171-53, Hawaii Revised Statutes, for the issuance of a term, non-exclusive easement for state submerged lands at Waikiki, Honolulu on Oahu. The easement is for the purpose of repair, maintenance, and continued use of an existing seawall and steps which have been found to encroach on the state submerged lands.

The Department of Land and Natural Resources submitted 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 concur with the intent and purpose of H.C.R. No. 19 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1386-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 20

The purpose of this measure is to provide prior authorization of the Legislature, as required by section 171-53, Hawaii Revised Statutes, for the issuance of a term, non-exclusive easement for state submerged lands at Makaha, Waianae on Oahu. The easement is an expansion of an existing easement for the purpose of repair, maintenance, and continued use of an existing seawall which has been discovered to encroach upon a larger area of state submerged lands than originally thought.

The Department of Land and Natural Resources, Ho'omana Pono, LLC and an individual submitted 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 concur with the intent and purpose of H.C.R. No. 20 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1387-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 21

The purpose of this measure is to provide prior authorization of the Legislature, as required by section 171-53, Hawaii Revised Statutes, for the issuance of a term, non-exclusive easement for state submerged lands at Sand Island, Honolulu on Oahu. The purpose of the easement is to permit the replacement of an existing floating dock and installation of a new floating dock under a lease granted to the University of Hawaii for its Marine Educational Training Center and School of Ocean and Earth Science and Technology.

The Department of Land and Natural Resources and University of Hawai'i submitted 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 concur with the intent and purpose of H.C.R. No. 21 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1388-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 27

The purpose of this measure is to provide prior authorization of the Legislature, as required by section 171-53, Hawaii Revised Statutes, for the issuance of a term, non-exclusive easement for state submerged lands at Kukuila, Koloa on Kauai. The easement is for the repair, maintenance, and continued use of a rock seawall that encroaches on state submerged land.

The Department of Land and Natural Resources and Esaki Surveying & Mapping, Inc. testified 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 concur with the intent and purpose of H.C.R. No. 27 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1389-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 28

The purpose of this measure is to provide prior authorization of the Legislature, as required by section 171-53, Hawaii Revised Statutes, for the issuance of a term, non-exclusive easement for state submerged lands at Heeia, Koolaupoko on Oahu. The purpose of the easement is to expand an existing easement for a boat dock located on state submerged lands to enable continued use, construction, repair, and maintenance of the boat dock.

The Department of Land and Natural Resources submitted comments 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 concur with the intent and purpose of H.C.R. No. 28 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1390-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on H.C.R. No. 181

The purpose of this measure is to provide prior authorization of the Legislature, as required by section 171-53, Hawaii Revised Statutes, for the issuance of a term, non-exclusive easement for state submerged lands at Puamana, Lahaina on Maui. The purpose of the easement is to amend existing easements that were granted to the Puamana Community Association for existing seawall structures, a concrete groin, and revetment footings for a historic swimming pool in order to encompass the entire area of state submerged land occupied by these structures.

The Department of Land and Natural Resources and Puamana Community Association submitted 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 concur with the intent and purpose of H.C.R. No. 181 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1391-16 Water & Land on H.R. No. 128

The purpose of this measure is to urge the Department of Land and Natural Resources to preserve pueo habitat areas on the Ewa Plains and conduct an extensive pueo habitat inventory.

The Aha Moku Advisory Committee, Conservation Council for Hawaii, and an individual provided testimony in support of the measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Making its application statewide, and not just limited to the Ewa plains; and
- (2) Changing its title to read: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE PUEO HABITAT AREAS ACROSS THE STATE AND CONDUCT AN EXTENSIVE PUEO HABITAT INVENTORY."

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. 128, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 128, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1392-16 Water & Land on H.C.R. No. 178

The purpose of this measure is to urge the Department of Land and Natural Resources to preserve pueo habitat areas on the Ewa Plains and conduct an extensive pueo habitat inventory.

The Aha Moku Advisory Committee, Conservation Council for Hawaii, and an individual provided testimony in support of the measure. The Department of Land and Natural Resources provided comments.

Your Committee has amended this measure by:

- (1) Making its application statewide, and not just limited to the Ewa plains; and
- (2) Changing its title to read: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE PUEO HABITAT AREAS ACROSS THE STATE AND CONDUCT AN EXTENSIVE PUEO HABITAT INVENTORY."

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. 178, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 178, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1393-16 Water & Land on H.R. No. 4

The purpose of this measure is to support game mammal, game bird, and fishing resources in order to promote sustainability and food security and to preserve long standing local and cultural practices.

The Hawaii County Game Management Advisory Commission, Hawai'i Farm Bureau, Hawaii Hunting Association, Hawaii Goes Fishing, The Society for Hawaii Heritage Animals, Hawaii Nearshore Fishermen, Hawaii Seafood Council, S. Tokunaga Store Inc., Ho'okipa Network-Kauai, and many individuals provided testimony in support of the measure. The Department of Land and Natural Resources and Aha Moku Advisory Committee provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Deleting all references to the State Constitution; 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 4, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 4, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1394-16 Water & Land on H.C.R. No. 22

The purpose of this measure is to support game mammal, game bird, and fishing resources in order to promote sustainability and food security and to preserve long standing local and cultural practices.

The Hawaii County Game Management Advisory Commission, Hawai'i Farm Bureau, Hawaii Hunting Association, Hawaii Goes Fishing, The Society for Hawaii Heritage Animals, Hawaii Nearshore Fishermen, Hawaii Seafood Council, S. Tokunaga Store Inc., Ho'okipa Network-Kauai, and many individuals provided testimony in support of the measure. The Department of Land and Natural Resources and Aha Moku Advisory Committee provided testimony in opposition.

Your Committee has amended this measure by:

- (1) Deleting all references to the State Constitution; 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 Water & Land 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 your 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 Ing and Pouha.

SCRep. 1395-16 Ocean, Marine Resources, & Hawaiian Affairs on H.C.R. No. 188

The purpose of this measure is to bring final resolution to the outstanding matter of determining the appropriate amount of income and proceeds from the public land trust that the Office of Hawaiian Affairs shall receive annually by requesting the establishment of a negotiating committee with members representing the Senate, the House of Representatives, the Governor, and the Office of Hawaiian Affairs.

The Department of the Attorney General, Office of Hawaiian Affairs, and several individuals submitted testimony in support of this measure. The Department of Budget and Finance and Association of Hawaiian Civic Clubs submitted comments.

Your Committee has amended this measure by:

- (1) Adding the Governor, Speaker of the House of Representatives, and President of the Senate to the list of persons to receive certified copies of this measure; 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 concurs with the intent and purpose of H.C.R. No. 188, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 188, H.D. 1.

Signed by all members of the Committee except Representative Pouha.

SCRep. 1396-16 Transportation on H.R. No. 55

The purpose of this measure to improve transportation by requesting work on the H-1 corridor study to be expedited and the State and City and County of Honolulu to evaluate traffic management initiatives and Department of Transportation-sponsored projects in the Oahu Metropolitan Planning Organization to address traffic congestion in the Aiea-Red Hill-Moanalua-Salt Lake Area.

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. 55 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1397-16 Transportation on H.C.R. No. 94

The purpose of this measure is to improve transportation by requesting work on the H-1 corridor study to be expedited and the State and City and County of Honolulu to evaluate traffic management initiatives and Department of Transportation-sponsored projects in the Oahu Metropolitan Planning Organization to address traffic congestion in the Aiea-Red Hill-Moanalua-Salt Lake Area.

The Department of Transportation Services of the City and County of Honolulu, a Councilmember from the City and County of Honolulu, and two individuals testified in support. The Department of Transportation provided comments. An individual testified in opposition.

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. 94 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1398-16 Transportation on H.R. No. 50

The purpose of this measure is to honor the legacy of Senator Daniel K. Inouye by requesting the Department of Transportation to recognize the significant accomplishments and contributions of the late Senator Daniel K. Inouye by designating the Honolulu International Airport as the Daniel K. Inouye International Airport.

The Department of Transportation and The Daniel K. Inouye Institute 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. 50 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1399-16 Transportation on H.C.R. No. 88

The purpose of this measure is to honor the legacy of Senator Daniel K. Inouye by requesting the Department of Transportation to recognize the significant accomplishments and contributions of the late Senator Daniel K. Inouye by designating the Honolulu International Airport as the Daniel K. Inouye International Airport.

The Department of Transportation and The Daniel K. Inouye Institute 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. 88 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1400-16 Transportation on H.R. No. 119

The purpose of this measure is to improve transportation by requesting the Department of Transportation to begin construction of the Leeward Bikeway in 2016.

Hawaii Bicycling League and an 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. 119 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1401-16 Transportation on H.C.R. No. 169

The purpose of this measure is to improve transportation by requesting the Department of Transportation to begin construction of the Leeward Bikeway in 2016.

The Hawaii Bicycling League, Cycle on Hawaii and an individual testified in support. The Department of Transportation supported the intent.

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. 169 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1402-16 Transportation on H.R. No. 46

The purpose of this measure is to improve the environment by urging the State Department of Transportation and the Department of Transportation Services of the City and County of Honolulu to landscape Hawaii's public highways and roads by planting more trees.

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. 46 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1403-16 Transportation on H.C.R. No. 84

The purpose of this measure is to improve the environment by urging the State Department of Transportation and the Department of Transportation Services of the City and County of Honolulu to landscape Hawaii's public highways and roads by planting more trees.

The Department of Transportation Services of the City and County of Honolulu testified in support. The Department of Transportation supported the intent.

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. 84 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1404-16 Transportation on H.C.R. No. 108

The purpose of this measure is to increase public safety by requesting the Department of Transportation to collaborate with county police departments to educate the public about vehicular lollygagging and to enforce Hawaii's keep-right driving law.

The Department of Transportation supported the intent. An individual testified in opposition.

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. 108 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1405-16 Transportation on H.R. No. 126

The purpose of this measure is to increase public safety by urging the Department of Transportation Services of the City and County of Honolulu to implement the traffic safety recommendations identified in the Kupuna Loop sub-area corridor study and to repave all city roadways in the Kunia and Village Park Area.

An 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. 126 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1406-16 Transportation on H.C.R. No. 176

The purpose of this measure is to increase public safety by urging the Department of Transportation Services of the City and County of Honolulu to implement the traffic safety recommendations identified in the Kupuna Loop sub-area corridor study and to repave all city roadways in the Kunia and Village Park Area.

Department of Transportation Services of the City and County of Honolulu provided comments. An 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.C.R. No. 176 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1407-16 Transportation on H.R. No. 145

The purpose of this measure improve public safety by requesting the Department of Transportation to perform a feasibility study on the installation of a traffic light at the intersection of Omaopio Road and Kula Highway.

Your Committee has amended this measure by pushing back the report date to 2018 to provide the time needed to complete the study.

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. 145, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 145, H.D. 1.

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

SCRep. 1408-16 Transportation on H.C.R. No. 199

The purpose of this measure is to improve public safety by requesting the Department of Transportation to perform a feasibility study on the installation of a traffic light at the intersection of Omaopio Road and Kula Highway.

The Department of Transportation and an individual testified in support.

Your Committee has amended this measure by pushing back the report date to 2018 to provide the time needed to complete the study.

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. 199, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 199, H.D. 1.

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

SCRep. 1409-16 Transportation on H.C.R. No. 97

The purpose of this measure is to increase traffic safety by requesting the Department of Health to conduct a study on the establishment of reliable scientific thresholds and testing protocols for determining whether a person cannot safely operate a motor vehicle due to being under the influence of marijuana.

The Department of Health and an individual testified in opposition.

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. 97 and recommends that it be referred to your Committee on Health.

Signed by all members of the Committee except Representatives Har, Johanson, LoPresti and San Buenaventura.

SCRep. 1410-16 Transportation/Water & Land on H.R. No. 124

The purpose of this measure is to improve public safety by requesting the Department of Transportation, Department of Accounting and General Services, and University of Hawaii to create a mitigation plan for the Leeward and Central area of Oahu

An individual testified in support.

Your committee has amended this measure by:

- (1) Including the Honolulu Authority for Rapid Transportation, Department of Transportation Services, Hawaii Community Development Authority, and the Office of Planning.

As affirmed by the records of votes of the members of your Committees on Transportation and Water & Land that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 124, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.R. No. 124, H.D. 1.

Signed by all members of the Committee except Representatives Har, Ing, Johanson, Lee, Nakashima and Pouha.

SCRep. 1411-16 Transportation/Water & Land on H.C.R. No. 174

The purpose of this measure to improve public safety by requesting the Department of Transportation, Department of Accounting and General Services, and University of Hawaii to create a mitigation plan for the Leeward and Central area of Oahu.

The Department of Transportation testified in opposition. An individual testified in support.

Your committee has amended this measure by:

- (1) Including the Honolulu Authority for Rapid Transportation, Department of Transportation Services, Hawaii Community Development Authority, and the Office of Planning.

As affirmed by the records of votes of the members of your Committees on Transportation and Water & Land that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 174, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.C.R. No. 174, H.D. 1.

Signed by all members of the Committee except Representatives Har, Ing, Johanson, Lee, Nakashima and Pouha.

SCRep. 1412-16 Education on H.C.R. No. 150

The purpose of this measure is to help improve operations at the Department of Education by requesting the Office of the Auditor to:

- (1) Conduct an audit of the Office of Human Resources of the Department of Education to ascertain the level of staffing necessary to clear the existing backlog of ongoing investigations and avoid the need to pay for costly private investigations; and
- (2) Examine current investigation procedures and propose methods by which the amount of time required for investigations can be shortened.

The Hawaii State Teachers Association and Hawaii Government Employees Association supported this measure. The Department of Education submitted comments.

Your Committee has amended this measure by:

- (1) Changing all references to the Office of Human Resources to the Civil Rights Compliance Office;
- (2) Changing its title to read: "REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT AN AUDIT OF THE CIVIL RIGHTS COMPLIANCE OFFICE OF THE DEPARTMENT OF EDUCATION"; 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 concurs with the intent and purpose of H.C.R. No. 150, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 150, H.D. 1.

Signed by all members of the Committee except Representatives Aquino, Choy, Ing, Kong and Tupola.

SCRep. 1413-16 Consumer Protection & Commerce on H.R. No. 95

The purpose of this measure is to determine the roles of insurance appraisers and insurance umpires under the insurance code, and whether they need to be regulated to better protect consumers.

Hawaii Public Adjusters 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.R. No. 95 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Oshiro and Yamane.

SCRep. 1414-16 Consumer Protection & Commerce on H.C.R. No. 144

The purpose of this measure is to determine the roles of insurance appraisers and insurance umpires under the insurance code, and whether they need to be regulated to better protect consumers.

No testimony was submitted for 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. 144 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee, Oshiro and Yamane.

SCRep. 1415-16 Consumer Protection & Commerce on H.R. No. 104

The purpose of this measure is to request the Legislative Reference Bureau to study the feasibility of establishing a condominium ombudsman to resolve grievances brought by residents against their condominium associations without resorting to litigation.

The Community Associations Institute, Hui Malama O Hale, Hui Oiaio, and numerous individuals testified in support of this measure. Associa testified in opposition to this measure. The Real Estate Commission, Legislative Reference Bureau, and an individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting language that requests that the Legislative Reference Bureau study the feasibility of establishing a condominium ombudsman to resolve grievances brought by residents against their condominium associations without resorting to litigation;
- (2) Inserting language that changes the purpose of the resolution to request the Real Estate Commission to study the effectiveness of its existing dispute resolution process and consumer assistance program for condominium owners and associations and the possible expansion of these services to other types of homeowners associations;
- (3) Specifying that the Real Estate Commission is in the best position to evaluate the efficacy of the evaluative mediation dispute resolution program;
- (4) Specifying that the Department of Commerce and Consumer Affairs currently appoints condominium specialists who serve as de facto condominium ombudspersons;
- (5) Specifying the issues that the Real Estate Commission is requested to specifically consider when studying the effectiveness of its existing dispute resolution process and consumer assistance program for condominium owners and associations and the possible expansion of these services to other types of homeowners associations; 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 concurs with the intent and purpose of H.R. No. 104, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 104, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Lee, Oshiro and Yamane.

SCRep. 1416-16 Consumer Protection & Commerce on H.C.R. No. 152

The purpose of this measure is to request the Legislative Reference Bureau to study the feasibility of establishing a condominium ombudsman to resolve grievances brought by residents against their condominium associations without resorting to litigation.

The Community Associations Institute, Hui Malama O Hale, Hui Oiaio, and numerous individuals testified in support of this measure. Associa testified in opposition to this measure. The Real Estate Commission, Legislative Reference Bureau, and an individual provided comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting language that requests that the Legislative Reference Bureau study the feasibility of establishing a condominium ombudsman to resolve grievances brought by residents against their condominium associations without resorting to litigation;
- (2) Inserting language that changes the purpose of the resolution to request the Real Estate Commission to study the effectiveness of its existing dispute resolution process and consumer assistance program for condominium owners and associations and the possible expansion of these services to other types of homeowners associations;
- (3) Specifying that the Real Estate Commission is in the best position to evaluate the efficacy of the evaluative mediation dispute resolution program;

- (4) Specifying that the Department of Commerce and Consumer Affairs currently appoints condominium specialists who serve as de facto condominium ombudspersons;
- (5) Specifying the issues that the Real Estate Commission is requested to specifically consider when studying the effectiveness of its existing dispute resolution process and consumer assistance program for condominium owners and associations and the possible expansion of these services to other types of homeowners associations; 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 concurs with the intent and purpose of H.C.R. No. 152, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 152, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Lee, Oshiro and Yamane.

SCRep. 1417-16 Judiciary on H.R. No. 102

The purpose of this measure is to urge the Congress of the United States to take any action that is necessary, including proposing a Constitutional amendment, to extend the right to vote for the President and Vice President of the United States to American citizens who reside in the Territory of American Samoa, Territory of Guam, Commonwealth of Northern Mariana Islands, Commonwealth of Puerto Rico, and the Territory of the Virgin Islands of the United States.

The Hawaii Coalition for Immigrant Rights 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 concurs with the intent and purpose of H.R. No. 102 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Creagan, Kawakami, Morikawa and Woodson.
(Representative McDermott voted no.)

SCRep. 1418-16 Judiciary on H.C.R. No. 29

The purpose of this measure is to urge Hawaii's Congressional Delegation to propose and support the passage of an amendment to the Constitution of the United States to clarify that corporations are not people with constitutional rights and to specify that unlimited campaign spending does not constitute free speech.

The Hawaii State Association of Counties, Council Member of the Hawaii County Council, Community Alliance on Prisons, Common Cause Hawaii, Move to Amend Kona Affiliate, and many concerned citizens testified in support of this measure. The Libertarian Party of 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 concurs with the intent and purpose of H.C.R. No. 29 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Belatti, Creagan, Kawakami, Morikawa, Nakashima and Woodson.
(Representative McDermott voted no.)

SCRep. 1419-16 Judiciary on H.C.R. No. 36

The purpose of this measure is to request the Judiciary to convene a task force (Task Force) to consider the statewide implementation of body and dash cameras for law enforcement.

The American Civil Liberties Union of Hawaii and several concerned individuals testified in support of this measure. One concerned individual testified in opposition. The Judiciary provided comments.

Your Committee has amended this measure by:

- (1) Requesting that the Task Force recommend uniform practices for the use of body and dash cameras;
- (2) Amending its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A TASK FORCE TO RECOMMEND UNIFORM PRACTICES REGARDING BODY AND DASH CAMERA IMPLEMENTATION WITHIN HAWAII LAW ENFORCEMENT STATEWIDE";
- (3) Stating that the Counties of Kauai and Maui have implemented or are considering the use of body and dash cameras;
- (4) Requesting that the Task Force make recommendations on the protection of privacy, retention and deletion of recorded footage, and access to footage by the media and the public;
- (5) Revising the list of members to the Task Force; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency and style.

Your Committee observes that two measures currently pending before the Legislature, S.B. No. 2411 and H.B. No. 2108, establish legal requirements for body-worn cameras and vehicle cameras for county police departments. It is your Committee's intent that the enactment into law of either S.B. No. 2411 or H.B. No. 2108 would render moot this measure's request to the Judiciary.

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. 36, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 36, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Creagan, Kawakami, Morikawa and Woodson.

SCRep. 1420-16 Health/Consumer Protection & Commerce on H.R. No. 100

The purpose of this measure is to request the Auditor to conduct a sunrise analysis of mandatory insurance coverage for sexually transmitted disease screenings, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome, during a female insured's annual pelvic exam, as set forth under H.B. No. 1897 and S.B. No. 2323.

Kaiser Permanente supported this measure. The Department of Commerce and Consumer Affairs commented on this measure.

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 concur with the intent and purpose of H.R. No. 100 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Kawakami, Lee, Oshiro, Yamane and Tupola.

SCRep. 1421-16 Health/Consumer Protection & Commerce on H.C.R. No. 149

The purpose of this measure is to request the Auditor to conduct a sunrise analysis of mandatory insurance coverage for sexually transmitted disease screenings, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome, during a female insured's annual pelvic exam, as set forth under H.B. No. 1897 and S.B. No. 2323.

Kaiser Permanente supported this measure. The Department of Commerce and Consumer Affairs commented on this measure.

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 concur with the intent and purpose of H.C.R. No. 149 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Kawakami, Lee, Oshiro, Yamane and Tupola.

SCRep. 1422-16 Health/Consumer Protection & Commerce on H.R. No. 108

The purpose of this measure is to request the insurance division of the Department of Commerce and Consumer Affairs to conduct a survey of the medical professional community to determine the extent to which:

- (1) Accountable care organizations providing primary care services have developed in this State;
- (2) Health care providers, in terms of their numbers and types, are participating in accountable care organizations;
- (3) Patients, in terms of their numbers and the type of insurance plan covering them (i.e., private insurance, Medicare, or Medicaid), are being served and provided primary care through accountable care organizations;
- (4) Direct primary care, or "concierge medicine," has penetrated the Hawaii healthcare marketplace;
- (5) Health care providers, in terms of their numbers and types, are participating in direct primary care, or "concierge medicine," arrangements;
- (6) Patients, in terms of their numbers and the type of insurance plan covering them (i.e., private insurance, Medicare, or Medicaid), are being served and provided primary care through direct primary care, or "concierge medicine," practices; and
- (7) Accountable care organizations and direct primary care, or "concierge medicine," have either increased or decreased the access of Medicare or Medicaid patients to primary care services in the State.

Planned Parenthood Votes Northwest and Hawaii supported this measure. The Department of Commerce and Consumer Affairs commented on this measure.

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 concur with the intent and purpose of H.R. No. 108 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Kawakami, Lee, Oshiro, Yamane and Tupola.

SCRep. 1423-16 Health/Consumer Protection & Commerce on H.C.R. No. 157

The purpose of this measure is to request the insurance division of the Department of Commerce and Consumer Affairs to conduct a survey of the medical professional community to determine the extent to which:

- (1) Accountable care organizations providing primary care services have developed in this State;
- (2) Health care providers, in terms of their numbers and types, are participating in accountable care organizations;
- (3) Patients, in terms of their numbers and the type of insurance plan covering them (i.e., private insurance, Medicare, or Medicaid), are being served and provided primary care through accountable care organizations;
- (4) Direct primary care, or "concierge medicine," has penetrated the Hawaii healthcare marketplace;
- (5) Health care providers, in terms of their numbers and types, are participating in direct primary care, or "concierge medicine," arrangements;
- (6) Patients, in terms of their numbers and the type of insurance plan covering them (i.e., private insurance, Medicare, or Medicaid), are being served and provided primary care through direct primary care, or "concierge medicine," practices; and
- (7) Accountable care organizations and direct primary care, or "concierge medicine," have either increased or decreased the access of Medicare or Medicaid patients to primary care services in the State.

Planned Parenthood Votes Northwest and Hawaii supported this measure. The Department of Commerce and Consumer Affairs commented on this measure.

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 concur with the intent and purpose of H.C.R. No. 157 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Kawakami, Lee, Oshiro, Yamane and Tupola.

SCRep. 1424-16 Health on H.C.R. No. 90

The purpose of this measure is to request the Chief of the Department of Health Emergency Medical Services and Injury Prevention System Branch to convene and chair a working group to develop a community paramedic program, including educational standards for certifications, to alleviate emergency services from responding to non-emergency calls.

The Department of Health, University of Hawaii Community Colleges, American Medical Response, and three 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 concurs with the intent and purpose of H.C.R. No. 90 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1425-16 Health on H.R. No. 23

The purpose of this measure is to express strong legislative support for the establishment of The Wahiawa Center for Community Health to provide primary medical care services to the medically underserved population of Wahiawa and its surrounding rural communities.

FACE Oahu, The Queen's Health Systems, Hawaii Association of Health Plans, Hawaii Primary Care Association, The Wahiawa Center for Community Health, and several 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 concurs with the intent and purpose of H.R. No. 23 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1426-16 Health on H.C.R. No. 56

The purpose of this measure is to express strong legislative support for the establishment of The Wahiawa Center for Community Health to provide primary medical care services to the medically underserved population of Wahiawa and its surrounding rural communities.

The Department of Health, FACE Oahu, The Queen's Health Systems, Hawaii Association of Health Plans, 'Ohana Health Plan, Hawaii Primary Care Association, The Wahiawa Center for Community Health, and several 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 concurs with the intent and purpose of H.C.R. No. 56 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1427-16 Health on H.R. No. 114

The purpose of this measure is to request the President of the United States, Governor of Hawaii, Hawaii's congressional delegation, Centers for Disease Control and Prevention, and Federal Aviation Administration to seek funding for and mount an aggressive vector control effort to attack and hopefully eradicate the *Aedes aegypti* mosquito populations on Hawaii Island.

Several individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 114 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Oshiro and Tupola.

SCRep. 1428-16 Health on H.C.R. No. 164

The purpose of this measure is to request the President of the United States, Governor of Hawaii, Hawaii's congressional delegation, Centers for Disease Control and Prevention, and Federal Aviation Administration to seek funding for and mount an aggressive vector control effort to attack and hopefully eradicate the *Aedes aegypti* mosquito populations on Hawaii Island.

Numerous 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 Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 164 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Jordan, Oshiro and Tupola.

SCRep. 1429-16 Health on H.R. No. 91

The purpose of this measure is to request the John A. Burns School of Medicine at the University of Hawaii (JABSOM) to conduct a feasibility study for a university hospital in West Hawaii.

JABSOM testified in support of this measure.

Your Committee has amended this measure by:

- (1) Stating that sufficient funds should be appropriated for a meaningful study to be conducted;
- (2) Requesting JABSOM to conduct the feasibility study in conjunction with leadership from the Hawaii Health Systems Corporation (HHSC), HHSC East Hawaii Region, and HHSC West Hawaii Region; 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. 91, as amended herein, and recommends that it be referred to your Committees on Higher Education and Finance in the form attached hereto as H.R. No. 91, H.D. 1.

Signed by all members of the Committee except Representatives Hashem, Jordan and Tupola.

SCRep. 1430-16 Health on H.C.R. No. 139

The purpose of this measure is to request the John A. Burns School of Medicine at the University of Hawaii (JABSOM) to conduct a feasibility study for a university hospital in West Hawaii.

JABSOM testified in support of this measure.

Your Committee has amended this measure by:

- (1) Stating that sufficient funds should be appropriated for a meaningful study to be conducted;
- (2) Requesting JABSOM to conduct the feasibility study in conjunction with leadership from the Hawaii Health Systems Corporation (HHSC), HHSC East Hawaii Region, and HHSC West Hawaii Region; 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. 139, as amended herein, and recommends that it be referred to your Committees on Higher Education and Finance in the form attached hereto as H.C.R. No. 139, H.D. 1.

Signed by all members of the Committee except Representatives Hashem, Jordan and Tupola.

SCRep. 1431-16 Health on H.C.R. No. 72

The purpose of this measure is to urge the Department of Health to enforce Part III of Chapter 328, Hawaii Revised Statutes, by pursuing injunctions and fines against persons who mislabel previously frozen fish as fresh fish.

The Department of Health and Hawaii Seafood Council testified in opposition to this measure.

Your Committee has amended this measure by requesting the Department of Health to submit the following information to the Chair of the Senate Committee on Commerce, Consumer Protection and Health and the Chair of the House Committee on Health:

- (1) The number of offenses, including repeat offenses; and
- (2) The history of any injunctive or abatement actions taken by the Department of Health,

with regard to the mislabeling of previously frozen fish as fresh fish within the past five years.

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. 72, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 72, H.D. 1.

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

SCRep. 1432-16 Health on H.R. No. 70

The purpose of this measure is to urge the Emergency Medical Services and Injury Prevention System Branch of the Department of Health to support funding to renovate the former Ewa Beach Fire Station on Pohakupuna Road into a 24-hour-a-day operational ambulance station for Ewa Beach to replace the current ambulance station located within the Ewa Villages Golf Club.

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. 70 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1433-16 Health on H.C.R. No. 113

The purpose of this measure is to urge the Emergency Medical Services and Injury Prevention System Branch of the Department of Health to support funding to renovate the former Ewa Beach Fire Station on Pohakupuna Road into a 24-hour-a-day operational ambulance station for Ewa Beach to replace the current ambulance station located within the Ewa Villages Golf Club.

An individual testified in support 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 Health 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 your Committee on Finance.

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

SCRep. 1434-16 Health on H.R. No. 73

The purpose of this measure is to enable Wahiawa General Hospital (WGH) to provide uninterrupted medical services to nearby and other communities within the State by requesting:

- (1) The Governor to provide financial assistance to WGH in a sufficient amount to enable it to operate while developing a new business model, including potential discussions with other hospitals and organizations; and
- (2) The Legislature to provide sufficient funds to WGH while WGH, the WGH Board, and interested parties seek potential affiliation with a larger business partner to create a more effective integration of clinical and non-clinical services and a more efficient business model.

The Hawaii Health Systems Corporation; University of Hawaii John A. Burns School of Medicine; Wahiawa-Whitmore Village Neighborhood Board No. 26; North Shore Chamber of Commerce; International Union of Painters and Allied Trades, District Council 50; Hawaii Academy of Family Physicians; Wahiawa Community and Business Association; International Brotherhood of Electrical Workers Local Union 1260; The Wahiawa Center for Community Health; The Chamber of Commerce Hawaii; United Public Workers, AFSCME, Local 646, and AFL-CIO; American Medical Response; Hawaii State AFL-CIO; Healthcare Association of Hawaii; Pacific Resource Partnership; WGH; Senior Behavioral Health; ILWU Local 142; ALEA Bridge; and numerous individuals testified in support of this measure.

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

- (1) Requesting the Governor to convene meetings with the Director of Health, Director of Human Services, Chief Executive Officer of the Hawaii Health Systems Corporation, and the Administrator of the State Health Planning and Development Agency, or their respective designees, to identify opportunities to assist WGH in continuing its operations;
- (2) Requesting Hawaii's Congressional Delegation to support WGH in providing a continuum of care in the State by seeking resources to support WGH, including resources for rural healthcare facilities and distressed communities;
- (3) Including Hawaii Medical Service Association, Tripler Army Medical Center, and the United States Army as participants in discussions regarding developing a new business model for WGH; 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 concurs with the intent and purpose of H.R. No. 73, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 73, H.D. 1.

Signed by all members of the Committee except Representative Jordan.

SCRep. 1435-16 Health on H.C.R. No. 118

The purpose of this measure is to enable Wahiawa General Hospital (WGH) to provide uninterrupted medical services to nearby and other communities within the State by requesting:

- (1) The Governor to provide financial assistance to WGH in a sufficient amount to enable it to operate while developing a new business model, including potential discussions with other hospitals and organizations; and
- (2) The Legislature to provide sufficient funds to WGH while WGH, the WGH Board, and interested parties seek potential affiliation with a larger business partner to create a more effective integration of clinical and non-clinical services and a more efficient business model.

The Department of Health; Hawaii Health Systems Corporation; Office of the Mayor of the City and County of Honolulu; University of Hawaii John A. Burns School of Medicine; Wahiawa-Whitmore Village Neighborhood Board No. 26; North Shore Chamber of Commerce; Hawaii Laborers-Employers Corporation and Education Trust; Lanakila Pacific; International Union of Painters and Allied Trades, District Council 50; Hawaii Academy of Family Physicians; Hawaii Academy College of Emergency Physicians; Wahiawa Community and Business Association; International Brotherhood of Electrical Workers Local Union 1260; The Wahiawa Center for Community Health; The Chamber of Commerce Hawaii; United Public Workers, AFSCME, Local 646, and AFL-CIO; American Medical Response; Hawaii State AFL-CIO; Healthcare Association of Hawaii; Pacific Resource Partnership; Wahiawa Community Based Development Organization; WGH; Senior Behavioral Health; ILWU Local 142; ALEA Bridge; Hawaii Nurses' Association, OPEIU Local 50; and numerous individuals testified in support of this measure. Two individuals commented on this measure.

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

- (1) Requesting the Governor to convene meetings with the Director of Health, Director of Human Services, Chief Executive Officer of the Hawaii Health Systems Corporation, and the Administrator of the State Health Planning and Development Agency, or their respective designees, to identify opportunities to assist WGH in continuing its operations;
- (2) Requesting Hawaii's Congressional Delegation to support WGH in providing a continuum of care in the State by seeking resources to support WGH, including resources for rural healthcare facilities and distressed communities;
- (3) Including Hawaii Medical Service Association, Tripler Army Medical Center, and the United States Army as participants in discussions regarding developing a new business model for WGH; 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 concurs with the intent and purpose of H.C.R. No. 118, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 118, H.D. 1.

Signed by all members of the Committee except Representative Jordan.

SCRep. 1436-16 Water & Land on H.C.R. No. 34

The purpose of this measure is to request the Department of Agriculture to examine the feasibility of decommissioning the animal quarantine station located in Halawa Valley on Oahu, including consideration of alternate locations for the quarantine station and other Department of Agriculture functions that could occupy the land.

An individual provided testimony in support of the measure. The Department of Agriculture and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Agriculture is to examine the feasibility of both decommissioning and relocating the animal quarantine station located in Halawa Valley on Oahu and determining the most suitable course of action; and
- (2) Changing its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO EXAMINE THE FEASIBILITY OF BOTH DECOMMISSIONING AND RELOCATING THE ANIMAL QUARANTINE STATION IN HALAWA VALLEY."

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. 34, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 34, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Pouha.

SCRep. 1437-16 Transportation on H.R. No. 83

The purpose of this measure to provide a tangible, permanent reminder of the sacrifice, dedication and service of the men and women of the United States Armed Forces by requesting the Governor to take all necessary action to rename and designate the section of Kapule Highway from Rice Street to Ahukini Road in the County of Kaua'i as the Kaua'i Veterans Memorial Highway and requesting the Department of Transportation to provide and maintain the appropriate signage.

The Department of Defense 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. 83 and recommends its adoption.

Signed by all members of the Committee except Representatives Har, Johanson, LoPresti and San Buenaventura.

SCRep. 1438-16 Transportation on H.C.R. No. 130

The purpose of this measure is to provide a tangible, permanent reminder of the sacrifice, dedication and service of the men and women of the United States Armed Forces by requesting the Governor to take all necessary action to rename and designate the section of Kapule Highway from Rice Street to Ahukini Road in the County of Kaua'i as the Kaua'i Veterans Memorial Highway and requesting the Department of Transportation to provide and maintain the appropriate signage.

The Department of Defense 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. 130 and recommends its adoption.

Signed by all members of the Committee except Representatives Har, Johanson, LoPresti and San Buenaventura.

SCRep. 1439-16 Health on H.R. No. 30

The purpose of this measure is to request the Prevent Suicide Hawaii Task Force (Task Force) to:

- (1) Examine, evaluate, and determine methods to improve education, awareness, support services, and outreach to prevent suicide in the State;
- (2) Form a temporary subcommittee to assist in the development of the Task Force's recommendations; and
- (3) Recommend a strategic plan to reduce suicides in the State by at least 25 percent by 2025, and report its findings, recommendations, and any proposed legislation to the Legislature prior to the 2017 Regular Session.

Hawaii Youth Services Network and an individual testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the composition of the subcommittee;
- (2) Extending the time period in which the temporary subcommittee is requested to meet;
- (3) Requesting the Task Force to submit its report to the Legislature prior to the 2018 Regular Session, rather than prior to the 2017 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 Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 30, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 30, H.D. 1.

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

SCRep. 1440-16 Health on H.C.R. No. 66

The purpose of this measure is to request the Prevent Suicide Hawaii Task Force (Task Force) to:

- (1) Examine, evaluate, and determine methods to improve education, awareness, support services, and outreach to prevent suicide in the State;
- (2) Form a temporary subcommittee to assist in the development of the Task Force's recommendations; and
- (3) Recommend a strategic plan to reduce suicides in the State by at least 25 percent by 2025, and report its findings, recommendations, and any proposed legislation to the Legislature prior to the 2017 Regular Session.

The Department of Health, Hawaii Chapter of the American Foundation for Suicide Prevention, Oahu Prevent Suicide Hawaii Taskforce, Hawaii Youth Services Network, and several individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing the composition of the subcommittee;
- (2) Extending the time period in which the temporary subcommittee is requested to meet;
- (3) Requesting the Task Force to submit its report to the Legislature prior to the 2018 Regular Session, rather than prior to the 2017 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 Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 66, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 66, H.D. 1.

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

SCRep. 1441-16 Health on H.R. No. 93

The purpose of this measure is to recognize the month of September of every year as Sepsis Awareness Month, and the thirteenth day in September of every year as Hawaii Sepsis Day.

Healthcare Association of Hawaii, and numerous individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 93 and recommends its adoption.

Signed by all members of the Committee except Representatives Jordan, Oshiro and Tupola.

SCRep. 1442-16 Health on H.C.R. No. 141

The purpose of this measure is to recognize the month of September of every year as Sepsis Awareness Month, and the thirteenth day in September of every year as Hawaii Sepsis Day.

Healthcare Association of Hawaii, Sepsis Alliance, and numerous individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 141 and recommends its adoption.

Signed by all members of the Committee except Representatives Jordan, Oshiro and Tupola.

SCRep. 1443-16 Judiciary on H.C.R. No. 127

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study on the feasibility and advisability of decriminalizing the illegal possession of drugs for personal use in Hawaii. The Legislative Reference Bureau is requested to submit a report of its findings and recommendations, including any proposed legislation to the Legislature prior to the convening of the Regular Session of 2017.

The Drug Policy Forum of Hawaii, The Libertarian Party of Hawaii, Hawaii Dispensary Alliance, Hawaii Coalition for Immigrant Rights, Drug Policy Action Group, Office of Hawaiian Affairs, Community Alliance on Prisons, and several concerned individuals testified in support of this measure. One concerned individual testified in opposition. The Legislative Reference Bureau provided comments.

Your Committee has amended this measure by limiting the scope of the survey to criminal drug offenses in Hawaii that are a class C felony or lower and pertain to the illegal possession for personal use of a drug.

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. 127, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 127, H.D. 1.

Signed by all members of the Committee except Representatives Belatti, Creagan, Kawakami, Morikawa, Nakashima and Woodson.
(Representative McDermott voted no.)

SCRep. 1444-16 Consumer Protection & Commerce on S.B. No. 2851

The purpose of this measure is to clarify who is responsible for determining if residential property insurance is unavailable due to a moratorium on the issuance of policies in lava zones that are under a state of emergency in the County of Hawaii.

Specifically, the measure designates the Insurance Commissioner as the government official responsible for making such a determination.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that under the present law, the Hawaii Property Insurance Association must offer new residential insurance policies once policies become unavailable due to the moratorium. Your Committee finds that this administration measure clarifies the respective roles of the Insurance Commissioner, the Mayor of the County of Hawaii, and the Hawaii Property Insurance Association during a threat of imminent disaster from a lava flow.

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. 2851, 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 Har, Kawakami and Yamane.

SCRep. 1445-16 Judiciary on S.B. No. 305

The purpose of this measure is to protect patients, employees, and other visitors to Hawaii Health Systems Corporation facilities from exposure to second-hand smoke and other potentially harmful substances and to promote positive health practices, by prohibiting any person from using tobacco products or electronic smoking devices on the premises of any facility.

The Department of Health, Hawaii Health Systems Corporation, East Hawaii Region of Hawaii Health Systems Corporation, Legacy of Life Hawaii, American Heart Association, Healthcare Association of Hawaii, The Queen's Health Systems, Coalition for a Tobacco-Free Hawaii, and American Lung Association in Hawaii provided testimony in support of the measure. The 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 305, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kawakami, Lee and Rhoads.
(Representative McDermott voted no.)

SCRep. 1446-16 Judiciary on S.B. No. 2607

The purpose of this measure is to limit the ways in which the operator of a website, online service, online application, or mobile application working with the Department of Education can use student data.

The Department of Education, Microsoft, Hawaii State Teachers Association, and one concerned individual testified in support of this measure.

Your Committee has amended this measure to 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. 2607, 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. 2607, S.D. 2, H.D. 2.

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

SCRep. 1447-16 Judiciary on S.B. No. 2886

The purpose of this measure is to reduce barriers to accessing mental health services for adolescents by lowering the age of consent to twelve years old for mental health treatment or counseling services provided by a licensed mental health professional.

The Judiciary, Department of Health, Department of Human Services, Office of Youth Services, Imua Alliance, Hawaii Youth Services Network, Hale 'Ōpio Kaua'i, Inc., Mental Health America of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, and three concerned individuals testified in support of this measure. Several concerned individuals testified in opposition. The Department of Education and Hawaii Disability Rights Center provided comments.

Your Committee has amended this measure by:

- (1) Raising the age at which the minor may consent to mental health treatment or counseling services from twelve to fourteen years of age;
- (2) Requiring the consent of the minor's parent or legal guardian for prescription medication or placement into an out-of-home or residential treatment program; and
- (3) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2886, 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. 2886, S.D. 2, H.D. 2.

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

SCRep. 1448-16 Judiciary on S.B. No. 2246

The purpose of this measure is to address a recent Hawaii Supreme Court holding that criminal penalties for refusal to submit to testing for blood alcohol content are inherently coercive and unconstitutional. Specifically, this measure repeals section 291E-68, Hawaii Revised Statutes, which makes it a petty misdemeanor to refuse to submit to a breath, blood, or urine test.

The Department of Transportation, Office of the Public Defender, Honolulu Police Department, Office of the Prosecuting Attorney of the County of Kauai, and Department of the Prosecuting Attorney for the County of Maui 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. 2246 and recommends that it pass Third Reading.

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

SCRep. 1449-16 Health on S.B. No. 2885

The purpose of this measure is to:

- (1) Authorize the Department of Health to communicate with the primary care provider of a child identified with a birth defect, as a result of information collected from birth defect studies, to provide information about programs and resources that may help the child; and
- (2) Clarify that an Institutional Review Board may exempt an activity using birth defects data.

The Department of Health and American Congress of Obstetricians and Gynecologists – Hawaii Section 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. 2885, 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 Jordan, Oshiro, Fukumoto Chang and Tupola.

SCRep. 1450-16 Judiciary on S.B. No. 2813

The purpose of this measure is to require the courts to provide information relating to adult guardianships to the Hawaii Criminal Justice Data Center which shall:

- (1) Forward the information to the Federal Bureau of Investigation for inclusion in the National Instant Criminal Background Check System (NICS) database; and
- (2) Maintain the information for disclosure to law enforcement for the purpose of firearms permitting and registration.

The Department of the Attorney General testified in support of this measure.

Your Committee finds that there is a need to ensure that those who are mentally incapacitated do not have the opportunity to possess a firearm. Though the county police departments are required to conduct a background check using NICS to help identify those who are prohibited from legally possessing a firearm, the State does not require information to be submitted to NICS when an adult is subject to a guardianship order by the court. This measure will address that gap in reporting. Should the court later terminate an adult guardianship order, the individual has the opportunity under state law to reinstate eligibility for firearms possession.

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. 2813, 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 Belatti, Lee, McDermott and Thielen.

SCRep. 1451-16 Judiciary on S.B. No. 2954

The purpose of this measure is to enable counties to acquire accurate information on applicants for firearm registration by:

- (1) Requiring the county police departments to perform a criminal history record check on a person registering a firearm in the State before a determination is made to register the firearm; and
- (2) Authorizing the Hawaii Criminal Justice Data Center to access firearm registration data.

The Department of the Attorney General, Honolulu Police Department, and two concerned individuals testified in support of this measure. Three concerned individuals testified in opposition.

Your Committee has amended this measure by:

- (1) Amending firearms permit and registration requirements to amend the process currently used by the county police departments for background checks for firearms permit applicants and registrants, including by updating references to the various federally sponsored data programs involved in the conduct of a background check;
- (2) Specifying that fees for firearms permits and registration shall be an amount equal to the fee charged by the Hawaii Criminal Justice Data Center for a criminal history record check;
- (3) Authorizing county police departments to conduct criminal history record checks through the Hawaii Criminal Justice Data Center on applicants for permits to acquire firearms and on individuals registering their firearms;

- (4) Inserting a savings clause specifying that this measure does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date;
- (5) Making this measure effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee finds that the Federal Bureau of Investigation permits authorized government agencies, including law enforcement, to access a program, known as Rap Back, that provides continuous monitoring of individuals who are subject to a criminal history record check. When an individual is arrested for a criminal offense elsewhere in the country, the agency that conducted the background check will be notified. While the county police departments have authority under current statutory firearms permit and registration procedures to conduct a background check on applicants for permits to obtain or possess a firearm and to register a firearm, those statutes refer to a background check procedure that does not include the Rap Back program and is a static snapshot of the individual's criminal history. This measure will authorize county police departments to receive notifications of subsequent arrests of individuals who acquire permits or register firearms after the effective date of this measure. The county police departments will then be able to utilize the notifications to examine whether an individual's criminal conduct disqualifies them from continued ownership or possession of firearms under federal and state laws.

State agencies have been authorized to use the Rap Back system for more than forty purposes since 2012, including checks of teachers, daycare operators, Hawaii Health System Corporation employees, and traffic management employees with access to secured areas. Your Committee finds that county police departments should have similar access to information about criminal activity committed by individuals who possess and own firearms.

This measure does not amend the standard for granting a firearms permit, continued possession of a firearm, or any of the bases for disqualification.

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

Signed by all members of the Committee except Representatives Creagan, Kawakami, Morikawa and Woodson.
(Representative McDermott voted no.)

SCRep. 1452-16 Judiciary on H.R. No. 47

The purpose of this measure is to request the establishment of a task force to study effective incarceration policies used in Hawaii and other jurisdictions to develop and make recommendations to the Legislature on methods and strategies to improve Hawaii's correctional system.

The Judiciary, Office of Hawaiian Affairs, Hawaii Paroling Authority, and two concerned individuals testified in support of this measure. The Department of Public Safety, Crime Victim Compensation Commission, Community Alliance on Prisons, and one concerned individual provided comments.

Your Committee has amended this measure to require the Task Force to deliver all materials that are necessary for the preparation of its report to the Legislative Reference Bureau before October 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 concurs with the intent and purpose of H.R. No. 47, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 47, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1453-16 Judiciary on H.C.R. No. 85

The purpose of this measure is to request the establishment of a task force to study effective incarceration policies used in Hawaii and other jurisdictions to develop and make recommendations to the Legislature on methods and strategies to improve Hawaii's correctional system.

The Judiciary, Hawaii State Coalition Against Domestic Violence, Office of Hawaiian Affairs, Hawaii Paroling Authority, The Chow Project, and several concerned individuals testified in support of this measure. The Department of Public Safety, Legislative Reference Bureau, Crime Victim Compensation Commission, Community Alliance on Prisons, and one concerned individual provided comments.

Your Committee has amended this measure to require the Task Force to deliver all materials that are necessary for the preparation of its report to the Legislative Reference Bureau before October 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 concurs with the intent and purpose of H.C.R. No. 85, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 85, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1454-16 Judiciary on H.R. No. 28

The purpose of this measure is to request the Department of Commerce and Consumer Affairs to convene a task force to conduct a study and develop a plan for requiring homeowners association disputes to be resolved by dispute resolution alternatives prior to litigating the disputes.

The Department of Commerce and Consumer Affairs, Hawaii Association of REALTORS®, and an individual commented 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 H.R. No. 28 and recommends its adoption.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1455-16 Judiciary on H.C.R. No. 63

The purpose of this measure is to request the Department of Commerce and Consumer Affairs to convene a task force to conduct a study and develop a plan for requiring homeowners association disputes to be resolved by dispute resolution alternatives prior to litigating the disputes.

The Department of Commerce and Consumer Affairs, Hawaii Association of REALTORS®, and an individual commented 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 H.C.R. No. 63 and recommends its adoption.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1456-16 Judiciary on H.R. No. 35

The purpose of this measure is to provide the thousands of immigrants residing on the neighbor islands with equal access to the immigration process by urging the United States Citizenship and Immigration Services to immediately resume mobile biometric intake and interviews in the counties of Hawaii, Maui, and Kauai.

Catholic Charities Hawaii, Hawaii Coalition for Immigrant Rights, Inter-Agency Council for Immigrant Services, and a few individuals provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 35 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1457-16 Judiciary on S.B. No. 2862

The purpose of this measure is to allow the State Board of Nursing (Board) to fully participate in Nursys, a national database for nurse licensees that includes license and disciplinary action information, through the sharing of licensure and discipline data with Nursys, and to specify that by applying for nurse licensure, the individual allows the Board to share the data with Nursys.

The University of Hawaii at Manoa School of Nursing & Dental Hygiene; Board of Nursing; Prime Care Services Hawaii, Incorporated; Hawaii Association of Professional Nurses; Hawaii Pacific Health; Hawaii State Center for Nursing; and many 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. 2862 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1458-16 Judiciary on S.B. No. 2873

The purpose of this measure is to promote the health and safety of vulnerable adults who require immediate protection from abuse by authorizing the Department of Human Services to exercise other remedial options, as enumerated in section 346-228, Hawaii Revised Statutes, when upon investigation the Department determines that court intervention is not necessary.

The Department of Human Services 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. 2873 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1459-16 Judiciary on S.B. No. 2874

The purpose of this measure is to delete certain statutory provisions that are no longer applicable to the Department of Human Services as it no longer licenses or certifies health care settings. Specifically, this measure deletes statutory references to the Department of Human Services with regard to:

- (1) Licensing or certifying health care settings;
- (2) Disciplining certified nurse aides employed in health care settings; and
- (3) Reporting substantiated findings as required by 42 U.S.C. §§1395i-3 and 1396r.

This measure also repeals section 346-47, Hawaii Revised Statutes, which relates to the investigation of certified nurse aides by the Department of Human Services as this section is duplicative of the authority granted to the Department by other existing statutory provisions.

The Department of Human Services and Department of Commerce and Consumer Affairs 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. 2874 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1460-16 Consumer Protection & Commerce on S.B. No. 2341

The purpose of this measure is to make permanent the regulation of respiratory therapists under chapter 466D, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Acting State Auditor, Department of Commerce and Consumer Affairs, Hawaii COPD Coalition, and twenty-five individuals.

Your Committee finds that, due to the nature of services provided by respiratory therapists, the regulation of respiratory therapists is necessary to protect the health and safety of patients and consumers.

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. 2341, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Lee, Oshiro and San Buenaventura.

SCRep. 1461-16 Consumer Protection & Commerce on S.B. No. 2511

The purpose and intent of this measure is to address the membership of the Broadband Assistance Advisory Council.

More specifically, this measure:

- (1) Includes the Director of Business, Economic Development, and Tourism as a permanent member of the Broadband Assistance Advisory Council;
- (2) Ensures that each county is represented by at least one member on the Broadband Assistance Advisory Council; and
- (3) Authorizes the chair of the Broadband Assistance Advisory Council to designate ad hoc members of the Council.

The Cable Television Division of the Department of Commerce and Consumer Affairs and the Department of Business, Economic Development, and Tourism provided testimony in support of this measure.

Your Committee finds that the Broadband Assistance Advisory Council is tasked with advising the Director of Commerce and Consumer Affairs on policy and funding priorities to promote and encourage the use of telework alternatives for public and private employees and to expedite the development of affordable and accessible broadband services in the State. The Department of Business, Economic Development, and Tourism has a significant interest in expanding broadband access and use across the State. Your Committee believes that including the Director of Business, Economic Development, and Tourism on the Broadband Assistance Advisory Council will provide an additional crucial and knowledgeable perspective on the Council.

Your Committee further finds that expanding broadband access and use must be encouraged in each county. Requiring that each county be represented on the Broadband Assistance Advisory Council ensures that an advocate for each county's broadband needs is included in the Council's discussions. Additionally, allowing the chair of the Broadband Assistance Advisory Council to designate certain persons as ad hoc members encourages community involvement and will provide the Council with supplementary expertise.

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. 2511 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Lee, Oshiro and San Buenaventura.

SCRep. 1462-16 Judiciary on S.B. No. 2121

The purpose of this measure is to:

- (1) Make permanent Act 221, Session Laws of Hawaii (SLH) 2014, which enables county council members to attend public meetings of a different board or community group while remaining in compliance with the State's Sunshine Law requirements for open public meetings and records; and
- (2) Require each county council to submit an annual report, including any recommendations or proposed legislation, to the Legislature prior to the convening of each regular session on the effectiveness and application of procedural requirements for compliance with Act 221, SLH 2014.

The Office of Information Practices, Chair of the Kauai County Council, and Secretary of the Hawaii State Association of Counties testified in support of this measure.

Your Committee has amended this measure by changing its 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. 2121, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2121, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 1463-16 Judiciary on S.B. No. 2912

The purpose of this measure is to align state programs with nationally recognized best practices in the assessment, evaluation, treatment, and supervision of sex offenders. This measure identifies the coordinating body for the sex offender treatment program as the "sex offender management team" and exempts the sex offender treatment program from the requirements of chapter 92, Hawaii Revised Statutes (HRS), including the Sunshine Law.

The Judiciary, Department of Public Safety, and Ho'omana Pono, LLC testified in support of this measure. The League of Women Voters of Hawaii and Civil Beat Law Center for the Public Interest testified in opposition. The Office of Information Practices provided comments.

Your Committee has amended this measure by:

- (1) Expanding the sex offender treatment program to include juvenile sex offenders in cases where family court jurisdiction was waived;
- (2) Clarifying the list of agencies that implement the sex offender treatment program;
- (3) Specifying that the Sex Offender Management Team may hold meetings closed to the public pursuant to section 92-4, HRS, to consider information relating to individual sex offenders where disclosure of the information would be a clearly unwarranted invasion of personal privacy; and
- (4) Making it 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. 2912, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2912, 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, Lee, McDermott and Thielen.

SCRep. 1464-16 Judiciary on S.B. No. 2163

The purpose of this measure is to allow the Director of Health to give notice of water pollution and solid waste pollution violations via a posting on a searchable government website or a sign conspicuously posted on the property when attempts to serve written notice in person and by mail have been unsuccessful.

The Department of Health, Office of Hawaiian Affairs, Conservation Council for Hawaii, Sierra Club of Hawaii, and two concerned individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Requiring both a posting on a searchable government website and a sign conspicuously posted on the property, if appropriate, for purposes of giving notice of a water or solid waste pollution violation when attempts to service written notice in person and by mail have been unsuccessful; and
- (2) Making this measure effective on January 1, 2017.

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. 2163, 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. 2163, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1465-16 Judiciary on S.B. No. 2315

The purpose of this measure is to remove the hardship of jury duty from parents of a newborn child by exempting them from jury service while the child is six months old or younger.

The Hawaii Women's Coalition and one concerned individual testified in support of this measure. The Judiciary, Hawaii State Commission on the Status of Women, Hawaii Women Lawyers, American Association of University Women, Hawaii, Healthy Mothers Healthy Babies Coalition of Hawaii, Breastfeeding Hawaii, and two concerned individuals provided comments.

Your Committee finds that the World Health Organization recommends that children breastfeed exclusively until the age of six months then continue to be breastfed until two years of age to reduce risk of infectious diseases, asthma, allergies, certain childhood cancers, obesity, and diabetes. Therefore, there is ample justification to extend an option to women who are breastfeeding children up to two years of age to claim an exemption from jury duty.

Your Committee finds that the Judiciary may need additional time to implement this measure and notify prospective jurors about the statutory exemptions and, therefore, has extended the effective date of the measure to March 1, 2017.

Your Committee has amended this measure by:

- (1) Exempting from jury duty a woman who is breastfeeding a child or expressing breast milk for a period of two years from the birth of the child;
- (2) Amending the preamble section of this measure to conform to this measure's amended purpose; and
- (3) Making this measure effective on March 1, 2017.

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. 2315, 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. 2315, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1466-16 Finance on S.B. No. 2630

The purpose of this measure is to address operations of the State's correctional system by:

- (1) Repealing statutory restrictions that prohibit Hawaii Correctional Industries, the state inmate labor program, from participating in open-market sales of goods and services and amending operational provisions to permit Hawaii Correctional Industries to conduct free-market operations and enterprises; and
- (2) Requiring and funding a feasibility study by the Department of Business, Economic Development, and Tourism on the establishment of an employment and entrepreneurial training and mentoring program to facilitate successful inmate reentry and reduce recidivism through workforce preparedness.

The Department of Public Safety, United Public Workers, and numerous concerned individuals supported this measure. The Department of Business, Economic Development, and Tourism and Community Alliance on Prisons 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. 2630, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1467-16 Finance on S.B. No. 2256

The purpose of this measure is to clarify the authorization to notate the term "veteran" on a driver's license to include a veteran of the Korean conflict and those who served in the armed forces of the Republic of Korea, fought under the command of the United Nations led by the United States during the Korean conflict, and is currently a United States citizen.

The Honolulu City Council and the Korean War Veterans Association Aloha Chapter 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. 2256, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1468-16 Finance on S.B. No. 2372

The purpose of this measure is to address the repair and maintenance of private roads. Specifically, this measure:

- (1) Establishes a temporary roads commission within the Department of Transportation to, among other things, determine ownership of each private road and road in limbo, advise the appropriate legislative body of the determination of ownership of the private road or road in limbo, and recommend action regarding the private road or road in limbo to the appropriate legislative body, including the initiation of condemnation proceedings as appropriate;
- (2) Expands the State and counties' authority to condemn public highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails and amends the process for county acquisition through dedication;
- (3) Allows any private owner of a highway, road, alley, street, way, lane, bikeway, bridge, or trail to petition the Mayor of the county in which the highway, road, alley, street, way, lane, bikeway, bridge, or county trail is located to initiate condemnation proceedings if certain conditions are met;
- (4) Exempts highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails constructed and completed in accordance with the requirements of any ordinance, rule, or regulation in effect at the time of construction and completion from meeting construction standards in place at the time of transfer to the county;

- (5) Exempts the State and counties from requirements to maintain or improve highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails taken by condemnation; and
- (6) Appropriates funds for road repair work, including resurfacing, flood mitigation, and installation of drainage infrastructure to certain roads.

The Building Industry Association of Hawaii, Bank of Hawaii, Chamber of Commerce Hawaii, and Hawaii Association of Realtors testified in support of this measure. The Department of Transportation, Department of Public Works of the County of Hawaii, Department of Public Works of the County of Kauai, Council Chair of the Maui County Council, and several concerned individuals testified in opposition to this measure. The Department of Land and Natural Resources, City and County of Honolulu, and Hawaii Association for Justice 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. 2372, S.D. 3, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1469-16 Finance on S.B. No. 3072

The purpose of this measure is to increase the efficient operation, management, and oversight of Hawaii's air transportation system by, among other things:

- (1) Requiring the Governor to establish the Hawaii Airport Authority (Authority), which will be administratively attached to the Department of Transportation, pursuant to and on a date specified by Executive Order and after notification to the Legislature;
- (2) Establishing a board of directors of the Authority and setting out procedures for the appointment of board members;
- (3) Establishing the position of Administrator of the Authority, appointment requirements, and powers and duties;
- (4) Establishing the powers of the Authority;
- (5) Transferring the aeronautics functions of the Department of Transportation to the Authority upon execution of the Governor's Executive Order and providing for the transfer of all employees, appropriations, records, equipment, supplies, contracts, books, papers, documents, maps, machines, and other personal property of the Department of Transportation relating to the functions transferred to the Authority; and
- (6) Requiring the Department of Transportation to conduct a feasibility study on implementing the Authority.

This measure also appropriates an unspecified amount for the construction of a radar facility and a 100 foot by 150 foot concrete pad for installation of a radar unit at Kalaeloa Airport.

The Department of Transportation, Airlines Committee of Hawaii, Airport Concessionaires Committee, Hawaiian Airlines, Enterprise Holdings, LLC, Chamber of Commerce Hawaii, Maui Hotel and Lodging Association, Hawaii Lodging and Tourism Association, and a few concerned individuals testified in support of this measure. Several concerned individuals testified in opposition to this measure. The Department of Budget and Finance, Office of Hawaiian Affairs, and Department of Defense 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. 3072, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1470-16 Finance on S.B. No. 3077

The purpose of this measure is to address the numerous issues facing transit-oriented development statewide through a coordinated, intergovernmental, and interagency approach by:

- (1) Establishing the Hawaii Interagency Council for Transit-Oriented Development (Interagency Council) and appropriating funds for the creation and operations of the Interagency Council;
- (2) Designating the Office of Planning as the lead agency to coordinate and advance smart growth and transit-oriented development planning within the State and specifying mandated activities of the Office of Planning regarding smart growth and transit-oriented development; and
- (3) Allowing school impact fees collected from transit-oriented development projects to be used by existing schools in the transit-oriented development area.

The Department of Business, Economic Development, and Tourism; Department of Education; Office of Planning; Hawaii Housing Finance and Development Corporation; and Department of Planning and Permitting of the City and County of Honolulu supported this measure. The Department of the Attorney General, Office of Hawaiian Affairs, Hawaii Public Housing Authority, IMUAlliance, Land Use Research Foundation of Hawaii, Hawaii State Teachers Association, Building Industry Association of Hawaii, The Chamber of Commerce of Hawaii, and a concerned individual 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. 3077, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1471-16 Finance on S.B. No. 2387

The purpose of this measure is to promote students' physical health and well-being by:

- (1) Requiring:
 - (A) Beginning with the 2017-2018 school year, every child entering seventh grade to present written documentation from a licensed physician, physician assistant, or advanced practice registered nurse showing completion of a physical examination performed within 12 months before the date of school attendance;
 - (B) The Department of Health to contact, no later than the end of the seventh-grade school year, the parents or guardians of students who have not yet obtained the required physical examination, including, subject to the availability of funds, follow-up consultations about a healthy lifestyle, preventative health care, and health insurance; and
 - (C) The Department of Education to electronically provide a list of students attending the seventh grade who have not yet submitted appropriate documentation of completion of a physical examination and who need follow-up contact; and
- (2) Appropriating funds for the Department of Health to effectuate the purposes of this measure.

The Department of Health, John A. Burns School of Medicine of the University of Hawaii at Manoa, Hawaii Public Health Institute, American Academy of Pediatrics, Hawaii Primary Care Association, Hawaii Pacific Health, and numerous concerned individuals testified in support of this measure. The Department of Education 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. 2387, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1472-16 Finance on S.B. No. 2731

The purpose of this measure is to help address the need for school infrastructure amid the construction of new housing units by:

- (1) Clarifying that if a new residential development within a designated school impact district requires a county subdivision approval, county building permit, or condominium property regime approval, then the developer must also fulfill certain impact fee requirements of the Department of Education, even if the projects are processed pursuant to section 46-15.1, Hawaii Revised Statutes, or section 201H-38, Hawaii Revised Statutes, with the involvement of the Hawaii Housing Finance and Development Corporation or a corresponding county agency; and
- (2) Providing that, in urban Honolulu, fee in lieu funds may be used to purchase completed construction, construct new school facilities, improve or renovate existing structures for school use, or lease land or facilities for school use.

The Hawaii Housing Finance and Development Corporation and Department of Education testified in support of this measure. The Chamber of Commerce Hawaii and Building Industry Association of Hawaii testified in opposition to this measure. The 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. 2731, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1473-16 Finance on S.B. No. 2971

The purpose of this measure is to address certain operations of the University of Hawaii System (University) to improve the efficiency of the University's performance by extending for another year the University's authorization to maintain a separate accounting and financial management system that is compatible with the State's accounting and financial systems and repealing the requirement for the University to submit an annual report on the development of the Construction Academy Program.

The Department of Accounting and General Services and University of Hawaii System 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. 2971, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1474-16 Finance on S.B. No. 2915

The purpose of this measure is to update the Uniform Controlled Substances Act to be consistent with amendments to the Federal Controlled Substances Act and related regulations.

The Department of Public Safety, Hawaii Veterinary Medical Association, Maika'i Veterinary Clinic, All Creatures Great & Small Veterinary Services, Kailua Animal Clinic, and many individuals supported this measure. The Tax Foundation of Hawaii and Walgreens Co. 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. 2915, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1475-16 Finance on S.B. No. 911

The purpose of this measure is to protect the public by prohibiting the use of latex gloves by personnel working in dental health facilities or health care facilities, or personnel providing ambulance services or emergency medical services, where the patient is unconscious or otherwise physically unable to communicate, and by personnel in food establishments.

The American Latex Allergy Association, Allergy & Asthma Network, and many individuals testified in support of this measure. The Hawaii Dental Association opposed this measure. 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. 911, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1476-16 Finance on S.B. No. 2240

The purpose of this measure is to appropriate funds for the Department of Health to hire more full-time employees for vector control and to reestablish a Vector Control Branch within its Environmental Health Administration.

The Department of Defense, Hawaii Emergency Management Agency, Oahu Invasive Species Committee, Hawaii Green Growth, and The Chamber of Commerce Hawaii testified in support 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2240, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1477-16 Finance on S.B. No. 2317

The purpose of this measure is to improve the State's knowledge of risk factors for child and maternal deaths. Specifically, this measure, among other things:

- (1) Requires the Director of Health (Director) to submit annual reports to the Legislature on child death and maternal death reviews;
- (2) With respect to child death reviews:
 - (A) Requires a state or county agency to report deaths of children in the custody of the state or county agency to the Department of Health upon written request from the Director;
 - (B) Requires, upon written request from the Director, all providers of health care and social services, in addition to state and county agencies, to provide information related to the circumstances of a child death; and
 - (C) Prohibits the Department of Health from requesting the findings of any hospital quality committee review;
- (3) With respect to maternal and perinatal studies, requires upon the request of the Director, all providers of health care, social services, and county and state agencies to provide information for use in any study to reduce morbidity or mortality, except findings of any hospital quality committee review; and
- (4) Appropriates funds for the Department of Health to conduct child death reviews and to implement a program for the performance of maternal death reviews.

The Hawaii State Commission on the Status of Women, Hawaii Children's Action Network, Hawaii Public Health Association, Hawaii State Democratic Caucus, Planned Parenthood Votes Northwest and Hawaii, American Congress of Obstetricians and Gynecologists, March of Dimes Hawaii Chapter, Healthy Mothers Healthy Babies Coalition of Hawaii, Kapiolani Child Protection Center, and several concerned individuals testified in support of this measure. The Department of Health, Department of Human Services, Hawaii Pacific Health, and Healthcare 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 S.B. No. 2317, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1478-16 Finance on S.B. No. 2383

The purpose of this measure is to:

- (1) Repeal the Hawaii Health Connector (Connector) as part of the transition to a federally supported, state-based exchange;
- (2) Specify that any debts and liabilities of the Connector remain that of the Connector and do not constitute the debts and liabilities of the State; and
- (3) Specify that the provisions in the measure shall not diminish or limit the consumer protections contained in or alter the provisions of the Hawaii Prepaid Health Care Act.

The Department of Human Services, Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs, and The Chamber of Commerce Hawaii testified in support of this measure. CGI Technologies and Solutions Inc. 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. 2383, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1479-16 Finance on S.B. No. 2395

The purpose of this measure is to expand access to healthcare via Telehealth by embracing emerging technologies, eliminating geographic and originating site limitations, instituting reimbursement parity in the Medicaid program, requiring parity in medical providers' professional liability insurance, and clarifying the relationship requirements between patients, insurers, and providers.

The Department of Human Services, State Council on Developmental Disabilities, DentaQuest, Healthcare Association of Hawaii, Hawaii Medical Service Association, Planned Parenthood Votes Northwest and Hawaii, The Queen's Health Systems, Hawaii Association for Behavior Analysis, and several individuals provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2395, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1480-16 Finance on S.B. No. 2540

The purpose of this measure is to address the immediate need for the development or expansion of a forensic facility at the Hawaii State Hospital by authorizing the Governor, with the assistance of the Director of Health, to directly negotiate with any person for the development or expansion of a Department of Health forensic facility, not subject to the restrictions inherent in the State Procurement Code. This measure also provides for additional public scrutiny through an extended review and comment period for any required environmental assessment or environmental impact statement.

The Department of Health; Department of Accounting and General Services; State Procurement Office; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME, Local 646, and AFL-CIO 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. 2540, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1481-16 Finance on S.B. No. 2670

The purpose of this measure is to ensure that behavioral services continue to be available for clients who depend on them while facilitating the long-term development of an adequate professional and paraprofessional workforce by:

- (1) Reducing the behavior analyst licensing surcharge from \$100 to \$50; and
- (2) Temporarily exempting direct support workers who provide Medicaid home and community-based services pursuant to the Social Security Act from the licensing requirements for the practice of behavior analysis through January 1, 2019.

The Department of Health, State Council on Developmental Disabilities, The Arc in Hawaii, Easter Seals Hawaii, and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs, Hawaii Disability Rights Center, and Hawaii Association for Behavior Analysis 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. 2670, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1482-16 Finance on S.B. No. 2672

The purpose of this measure is to improve patient access to medical care by clarifying the circumstances under which advanced practice registered nurses may practice to the fullest extent of their training and education.

The Department of Labor and Industrial Relations, Hawaii State Commission on the Status of Women, Board of Nursing, Hawaii Association of Professional Nurses, Hawai'i Pacific Health, and several 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 S.B. No. 2672, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1483-16 Finance on S.B. No. 2775

The purpose of this measure is to authorize the State to submit a state innovation waiver proposal to the United States Secretaries of Health and Human Services and the Treasury requesting the waiver of certain provisions of the federal Patient Protection and Affordable Care Act of 2010 that may undermine gains made under the State's Prepaid Health Care Act. This measure also authorizes the State to implement the waiver on or after January 1, 2017, upon approval by the federal government.

The Department of Labor and Industrial Relations; Department of Commerce and Consumer Affairs; Affordable Care Act State Innovation Waiver Task Force; Healthcare Association of Hawaii; Hawaii Medical Service Association; Hawaii Primary Care Association; Planned Parenthood Votes Northwest and Hawaii; and Chamber of Commerce Hawaii 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. 2775 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1484-16 Finance on S.B. No. 2844

The purpose of this measure is to appropriate \$1,000,000 to the Emergency and Budget Reserve Fund for the fiscal year 2014-2015 period to comply with article VII, section 6, of the Hawaii State Constitution, which requires the Legislature to provide a tax refund or credit to state taxpayers or make a deposit into one or more funds, under certain conditions.

The Department of Budget and Finance provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount 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 S.B. No. 2844, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2844, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1485-16 Finance on S.B. No. 2845

The purpose of this measure is to appropriate general funds for fiscal year 2016-2017 to repay prior general fund cash advances of:

- (1) \$89,900,000 for the purchase of lands of the former Kapalama Military Reservation; and
- (2) \$13,300,000 for the Hawaii Health Systems Corporation for its employer contributions to the Employees' Retirement System and the health fund.

The Department of Budget and Finance testified in support of this measure. The Hawaii Health Systems Corporation provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount for the purchase of lands of the former Kapalama Military Reservation from \$89,900,000 to an unspecified amount;
- (2) Changing the appropriation amount for the Hawaii Health Systems Corporation from \$13,300,000 to an unspecified amount; 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. 2845, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2845, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1486-16 Finance on S.B. No. 2921

The purpose of this measure is to conform Hawaii's income and estate and generation-skipping transfer tax laws to the Internal Revenue Code as of December 31, 2015.

The Department of Taxation testified in support of 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2921, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2921, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1487-16 Finance on S.B. No. 2922

The purpose of this measure is to enable the Tax Review Commission to carry out its mandate of evaluating the State's tax structure and recommending revenue and tax policy.

Specifically, this measure:

- (1) Extends the reporting date of the 2015-2017 Tax Review Commission to thirty days prior to the convening of the regular legislative session of 2018; and
- (2) Appropriates \$250,000 for the Tax Review Commission for fiscal year 2016-2017.

The Department of Taxation provided comments.

Your Committee has amended this measure by changing the appropriation to 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. 2922, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2922, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1488-16 Finance on S.B. No. 2923

The purpose of this measure is to bring clarity and consistency to the treatment of penalties and fines within Title 14, Hawaii Revised Statutes, and promote compliance with the tax laws of the State by:

- (1) Clarifying that interest shall be imposed on all unpaid penalties and fines rather than only on penalties and fines that become part of the tax pursuant to statute;
- (2) Requiring that the chairperson of the applicable Board of Review to file a notice of transfer with the Tax Appeal Court when the board receives notice that a taxpayer elects to transfer a tax appeal to the Tax Appeal Court; and
- (3) Simplifying the rate of interest to be paid to taxpayers on funds held in the Litigated Claims Fund by plainly stating the applicable interest rate rather than referring to a formula computed with reference to the Internal Revenue Code.

The Department of Taxation supported this measure. We Are One, Inc. and several individuals opposed this measure.

Your Committee has amended this measure by changing its 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. 2923, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2923, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1489-16 Finance on S.B. No. 2925

The purpose of this measure is to specify that the untimely filing of an amended federal income tax return does not reopen the Hawaii statute of limitations for claiming a state income tax refund.

The Department of Taxation testified in support of this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2030, and making technical, nonsubstantive amendments to clarify that it applies to taxable years beginning after December 31, 2015.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2925, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2925, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1490-16 Transportation on S.B. No. 2375

The purpose of this measure is to bring uniformity to speed limits established along the Daniel K. Inouye Highway on the island of Hawaii while maintaining traffic safety. Specifically, this measure:

- (1) Increases the speed limit along certain portions of the Daniel K. Inouye Highway to a maximum of 60 miles per hour; and
- (2) Requires the establishment of a 45 mile per hour speed limit, or any other speed limit as determined by the Department of Transportation, beginning at the Pohakuloa training area and ending one-half mile east of the Mauna Kea County Park entrance.

A concerned individual testified in support of this measure. The Department of Transportation testified in support of the intent of this measure.

Route 200 on the Island of Hawaii, known locally as Saddle Road and recently renamed the Daniel K. Inouye Highway, traverses the width of the Island of Hawaii. Saddle Road stretches from downtown Hilo to the junction with Hawaii Route 190, near the town of Waimea, and often serves as a shorter route for people traveling from Kona to Hilo. While once known as one of the most dangerous roads in the State because of numerous one-lane bridges and areas of marginally maintained pavement, most of the road has now been repaved and major parts have new re-alignments constructed to modern standards. However, numerous complaints have been received by those who use Saddle Road that there are frequent speed limit changes along the entire length of the highway that make traversing the highway difficult. This measure addresses these concerns while maintaining safety where highway conditions necessitate lower speeds.

Your Committee notes that concerns were raised as to what constituted a safe speed limit for Saddle Road. Accordingly, your Committee has amended this measure by changing the speed limits to unspecified speed limits to facilitate further discussion.

Your Committee has also amended this measure by:

- (1) Changing its effective date to July 1, 2050; 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. 2375, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2375, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 1491-16 Transportation on S.B. No. 2585

The purpose of this measure is to reduce pedestrian confusion when using a crosswalk equipped with a countdown timer by clarifying what a countdown timer indicates to the pedestrian.

The Department of Transportation and numerous concerned individuals testified in support of this measure.

Numerous crosswalks throughout Hawaii are now equipped with countdown timers which indicate how many seconds a pedestrian has to finish crossing the street before the pedestrian signal changes from a flashing "Don't Walk" or upraised palm signal to a steady "Don't Walk" or upraised palm signal. However, there is confusion among many pedestrians as to when they are allowed to cross the street at a location equipped with a countdown timer. Updating the statutory specifications of what pedestrian control signals mean, which were last amended in 1981, to address signalized crosswalks where countdown timers are used will reduce this confusion.

Your Committee has amended this measure by:

- (1) Clarifying that a pedestrian may not start to cross a roadway equipped with a countdown timer once the countdown timer has begun operating;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2585, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2585, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 1492-16 Consumer Protection & Commerce on S.B. No. 13

The purpose of this measure as received by your Committee, is to amend eligibility requirements for licensing of psychologists to include additional doctoral degree programs accredited by the American Psychological Association.

For purposes of a public hearing on this measure, your Committee circulated Proposed S.B. No. 13, H.D.1, and notified the public that it would be accepting testimony on the proposal, which among other things, establishes the framework and requirements for the licensure of school psychologists in both the public and private sectors of employment.

An individual testified in support of the measure as received by your Committee.

The Department of Commerce and Consumer Affairs and Board of Psychology provided comments on the proposed draft.

Your Committee considered the merits of both S.B. No. 13, as received by your Committee, and the proposed draft, and upon careful consideration, adopted the proposed draft with the following amendments:

- (1) Beginning July 1, 2017, establishing registration requirements and limitations on use of titles for school psychologists instead of establishing a framework and requirements for the licensure of school psychologists in both the public and private sectors of employment;
- (2) Requiring the Auditor to conduct a study to determine whether licensure for the practice of school psychology is warranted;
- (3) Changing the effective date to July 1, 2016; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee finds that Medicaid money is being left on the table because the State is not using school psychologists in the educational setting as required by federal law for reimbursement. However, your Committee finds that current law requires that a study be done by the Auditor before a new profession can be regulated through licensure. In order to not jeopardize Medicaid funds to the State while continuing to pursue a study by the Auditor, your Committee has amended this measure to provide school psychologists title protection regulations as an interim solution in ensuring that Medicaid funds can be drawn down for school psychologists while protecting the public. Additionally, this measure ensures that school psychologists comply with nationally-accredited standards and training requirements for the use of the title of school psychologist as the use of the title of school psychologist by non-accredited school psychologists has become problematic in the educational setting.

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. 13, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 13, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Brower, Kawakami and Oshiro.

SCRep. 1493-16 Water & Land on H.C.R. No. 61

The purpose of this measure is to support the Ala Wai Watershed Partnership and its integrated approach to increasing the resilience and sustainability of the Ala Wai watershed and Waikiki.

The Department of Land and Natural Resources, Hawaii Green Growth, and an individual provided testimony in support of the measure.

Your Committee has amended this measure by adding the White House Council on Environmental Quality and White House Office of Management and Budget to the list of recipients of the Concurrent Resolution.

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. 61, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 61, H.D. 1.

Signed by all members of the Committee except Representatives Ing and Thielen.

SCRep. 1494-16 Consumer Protection & Commerce on H.C.R. No. 32

The purpose of this measure is to request the convening of a task force to:

- (1) Examine issues relating to cancer in the firefighting profession; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2017 Regular Session.

The Department of Health, Hawaii State Fire Council, Honolulu Fire Department, Maui County Department of Fire & Public Safety, Hawaii Fire Fighters Association and one individual testified in support of this measure. The University of Hawaii System and the Employees' Retirement System 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. 32, H.D. 1, and recommends its adoption.

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

SCRep. 1495-16 Consumer Protection & Commerce on H.C.R. No. 65

The purpose of this measure is to request the Auditor to perform a sunrise analysis of the proposed regulation of the profession of certified professional midwives and submit a report of findings of the sunrise analysis to the Legislature prior to the 2017 Regular Session.

The Department of Commerce and Consumer Affairs, Midwives Alliance of Hawaii and numerous 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. 65, H.D. 1, and recommends its adoption.

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

SCRep. 1496-16 Consumer Protection & Commerce on H.C.R. No. 72

The purpose of this measure urge the Department of Health to enforce Part III of Chapter 328, Hawaii Revised Statutes, by pursuing injunctions and fines against persons who mislabel previously frozen fish as fresh fish.

Two individuals testified in support to 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. 72, H.D. 1, and recommends its adoption.

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

SCRep. 1497-16 Consumer Protection & Commerce on H.C.R. No. 87

The purpose of this measure is to request the Public Utilities Commission to assess the feasibility and the potential merits and benefits of the energy cooperative model for the island of Hawaii.

Hawaii Energy Cooperative and one individual testified in support of this measure. The Department of Business, Economic Development & 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. 87, H.D. 1, and recommends its adoption.

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

SCRep. 1498-16 Finance on H.C.R. No. 4

The purpose of this measure is to request the auditor to audit the asset forfeiture program of the Department of the Attorney General.

Your Committee received testimony from the Department of the Attorney General, the American Civil Liberties Union of Hawaii, the Drug Policy Forum of Hawaii, and one individual in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 4 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1499-16 Finance on H.C.R. No. 9

The purpose of this measure is to request that the auditor conduct a study of the relevancy of the certificate of need process under Chapter 323D, Hawaii Revised Statutes.

As affirmed by the record of votes 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. 9 and recommends its adoption.

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

SCRep. 1500-16 Finance on H.C.R. No. 10

The purpose of this measure is to urge various government entities who manage and own land around each of the planned rail transit stations to consider and include in development discussions, to the greatest extent possible, affordable housing, child and family services, elderly services, and other beneficial opportunities for the people 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. 10 and recommends its adoption.

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

SCRep. 1501-16 Finance on H.R. No. 4

The purpose of this measure is to support game mammal, game bird, and fishing resources in order to promote sustainability and food security and to preserve long standing local and cultural practices.

As affirmed by the record of votes 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. 4, H.D. 1, and recommends its adoption.

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

SCRep. 1502-16 Finance on H.C.R. No. 22

The purpose of this measure is to support game mammal, game bird, and fishing resources in order to promote sustainability and food security and to preserve long standing local and cultural practices.

As affirmed by the record of votes 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. 22, H.D. 1, and recommends its adoption.

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

SCRep. 1503-16 Finance on H.C.R. No. 26

The purpose of this measure is to request that the Hawaii Sister-State Committee evaluate and develop recommendations for the initiation of a sister-state relationship with the State of Goa in the country of India 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 H.C.R. No. 26 and recommends its adoption.

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

SCRep. 1504-16 Finance on H.C.R. No. 27

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Kukuiula, Koloa, Kauai, for the maintenance and repair of the existing rock seawall, and for the use, maintenance, and repair of the existing improvements 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. 27 and recommends its adoption.

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

SCRep. 1505-16 Finance on H.C.R. No. 28

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Heeia, Koolaupoko, Oahu, for the use, construction, maintenance, and repair of the existing boat dock 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. 28 and recommends its adoption.

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

SCRep. 1506-16 Finance on H.R. No. 5

The purpose of this measure is to urge congress to amend federal law to allow funds for the burial of qualified Filipino-American veterans in national and state veterans cemeteries to cover the costs of transporting the remains of Filipino-American veterans of World War II to the Philippines and for funeral and burial services in the Philippines.

As affirmed by the record of votes 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. 5 and recommends its adoption.

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

SCRep. 1507-16 Finance on H.C.R. No. 23

The purpose of this measure is to urge congress to amend federal law to allow funds for the burial of qualified Filipino-American veterans in national and state veterans cemeteries to cover the costs of transporting the remains of Filipino-American veterans of World War II to the Philippines and for funeral and burial services in the Philippines.

As affirmed by the record of votes 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 except Representatives Cachola and Jordan.

SCRep. 1508-16 Finance on H.R. No. 50

The purpose of this measure is to request that the Department of Transportation designate Honolulu International Airport as the Daniel K. Inouye International Airport.

As affirmed by the record of votes 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. 50 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1509-16 Finance on H.C.R. No. 88

The purpose of this measure is to request that the Department of Transportation designate Honolulu International Airport as the Daniel K. Inouye International Airport.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 88 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1510-16 Finance on H.R. No. 60

The purpose of this measure is to request the Department of Education to establish a task force to reintroduce vocational programs at public schools.

Your Committee received testimony from the Hawaii Construction Alliance and the Hawaii State Teachers Association in support of this measure. The Department of Education provided testimony in support of the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 60 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1511-16 Finance on H.C.R. No. 103

The purpose of this measure is to request the Department of Education to establish a task force to reintroduce vocational programs at public schools.

Your Committee received testimony on the Proposed Draft from the Hawaii Construction Alliance and the Hawaii State Teachers Association in support of this measure. The Department of Education provided testimony in support of the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 103 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1512-16 Finance on H.C.R. No. 90

The purpose of this measure is to request the Chief of the Department of Health Emergency Medical Services and Injury Prevention System Branch to convene and chair a working group to develop a community paramedic program, including educational standards for certifications, to alleviate emergency services from responding to non-emergency calls.

As affirmed by the record of votes 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. 90 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1513-16 Finance on H.R. No. 55

The purpose of this measure is to request work on the H-1 Corridor Study to be expedited and that the State and the City and County of Honolulu evaluate traffic management initiatives and Department of Transportation-sponsored projects in the Oahu Metropolitan Planning Organization-approved FY 2011-2014 Transportation Improvement Program to address traffic congestion in the Aiea-Red Hill-Moanalua-Salt Lake Area.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 55 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1514-16 Finance on H.C.R. No. 94

The purpose of this measure is to request work on the H-1 Corridor Study to be expedited and that the State and the City and County of Honolulu evaluate traffic management initiatives and Department of Transportation-sponsored projects in the Oahu Metropolitan Planning Organization-approved FY 2011-2014 Transportation Improvement Program to address traffic congestion in the Aiea-Red Hill-Moanalua-Salt Lake Area.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 94 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1515-16 Finance on H.C.R. No. 108

The purpose of this measure is to request the Department of Transportation to collaborate with county police departments to educate the public about vehicular lollygagging and to enforce Hawaii's Keep-Right Driving Law.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 108 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1516-16 Finance on H.R. No. 145

The purpose of this measure is to request that the Department of Transportation perform a feasibility study on the installation of a traffic light at the intersection of Omaopio Road and Kula Highway as a means to improve public safety.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 145, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1517-16 Finance on H.C.R. No. 199

The purpose of this measure is to request that the Department of Transportation perform a feasibility study on the installation of a traffic light at the intersection of Omaopio Road and Kula Highway as a means to improve public safety.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 199, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1518-16 Finance on H.R. No. 147

The purpose of this measure is to request the Department of Accounting and General Services to identify and prioritize repair and maintenance projects for all State buildings based on the highest health and safety needs.

Your Committee received testimony from the Department of Accounting and General Services in opposition to 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. 147 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1519-16 Finance on H.C.R. No. 201

The purpose of this measure is to request the Department of Accounting and General Services to identify and prioritize repair and maintenance projects for all State buildings based on the highest health and safety needs.

Your Committee received testimony from the Department of Accounting and General Services in opposition to 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. 201 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1520-16 Finance on H.R. No. 149

The purpose of this measure is to request that the Department of Agriculture promote the expansion of agricultural commerce.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 149, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1521-16 Finance on H.C.R. No. 203

The purpose of this measure is to request that the Department of Agriculture promote the expansion of agricultural commerce.

As affirmed by the record of votes 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, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1522-16 Finance on H.R. No. 37

The purpose of this measure is to urge the Department of Education to include neighbor island school complexes in heat abatement studies, use scientific data and methods to determine heat abatement priority rankings of schools, and increase transparency in the methodology used to determine priority rankings.

As affirmed by the record of votes 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. 37 and recommends its adoption.

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

SCRep. 1523-16 Finance on H.C.R. No. 74

The purpose of this measure is to urge the Department of Education to include neighbor island school complexes in heat abatement studies, use scientific data and methods to determine heat abatement priority rankings of schools, and increase transparency in the methodology used to determine priority rankings.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 74 and recommends its adoption.

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

SCRep. 1524-16 Finance on H.R. No. 41

The purpose of this measure is to designate April 28, 2016, as "Workers' Memorial Day" in Hawaii in memory of workers killed, injured, or disabled in the workplace.

As affirmed by the record of votes 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. 41 and recommends its adoption.

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

SCRep. 1525-16 Finance on H.C.R. No. 79

The purpose of this measure is to designate April 28, 2016, as "Workers' Memorial Day" in Hawaii in memory of workers killed, injured, or disabled in the workplace.

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

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

SCRep. 1526-16 Finance on H.R. No. 42

The purpose of this measure is to urge the State to develop and implement a statewide emergency management simulation exercise.

As affirmed by the record of votes 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. 42, H.D. 1, and recommends its adoption.

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

SCRep. 1527-16 Finance on H.C.R. No. 80

The purpose of this measure is to urge the State to develop and implement a statewide emergency management simulation exercise.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 80, H.D. 1, and recommends its adoption.

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

SCRep. 1528-16 Finance on H.R. No. 44

The purpose of this measure is to establish a task force to plan and coordinate the celebration of the fiftieth anniversary of the Hawaii State Capitol.

As affirmed by the record of votes 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 except Representative Cachola.

SCRep. 1529-16 Finance on H.C.R. No. 82

The purpose of this measure is to establish a task force to plan and coordinate the celebration of the fiftieth anniversary of the Hawaii State Capitol.

As affirmed by the record of votes 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 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1530-16 Finance on H.R. No. 46

The purpose of this measure is to urge the State Department of Transportation and the Department of Transportation Services of the City and County of Honolulu to landscape Hawaii's public highways and roads by planting more trees.

As affirmed by the record of votes 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. 46 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1531-16 Finance on H.C.R. No. 84

The purpose of this measure is to urge the State Department of Transportation and the Department of Transportation Services of the City and County of Honolulu to landscape Hawaii's public highways and roads by planting more trees.

As affirmed by the record of votes 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. 84 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1532-16 Finance on H.R. No. 70

The purpose of this measure is to urge the Emergency Medical Services and Injury Prevention System Branch of the Department of Health to support funding for a centrally located ambulance station in Ewa Beach, with respect to its effects on the renovation of the former Ewa Beach fire station on Pohakupuna Road into a twenty-four hour a day operational ambulance station for Ewa Beach.

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. 70 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1533-16 Finance on H.C.R. No. 113

The purpose of this measure is to urge the Emergency Medical Services and Injury Prevention System branch of the Department of Health to support funding for a centrally located ambulance station in Ewa Beach.

As affirmed by the record of votes 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. 113 and recommends its adoption.

Signed by all members of the Committee except Representative Cachola.

SCRep. 1534-16 Finance on H.R. No. 77

The purpose of this measure is to request that the Hawaii Sister-State Committee review and consider the establishment of a state/province relationship between the state of Hawaii of the United States of America and the Province of Aklan of the Republic of the Philippines.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 77, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1535-16 Finance on H.C.R. No. 123

The purpose of this measure is to request that the Hawaii Sister-State Committee review and consider the establishment of a state/province relationship between the state of Hawaii of the United States of America and the Province of Aklan of the Republic of the Philippines.

As affirmed by the record of votes 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. 123, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1536-16 Finance on H.R. No. 89

The purpose of this measure is to request that the Department of Education affirm its commitment to uphold the tenets of Title IX of the Education Amendment Act of 1972.

As affirmed by the record of votes 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. 89 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1537-16 Finance on H.C.R. No. 137

The purpose of this measure is to request that the Department of Education affirm its commitment to uphold the tenets of Title IX of the Education Amendment Act of 1972.

As affirmed by the record of votes 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. 137 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1538-16 Finance on H.R. No. 97

The purpose of this measure is to request that the Department of Education provide equipment necessary for a full-service conventional kitchen at Keaukaha Elementary School and provide necessary positions to operate the kitchen.

As affirmed by the record of votes 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. 97 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1539-16 Finance on H.C.R. No. 146

The purpose of this measure is to request that the Department of Education provide equipment necessary for a full-service conventional kitchen at Keaukaha Elementary School and provide necessary positions to operate the kitchen.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 146 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1540-16 Finance on H.R. No. 100

The purpose of this measure is to request a sunrise analysis of mandatory insurance coverage for certain sexually transmitted disease screenings.

As affirmed by the record of votes 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. 100 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1541-16 Finance on H.C.R. No. 149

The purpose of this measure is to request a sunrise analysis of mandatory insurance coverage for certain sexually transmitted disease screenings.

As affirmed by the record of votes 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. 149 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1542-16 Finance on H.C.R. No. 115

The purpose of this measure is to request the Department of Public Safety to consult with the State Capitol Management Committee and to develop and implement a master security plan that will increase safety and security in the State Capitol building through the use of metal detectors, X-ray scans of baggage, and other prudent measures.

Your Committee received testimony from the House Sergeant at Arms in support of this measure. The Department of Public Safety provided comments supporting the intent of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 115 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1543-16 Finance on H.R. No. 112

The purpose of this measure is to request collaborative efforts for stewardship and preservation of Waipi'o Valley.

As affirmed by the record of votes 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. 112 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1544-16 Finance on H.C.R. No. 162

The purpose of this measure is to request collaborative efforts for stewardship and preservation of Waipi'o Valley.

As affirmed by the record of votes 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. 162 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1545-16 Finance on H.R. No. 114

The purpose of this measure is to request that the President of the United States, Governor of Hawaii, Hawaii's Congressional Delegation, Centers for Disease Control and Prevention, and Federal Aviation Administration proactively work toward prevention and control of the Zika virus.

As affirmed by the record of votes 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. 114 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1546-16 Finance on H.C.R. No. 164

The purpose of this measure is to request that the President of the United States, Governor of Hawaii, Hawaii's Congressional Delegation, Centers for Disease Control and Prevention, and Federal Aviation Administration proactively work toward prevention and control of the Zika virus.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 164 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1547-16 Finance on H.R. No. 117

The purpose of this measure is to request a study on the feasibility of installing water dispensers designed to accommodate the refilling of reusable containers at the State Capitol.

As affirmed by the record of votes 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. 117 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1548-16 Finance on H.C.R. No. 167

The purpose of this measure is to request a study on the feasibility of installing water dispensers designed to accommodate the refilling of reusable containers at the State Capitol.

As affirmed by the record of votes 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 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1549-16 Finance on H.R. No. 119

The purpose of this measure is to request that the Department of Transportation begin construction of the leeward bikeway in 2016.

As affirmed by the record of votes 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. 1550-16 Finance on H.C.R. No. 169

The purpose of this measure is to request that the Department of Transportation begin construction of the leeward bikeway in 2016.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 169 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1551-16 Finance on H.R. No. 124

The purpose of this measure is to request that the Department of Transportation, Department of Accounting and General Services, and University of Hawaii create a traffic mitigation plan for the leeward and central area 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.R. No. 124, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1552-16 Finance on H.C.R. No. 174

The purpose of this measure is to request that the Department of Transportation, Department of Accounting and General Services, and University of Hawaii create a traffic mitigation plan for the leeward and central area 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. 174, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1553-16 Finance on H.R. No. 126

The purpose of this measure is to urge the Department of Transportation Services of the City and County of Honolulu to implement the traffic safety recommendations identified in the Kupuna Loop Sub-Area Corridor Study conducted by SSFM International and to repave all city roadways in the Kunia and Village Park area.

As affirmed by the record of votes 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. 1554-16 Finance on H.C.R. No. 176

The purpose of this measure is to urge the Department of Transportation Services of the City and County of Honolulu to implement the traffic safety recommendations identified in the Kupuna Loop Sub-Area Corridor Study conducted by SSFM International and to repave all city roadways in the Kunia and Village Park area.

As affirmed by the record of votes 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. 176 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1555-16 Finance on H.R. No. 130

The purpose of this measure is to request the Department of Education to establish a task force to create a plan to address overcrowding in public schools in Kapolei, Ewa, and Waipahu.

Your Committee received testimony from the Hawaii State Teachers Association in support of this measure. The Department of Education 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. 130 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1556-16 Finance on H.C.R. No. 180

The purpose of this measure is to request the Department of Education to establish a task force to create a plan to address overcrowding in public schools in Kapolei, Ewa, and Waipahu.

Your Committee received testimony from the Hawaii State Teachers Association in support of this measure. The Department of Education 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.C.R. No. 180 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1557-16 Finance on H.C.R. No. 188

The purpose of this measure is to request the establishment of a Public Land Trust Revenues Negotiating Committee.

As affirmed by the record of votes 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. 188, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1558-16 Finance on H.C.R. No. 187

The purpose of this measure is to urge the Office of Environmental Quality Control to adopt the Environmental Justice Guidance Document as agency policy for use in the state environmental review 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. 187 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1559-16 Finance on H.R. No. 142

The purpose of this measure is to request the State Procurement Office to review Hawaii's procurement laws in comparison with federal procurement laws.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 142 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1560-16 Finance on H.C.R. No. 196

The purpose of this measure is to request the State Procurement Office to review Hawaii's procurement laws in comparison with federal procurement laws.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 196 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1561-16 Finance on H.R. No. 144

The purpose of this measure is to request that the Auditor conduct a financial and management audit of the Plant Quarantine Branch of the Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 144 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1562-16 Finance on H.C.R. No. 198

The purpose of this measure is to request that the Auditor conduct a financial and management audit of the Plant Quarantine Branch of the Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 198 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1563-16 Finance on H.R. No. 103

The purpose of this measure is to support access to debt-free higher education at public colleges and universities.

Your Committee received testimony from an individual in support of this measure; and from an individual in opposition to 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. 103 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1564-16 Finance on H.C.R. No. 151

The purpose of this measure is to support access to debt-free higher education at public colleges and universities.

Your Committee received testimony from an individual in support of this measure; and from an individual in opposition to 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. 151 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1565-16 Finance on H.R. No. 104

The purpose of this measure is to request the Real Estate Commission to study the effectiveness of its existing dispute resolution process and consumer assistance program for condominium owners and associations, and possible expansion of these services to other types of homeowners associations.

Your Committee received testimony from the Hawaii Real Estate Commission in opposition to 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. 104, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1566-16 Finance on H.C.R. No. 152

The purpose of this measure is to request the Real Estate Commission to study the effectiveness of its existing dispute resolution process and consumer assistance program for condominium owners and associations, and possible expansion of these services to other types of homeowners associations.

Your Committee received testimony from the Hawaii Real Estate Commission in opposition to 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. 152, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1567-16 Finance on H.R. No. 106

The purpose of this measure is to request the Legislative Reference Bureau to evaluate the establishment of separate medical and pension benefit plans for justices and judges.

Your Committee received testimony from the Judiciary in opposition to this measure. The Legislative Reference 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 concurs with the intent and purpose of H.R. No. 106 and recommends its adoption.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1568-16 Finance on H.C.R. No. 154

The purpose of this measure is to request the Legislative Reference Bureau to evaluate the establishment of separate medical and pension benefit plans for justices and judges.

Your Committee received testimony from the Judiciary in opposition to this measure. The Legislative Reference 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 concurs with the intent and purpose of H.C.R. No. 154 and recommends its adoption.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1569-16 Finance on H.R. No. 108

The purpose of this measure is to request the insurance division of the Department of Commerce and Consumer Affairs conduct a survey of the medical professional community to determine the extent of the development of accountable care organizations and direct primary care or "concierge medicine" within the community and the impact of these business arrangements on the ability of patients to access primary care services in 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. 108 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1570-16 Finance on H.C.R. No. 157

The purpose of this measure is to request the insurance division of the Department of Commerce and Consumer Affairs conduct a survey of the medical professional community to determine the extent of the development of accountable care organizations and direct primary care or "concierge medicine" within the community and the impact of these business arrangements on the ability of patients to access primary care services in 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. 157 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1571-16 Finance on H.R. No. 111

The purpose of this measure is to urge the Department of Land and Natural Resources to increase active patrols of Kailua Bay, expand no wake speed zones, and enforce boating safety rules.

As affirmed by the record of votes 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. 111 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1572-16 Finance on H.C.R. No. 160

The purpose of this measure is to urge the Department of Land and Natural Resources to increase active patrols of Kailua Bay, expand no wake speed zones, and enforce boating safety rules.

As affirmed by the record of votes 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. 160 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1573-16 Finance on H.R. No. 8

The purpose of this measure is to request that Hawaii's congressional delegation assist the state in negotiating with the federal government for the acquisition of the Federal Detention Center, Honolulu.

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

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

SCRep. 1574-16 Finance on H.C.R. No. 31

The purpose of this measure is to request that Hawaii's congressional delegation assist the state in negotiating with the federal government for the acquisition of the Federal Detention Center, Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 31 and recommends its adoption.

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

SCRep. 1575-16 Finance on H.R. No. 12

The purpose of this measure is to urge the Judiciary to examine the feasibility and potential benefits of establishing DWI court programs in Kona and Hilo on Hawaii Island.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 12 and recommends its adoption.

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

SCRep. 1576-16 Finance on H.C.R. No. 44

The purpose of this measure is to urge the Judiciary to examine the feasibility and potential benefits of establishing DWI court programs in Kona and Hilo on Hawaii Island.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 44 and recommends its adoption.

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

SCRep. 1577-16 Finance on H.R. No. 20

The purpose of this measure is to request that the Department of Budget and Finance convene a work and save working group to investigate the feasibility and impact of establishing a retirement savings trust fund for private-sector employees in 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. 20 and recommends its adoption.

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

SCRep. 1578-16 Finance on H.C.R. No. 53

The purpose of this measure is to request that the Department of Budget and Finance convene a work and save working group to investigate the feasibility and impact of establishing a retirement savings trust fund for private-sector employees in 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. 53 and recommends its adoption.

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

SCRep. 1579-16 Finance on H.R. No. 26

The purpose of this measure is to recognize aerospace as a strategic and timely growth industry for Hawaii and request the state administration to take proactive, coordinated, and sustained action to fully realize the significant scientific, educational, and commercial benefits the aerospace industry can bring to 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. 26 and recommends its adoption.

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

SCRep. 1580-16 Finance on H.C.R. No. 59

The purpose of this measure is to recognize aerospace as a strategic and timely growth industry for Hawaii and request the state administration to take proactive, coordinated, and sustained action to fully realize the significant scientific, educational, and commercial benefits the aerospace industry can bring to 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. 59 and recommends its adoption.

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

SCRep. 1581-16 Finance on H.C.R. No. 58

The purpose of this measure is to authorize an amendment of perpetual non-exclusive easement for maintenance and repair of existing seawall and landscaping of easement area at Lahaina on the island of Maui.

As affirmed by the record of votes 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. 58 and recommends its adoption.

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

SCRep. 1582-16 Finance on H.C.R. No. 40

The purpose of this measure is to request that the Secretary of the Air Force provide eight-person firing parties (seven members and the firing party non-commissioned officer in charge) at the funerals of all Air Force veterans and retirees who were discharged or released under conditions other than dishonorable.

As affirmed by the record of votes 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 except Representatives Cachola and Jordan.

SCRep. 1583-16 Finance on H.C.R. No. 29

The purpose of this measure is to urge Hawaii's congressional delegation to propose and pass a proposed amendment to the United States Constitution clarifying that corporations are not people with constitutional rights, and that unlimited campaign spending is not free speech.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 29 and recommends its adoption.

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

SCRep. 1584-16 Health on S.C.R. No. 49

The purpose of this measure is to urge the Department of Health to:

- (1) Endorse the "Screen at 23" campaign's efforts to increase awareness of diabetes among Asian American communities and to eliminate disparities; and
- (2) Encourage all public and private health care providers and facilities to participate in these efforts.

The Department of Health and numerous individuals supported this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 49, S.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 1585-16 Judiciary on S.B. No. 2333

The purpose of this measure is to reduce ambiguity with respect to the regulation of marriage and family therapists by:

- (1) Replacing the term "marriage and family therapist" with "licensed marriage and family therapist" throughout the Hawaii Revised Statutes (HRS); and
- (2) Defining "licensed marriage and family therapist" as a person licensed in marriage and family therapy practice pursuant to chapter 451J, HRS.

The Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division and many individuals testified in support 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2333, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Creagan, Hashem, Kawakami, Lee and Thielen.

SCRep. 1586-16 Finance on S.B. No. 2660

The purpose of this measure is to make permanent section 501-261.5, Hawaii Revised Statutes, which authorizes owners of registered non-time share interests to deregister those interests from the Land Court system and record title information with the Bureau of Conveyances instead.

The Department of Land and Natural Resources, American Resort Development Association Hawaii, and a concerned individual testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2660, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1587-16 Finance on S.B. No. 2561

The purpose of this measure of this measure is to establish a rental housing strategy for the State. Specifically, this measure:

- (1) Establishes a goal of developing or committing to the development of at least 22,500 affordable rental housing units for occupancy by the end of 2026;
- (2) Establishes a temporary special action team on affordable rental housing, within the Office of Planning for administrative purposes, to make recommendations to achieve the affordable rental housing goal, including by proposing updates to the State Planning Act;
- (3) Requires the special action team on affordable rental housing to develop a ten-year plan that identifies state, county, and private parcels of land that are suitable for affordable housing units; and
- (4) Appropriates funds for the special action team on affordable rental housing.

The Office of Planning, Governor's Coordinator on Homelessness, Pacific Resource Partnership, FACE – Faith Action for Community Equity and Housing Now! Coalition, Catholic Charities Hawaii, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii testified in support of this measure. The Hawaii Housing Finance and Development Corporation 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. 2561, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1588-16 Finance on S.B. No. 2659

The purpose of this measure is to establish an Industrial Hemp Pilot Program within the Department of Agriculture (DOA) to allow the cultivation of industrial hemp and distribution of its seed in the State for agricultural or academic research, and appropriate funds for one full-time equivalent position in DOA to effectuate the pilot program.

Revolution Aloha, Hawaii Farmers Union United, Hawaii Farmers Union United - Kona Chapter, Maui Hemp Institute for Research and Innovation, Hawaii Farm Bureau, Kihei Community Association, Land Use Research Foundation of Hawaii, and numerous individuals testified in support of this measure. The DOA, Alexander & Baldwin, Inc., and Wear on Earth – 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. 2659, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1589-16 Finance on S.B. No. 2850

The purpose of this measure is to clarify the applicable regulatory scope of the Secure and Fair Enforcement for Mortgage Licensing Act, chapter 454F, Hawaii Revised Statutes, and the mortgage servicers law under chapter 454M, Hawaii Revised Statutes, which regulate the related industries of mortgage loan origination and mortgage servicing, respectively. Specifically, this measure, among other things:

- (1) Applies the same confidentiality requirements to mortgage loan originators as are already operative for mortgage servicers;
- (2) Amends statutory definitions and updates provisions related to controlling federal laws to make the use of terminology and application of federal requirements consistent across both chapters; and

- (3) Segregates statutory provisions related to each class of licensee into the appropriate chapter to avoid confusion and redundancy in licensing and enforcement requirements for mortgage servicers and mortgage loan originators, respectively.

ARDA Hawaii, Hawaii Habitat for Humanity Association, Starwood Vacation Ownership, and Wyndham Vacation Ownership supported this measure. 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. 2850, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1590-16 Finance on S.B. No. 2854

The purpose of this measure is to make various amendments throughout Title 24 of the Hawaii Revised Statutes relating to:

- (1) Property insurance;
- (2) Market conduct;
- (3) Insurance premium taxes;
- (4) Insurance contracts;
- (5) Health insurers, mutual benefit societies, and health maintenance organizations;
- (6) Sponsored captive insurance companies;
- (7) Mental illness and alcohol and drug dependence benefits;
- (8) Hawaii Hurricane Relief Fund; and
- (9) Prescription drug benefits.

The Department of Commerce and Consumer Affairs and Hawaii Medical Service Association testified in support of this measure. The Tax Foundation of Hawaii and Property Casualty Insurers Association of America 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. 2854, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1591-16 Finance on S.B. No. 2910

The purpose of this measure is to assist in the implementation of the Time Share Commissioners of Deeds Program (Program).

Specifically, this measure, among other things:

- (1) Clarifies the Lieutenant Governor's rulemaking authority and responsibility with respect to the Program;
- (2) Authorizes the Lieutenant Governor to assess and collect fees and administrative fines for the Program;
- (3) Increases the surety bond and cash bond requirement for Commissioners of Deeds; and
- (4) Appropriates funds for a Commissioner of Deeds specialist and expenses related to establishing and administering the Program.

The Office of the Lieutenant Governor, Department of the Attorney General, Department of Commerce and Consumer Affairs, Department of Land and Natural Resources, Starwood Vacation Ownership, American Resort Development Association, Wyndham Vacation Ownership, and ARDA Hawaii 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. 2910, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1592-16 Finance on S.B. No. 2551

The purpose of this measure is to require the Judiciary to submit annual reports to the Legislature on accounts and funds that are administratively established and managed by the Judiciary.

The Office of the Auditor and Judiciary provided comments for 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. 2551, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1593-16 Finance on S.B. No. 2494

The purpose of this measure is to improve the efficiency and transparency of government contracting by:

- (1) Requiring the State Procurement Office to establish a statewide database containing government procurement contract data;
- (2) Requiring each governmental body to submit data relating to any procurement contract of the governmental body to the State Procurement Office; and
- (3) Appropriating funds to establish the statewide database.

Ulupono Initiative provided testimony in support of the measure. The State Procurement Office 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. 2494, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1594-16 Finance on S.B. No. 2501

The purpose of this measure is to require public agencies to consider the past performance of contractors before awarding contracts. Specifically, this measure, among other things:

- (1) Requires public agencies to consider a contractor's previous work on similar state, federal, or private projects before awarding a contract;
- (2) Requires each public agency that issues a request for proposals to evaluate a contractor's performance upon completion of a procurement contract and to maintain those evaluations in the public agency's files; and
- (3) Appropriates funds to the State Procurement Office to implement this measure.

The Chamber of Commerce Hawaii supported this measure. The Department of Transportation, State Procurement Office, Department of Design and Construction of the City and County of Honolulu, General Contractors Association of Hawaii, Subcontractors Association of Hawaii, 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 S.B. No. 2501, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1595-16 Finance on S.B. No. 2541

The purpose of this measure is to increase government efficiency by authorizing the Chief Information Officer of the State to transfer or expend general funds in addition to funds from other sources, subject to the approval of the Governor, for projects funded and authorized by the Legislature in the General Appropriations Act of 2015, for information management and technology (AGS130).

The Department of the Attorney General, Department of Education, and Office of Enterprise Technology Services testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2541 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1596-16 Finance on S.B. No. 2928

The purpose of this measure is to strengthen enforcement of, and ensure compliance with, Hawaii's general excise tax law. More specifically, this measure:

- (1) Requires the Department of Taxation (Department) to develop an online form, to be filled out by each special event operator, that contains specific information regarding sellers engaging in business at the operator's special events;
- (2) Requires each special event operator to submit the completed form to the Department whenever the operator files the operator's periodic general excise tax returns with the Department, provided that a special event occurred during the reporting period;

- (3) Authorizes the Department to issue citations that include fines to special event operators who fail to comply with the reporting requirements;
- (4) Allows the Department to waive for reasonable cause the issuance of any citation for failure by special event operators to comply with the reporting requirements regarding sellers at a special event; and
- (5) Provides an exemption for persons already exempt from general excise tax laws from being considered as an operator of a special event.

The Hawaii Food Industry Association, Hawaii Alliance of Nonprofit Organizations, and two concerned individuals testified in opposition to this measure. The Department of Taxation, Stadium Authority, 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. 2928, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representative Ward.

SCRep. 1597-16 Finance on S.B. No. 3109

The purpose of this measure is to:

- (1) Extend the lapse date from June 30, 2016, to June 30, 2017, for the \$2,000,000 appropriation made to the High Technology Development Corporation pursuant to Act 215, Session Laws of Hawaii 2015, to provide grants under the Manufacturing Development Program; and
- (2) Appropriate an unspecified amount to the High Technology Development Corporation for fiscal year 2016-2017 to provide grants under the Manufacturing Development Program.

The High Technology Development Corporation; Makai Ocean Engineering, Inc.; Hawaii Food Manufacturers Association; Pacifikool; Hawaii Food Industry Association; The Chamber of Commerce Hawaii; Oceanit; KYD, Inc. dba: K. Yamada Distributors; O Ka Aina Fuel, LLC; Pacific Biodiesel Technologies; Hyperspective; Meadow Gold Dairies; Hawaii Fish Company; Maui Brewing Co.; Hawaii Coffee Company; Diamond Bakery Co., Ltd.; Ko Bakery; Aloha Shoyu Company, Ltd.; ReavComm; and Aloha Edibles, Inc. 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. 3109, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1598-16 Finance on S.B. No. 3110

The purpose of this measure is to:

- (1) Extend the lapse date from June 30, 2016, to June 30, 2017, for the \$2,000,000 appropriation made to the Department of Business, Economic Development, and Tourism, pursuant to Act 216, Session Laws of Hawaii 2015, to provide grants and loans for Federal Small Business Innovation Research Phases II and III awardees; and
- (2) Appropriate an unspecified amount to the Department of Business, Economic Development, and Tourism for fiscal year 2016-2017 to provide grants and loans for Federal Small Business Innovation Research Phases II and III awardees.

The High Technology Development Corporation; Makai Ocean Engineering, Inc.; The Chamber of Commerce Hawaii; Oceanit; Hawaii Fish Company; Kinecton; Hawaii Evolutionary Development, LLC; First Commercial Kitchen LLC; Hyperspective; HNu Photonics; and a concerned 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 S.B. No. 3110, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1599-16 Finance on S.B. No. 2838

The purpose of this measure is to allow the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees to invest moneys in the same manner as that of the Employees' Retirement System Board of Trustees by repealing certain restrictions on investments that can be made by the Hawaii Employer-Union Health Benefits Trust Fund.

The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2838, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1600-16 Finance on S.B. No. 2841

The purpose of this measure is to facilitate public employers' payment of contributions to the Employees' Retirement System by:

- (1) Authorizing the State and the counties to make advance payments to the System in lieu of monthly payments;
- (2) Providing that the Employees' Retirement System's determination of the actual amounts owed by the State and counties for each fiscal quarter take into account any excess contributions, as well as amounts paid, in the previous quarter; and
- (3) Requiring that these payment procedures commence on July 1, 2016.

The Board of Trustees of the Employees' Retirement System 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. 2841 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1601-16 Finance on S.B. No. 2570

The purpose of this measure is to:

- (1) Require the Department of Human Services to establish a Rapid Re-housing Assistance Program (Program) to help homeless families or individuals move into permanent housing as quickly as possible and achieve stability in that housing; and
- (2) Appropriate funds for the establishment and operation of the Program, including hiring full-time equivalent program specialists for the Program.

The Department of Human Services, Hawaii Children's Action Network, and an individual provided testimony in support of the measure. The Governor's Coordinator on Homelessness and Catholic Charities 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. 2570, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1602-16 Finance on S.B. No. 2998

The purpose of this measure is to appropriate funds to the Hawaii Public Housing Authority (HPHA) for the modernization, repair, and maintenance of HPHA facilities and public housing units statewide.

The United Public Workers, AFSCME, Local 646, and AFL-CIO provided testimony in support of the measure. The Hawaii Public Housing Authority provided comments.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2998, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1603-16 Finance on S.B. No. 2556

The purpose of this measure is to appropriate funds to the Department of Budget and Finance for the annual required contribution for the Hawaii Employer-Union Health Benefits Trust Fund.

Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposed this measure. The Department of Budget and Finance and Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund 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. 2556, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1604-16 Finance on S.B. No. 2451

The purpose of this measure is to:

- (1) Change the general administrative penalties for timber trespass in forest reserves to a fine of not more than the market value at the time and place of the violation for each Koa tree or other tree or plant destroyed or harvested;
- (2) Clarify that a person who violates the provisions of or rules related to the State's forest reserve laws, other than timber trespass in forest reserves, is subject to imprisonment and escalating minimum fines; and

- (3) Repeal the general penalty provisions related to the State's laws governing forest reserves, water development, and zoning; Hawaiian fishponds; conservation districts; wildlife; state parks and recreation areas; and land fire protection law.

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2451, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1605-16 Finance on S.B. No. 2829

The purpose of this measure is to require, and provide funding for, the Office of Planning to review the Hawaii State Planning Act and report to the Legislature its recommendations to update the Hawaii State Planning Act to appropriately address the needs of the State.

The Department of Business, Economic Development, and Tourism and Office of Planning 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. 2829, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1606-16 Finance on S.B. No. 2559

The purpose of this measure is to address homelessness by increasing the availability of cost-effective emergency and transitional shelter space. Specifically, this measure:

- (1) Provides that emergency shelters shall comply with certain minimum requirements that meet basic needs and preferences of homeless families and individuals;
- (2) Requires homeless shelter stipend payments to be made based on performance measures that are actually achieved;
- (3) Repeals the automatic annual adjustment of the homeless shelter stipend amount;
- (4) Revises existing provisions on the establishment and collection of shelter and service payments by a provider agency from homeless families and individuals;
- (5) Requires each provider agency to submit a financial audit to the Department of Human Services at least annually;
- (6) Establishes and funds positions for the Department of Human Services to assist in the operation of the homeless program; and
- (7) Appropriates funds for the establishment or improvement of homeless shelter space and expenditure on other non-recurring costs, subject to the availability of general funds for this purpose.

The Governor's Coordinator on Homelessness and a few individuals provided testimony in support of the measure. The Department of Human Services and Hawaii Youth Services Network 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. 2559, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1607-16 Finance on S.B. No. 2887

The purpose of this measure is to amend the definition of "developmental disabilities" for purposes of eligibility for state-provided supports and services to include a child from birth to age nine who has a substantial developmental delay or specific congenital or acquired condition, if the child, without services and supports, has a high probability of meeting the functional criteria for developmental disabilities later in life.

The Disability and Communication Access Board, State Council on Developmental Disabilities, Department of Health, Hawaii Children's Action Network, Hawaii Self-Advocacy Advisory Council, and an individual provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2887, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1608-16 Finance on S.B. No. 2934

The purpose of this measure is to ensure that Hawaii driver's license procedures comply with the federal REAL ID Act of 2005. Specifically, this measure:

- (1) Removes the authorization to renew a driver's license without incorporating a photograph of the licensee;
- (2) Prohibits any driver's license of an applicant for license renewal to be renewed by mail for more than two consecutive renewals on the applicant's eighth birthday after issuance of the license, rather than on the applicant's sixth birthday after issuance;
- (3) Requires an applicant to appear in person to renew the applicant's license if sixteen years have passed since the applicant last appeared in person; and
- (4) Allows the examiner of drivers to waive written or oral examinations in certain circumstances.

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 is in accord with the intent and purpose of S.B. No. 2934, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1609-16 Finance on S.B. No. 2906

The purpose of this measure is to permanently allow the use of new safe harbor agreements, habitat conservation plans, and incidental take licenses as recovery options for conserving and protecting the State's threatened and endangered species. This measure also requires the Department of Land and Natural Resources to submit biennial reports to the Legislature on safe harbor agreements.

The Department of Business, Economic Development, and Tourism, Kamehameha Schools, Sempra US Gas and Power, and Land Use Research Foundation of Hawaii provided testimony in support of the 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 S.B. No. 2906, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1610-16 Finance on S.B. No. 2557

The purpose of this measure is to address the issue of concussion management in youth athletics by:

- (1) Expanding the Concussion Educational Program established by Act 197, Session Laws of Hawaii 2012, to include athletic events and activities for all participants aged 11 to 18 in addition to high school-sponsored athletics and incorporate additional concussion protocol and program requirements;
- (2) Appropriating funds for the development and implementation of the concussion monitoring and education program for school athletics and concussion testing of high school athletes; and
- (3) Appropriating funds for the implementation of a concussion awareness program for State public school students who are aged 11 to 13.

The Kapiolani Medical Center for Women & Children, Safe Kids Hawaii, Keiki Injury Prevention Coalition, and an individual supported this measure. The Department of Education; University of Hawaii at Manoa, College of Education, Department of Kinesiology and Rehabilitation Sciences; Hawaii Chapter of the American Physical Therapy Association; American Physical Therapy Association; and Hawaii High School Athletic 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. 2557, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1611-16 Finance on S.B. No. 2861

The purpose of this measure is to repeal the Joint Formulary Advisory Committee established under section 457-8.6, Hawaii Revised Statutes, thereby granting the Board of Nursing sole authority to determine the exclusionary formulary for qualified advanced practice registered nurses who are granted prescriptive authority.

The Board of Nursing and Hawaii State Center for Nursing 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. 2861, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1612-16 Judiciary on S.B. No. 2107

The purpose of this measure is to update the electronic eavesdropping law to:

- (1) Amend the definition of "pen register" as a device that can track numbers transmitted by devices connected to a cellular network or other electronic communications service;
- (2) Clarify that a court order must specify information related to the cellular telephone or electronic device or service to which the pen register or trap and trace device (collectively referred to as "tracking device") is to be connected; and
- (3) Clarify that a court order authorizing the installation and use of a tracking device must prohibit the disclosure of the existence of the tracking device to which the telephone line, cellular telephone, or electronic device or service is attached, unless ordered by the court.

The Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department 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. 2107 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Creagan, Kawakami, Lee and Thielen.

SCRep. 1613-16 Finance on S.B. No. 2554

The purpose of this measure is to propose a constitutional amendment in the disposition of excess general fund revenues to include the appropriation of general funds for the pre-payment of general obligation bond debt service, pre-payment of pension or other post-employment benefit liabilities, or both.

The Department of Budget and Finance provided comments for 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. 2554 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1614-16 Finance on S.B. No. 2724

The purpose of this measure is to ensure that workers are paid fair and appropriate wages and benefits by expanding the application of wage and hour requirements for employees on public works projects. Specifically, this measure, among other things:

- (1) Includes construction projects on public lands, regardless of whether the work is paid from public funds, and projects for which public lands are used as security for financing in public works projects subject to the wage and hour requirements of chapter 104, Hawaii Revised Statutes;
- (2) Exempts certain housing-related projects undertaken by a private lessee or for farm dwellings;
- (3) Includes projects undertaken by private lessees in existing requirements for projects not directly caused by a government agency;
- (4) Allows the Director of Labor and Industrial Relations to terminate a contract for violation of prevailing wage and hour requirements; and
- (5) Appropriates funds for the enforcement of chapter 104, Hawaii Revised Statutes, including enforcement of the additional requirements contained in this measure.

The Hawaii Construction Alliance; Hawaii State AFL-CIO; Hawaii Regional Council of Carpenters; 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; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund; and Pacific Resource Partnership testified in support of this measure. The Department of Land and Natural Resources; Agribusiness Development Corporation; Hawaii Housing Finance and Development Corporation; Department of Transportation; Division 16 Incorporated; General Contractors Association of Hawaii; Contract Furnishers of Hawaii, Inc. dba Office Pavilion; Building Industry Association of Hawaii; Healy Tibbitts Builders, Inc.; Waikiki Yacht Club; Robert M. Kaya Builders, Inc.; Nan, Inc.; King & Neel, Inc.; Airport Concessionaires Committee; Ohana Military Communities; Isemoto Contracting Co., Ltd.; Royal Palm Construction & Landscaping, Inc.; Ship Repair Association of Hawaii; Pacific Shipyards International; LYZ, Inc.; Sand Island Business Association; The Chamber of Commerce Hawaii; and one individual testified in opposition. The Department of Labor and Industrial Relations 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. 2724, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 1615-16 Finance on S.B. No. 1311

The purpose of this measure is to ensure that behavioral services continue to be available for clients who depend on them, while facilitating the long-term development of an adequate professional and paraprofessional workforce by:

- (1) Specifying that direct support workers who provide autism treatment services that include direct implementation of applied behavior analysis services under supervision pursuant to an Individualized Education Plan shall be exempt from licensing or credential requirements through January 1, 2019; and

- (2) Requiring the Department of Education to submit a report to the Legislature prior to the 2017 and 2018 Regular Sessions on its plans and progress in implementing measures to comply with the licensure and certification requirements for behavioral analysts and related paraprofessionals.

The Department of Education testified in support of this measure. The Hawaii State Teachers Association; Keiki Educational Consultants, Inc.; Autism Behavior Consulting Group, Inc.; Hawaii Parents Special Education Advisory Council; and numerous individuals testified in opposition to this measure. The State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawaii Association for Behavior Analysis, 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. 1311, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

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

SCRep. 1616-16 Finance on S.B. No. 2384

The purpose of this measure is to require the Department of Health (DOH) to conduct:

- (1) Unannounced visits and inspections, including inspections for relicensing or recertification, for certain state-licensed or state-certified care facilities on an annual basis at intervals determined by DOH; and
- (2) Unannounced inspections for license renewals for medical marijuana production centers and dispensaries.

The Department of Health, State Long Term Care Ombudsman, Hawaii Family Caregiver Coalition, and several individuals provided testimony in support of the measure. The Adult Foster Homecare Association of Hawaii and many individuals provided testimony in opposition. The Alliance of Residential Care Administrators, AARP Hawaii, and Hawaii Substance Abuse Coalition 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. 2384, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1617-16 Finance on S.B. No. 2542

The purpose of this measure is to establish a full funding policy and budgetary procedures for routine repair and maintenance of state-owned buildings, facilities, and other improvements, including Judiciary-owned facilities.

Specifically, this measure:

- (1) Requires all state executive agencies managing state-owned buildings, facilities, and improvements to submit annual reports to the Legislature regarding routine repair and maintenance funding needs; and
- (2) Requires that all capital improvement projects include a recommended plan for routine repair and maintenance.

The Department of Accounting and General Services testified in support of this measure. The Judiciary, Department of Budget and Finance, Department of Human Resources Development, and United Public Workers, AFSCME, Local 646, AFL-CIO 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 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. 2542, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2542, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1618-16 Finance on S.B. No. 2547

The purpose of this measure is to establish and fund a review of the merits and necessity of various tax exemptions, exclusions, and credits. Specifically, this measure:

- (1) Requires the Office of the Auditor to conduct periodic reviews of various tax exemptions, exclusions, and credits applicable to general excise, use, public service company, and insurance premium taxes; and
- (2) Levies a surcharge on taxpayers receiving a tax exemption, exclusion, or credit that is subject to review, for the purpose of establishing a funding mechanism for the Office of the Auditor's reviews.

Two individuals testified in opposition to this measure. The Department of Taxation and Office of the Auditor provided comments on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Department of Taxation, rather than the Office of the Auditor, to conduct the tax reviews;
- (2) Deleting funding provisions for the reviews including the removal of the surcharge assessments on taxpayers receiving enumerated tax benefits; 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. 2547, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2547, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1619-16 Finance on S.B. No. 2550

The purpose of this measure is to require the Office of the Governor to prepare a federal funding policy study for the State and appropriate funds for this purpose.

The Office of the Governor and Department of Budget and Finance provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$50,000 to an unspecified amount;
- (2) Changing its 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 S.B. No. 2550, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2550, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1620-16 Finance on S.B. No. 2555

The purpose of this measure is to appropriate funds into the Emergency and Budget Reserve Fund for fiscal year 2015-2016 to comply with article VII, section 6, of the Constitution of the State of Hawaii, which requires the Legislature to provide a tax refund or credit to state taxpayers or make a deposit into one or more funds, under certain conditions.

The Department of Budget and Finance 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 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. 2555, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2555, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1621-16 Finance on S.B. No. 2788

The purpose of this measure is to amend the membership requirements of the Molokai Irrigation System Water Users Advisory Board. Specifically, this measure:

- (1) Makes agents, officers, or employees of Molokai irrigation system users eligible to be Molokai Irrigation System Water Users Advisory Board members; and
- (2) Removes the requirement that Molokai Irrigation System Water Users Advisory Board members be active general excise tax licensees.

Hikiola Cooperative, Inc., Molokai Farm Bureau, Pulama Lanai, and a few individuals provided testimony in support of the measure. The Department of Agriculture 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 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. 2788, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2788, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1622-16 Finance on S.B. No. 2250

The purpose of this measure is to enhance the effectiveness of county investments by:

- (1) Authorizing the directors of finance of each county to make short-term investments in a similar manner to that of the state Director of Finance; and
- (2) Requiring counties' investments in bonds of a county improvement district to be investment grade or supported by the general obligation pledge of the county in which the improvement district is located.

The Department of Finance for the County of Maui, Maui County Council, Maui County Councilmember for the Island of Lanai, Maui County Councilmember for the South Maui District, Hawaii State Association of Counties, and an individual 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 S.B. No. 2250, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2250, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kobayashi and Pouha.

SCRep. 1623-16 Finance on S.B. No. 2104

The purpose of this measure is to improve the collection of restitution for crime victims by:

- (1) Creating standards and procedures for income withholding for the collection of restitution;
- (2) Amending the definition of "debt" to include an order for restitution allowing state income tax refunds to be offset by any amount of outstanding restitution;
- (3) Allowing moneys deposited for bail to be used to satisfy restitution, fines, or fees;
- (4) Providing crime victims with limited access to adult probation records for information related to court-ordered payments;
- (5) Making permanent the changes to section 806-73(b), Hawaii Revised Statutes, that allow certain adult probation records to be provided to case management, assessment, or treatment service providers for use as part of the determination of whether the defendant should be accepted or admitted into a treatment program; and
- (6) Extending for two years the increase in percentage deducted from incarcerated or work furlough individuals for any outstanding victim restitution.

The Department of Public Safety provided testimony in support of the measure. The Department of the Attorney General, Department of Taxation, Crime Victim Compensation Commission, Judiciary, and City and County of Honolulu Department of the Prosecuting Attorney provided comments.

Your Committee has amended this measure by:

- (1) Deleting the severability clause; 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. 2104, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2104, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1624-16 Judiciary on S.B. No. 2103

The purpose of this measure is to provide that the courts may authorize a law enforcement officer to obtain technical assistance from a person or entity to examine designated electronic devices or storage media pursuant to a search warrant.

The Judiciary, Department of the Attorney General, City and County of Honolulu Prosecuting Attorney, Honolulu Police Department, and Maui Police Department testified in support of this measure. The American Civil Liberties Union of Hawaii, Verizon, State Privacy and Security Coalition, Inc., and TechNet provided comments.

Your Committee has amended this 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. 2103, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2103, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Lee, Nakashima, McDermott and Thielen.

SCRep. 1625-16 Finance on S.B. No. 2552

The purpose of this measure is to repeal or abolish various non-general funds and accounts, as recommended by the Auditor in Auditor's Report No. 15-17, and to transfer any unencumbered balances from the funds and accounts to the general fund, Emergency and Budget Reserve Fund, or County of Hawaii.

The Office of the Auditor testified in support of this measure. The Department of Health and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Incorporating additional recommendations from Report No. 15-17 to abolish the Interagency Federal Revenue Maximization Revolving Fund and the Respite Services Special Fund;
- (2) Requiring the Department of Health to study the distribution of revenues derived from fees for birth, marriage, divorce, or death certificates pursuant to section 338-14.5, Hawaii Revised Statutes; 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. 2552, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2552, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1626-16 Finance on S.B. No. 2553

The purpose of this measure is to repeal or abolish various non-general funds and accounts, as recommended by the Auditor in Auditor's Report No. 15-19, and to transfer any unencumbered balances from the funds and accounts to the general fund or Emergency and Budget Reserve Fund.

The Office of the Auditor testified in support of this measure. The Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Incorporating additional recommendations from the Auditor's Report No. 15-19 as follows:
 - (A) Repealing the Housing First Special Fund;
 - (B) Reclassifying the Temporary Deposits – Payroll Overpayment Housing and Community Development Corporation of Hawaii Trust Fund as a trust account; and
 - (C) Abolishing the Blind Shop Revolving and Handicraft Fund; and
- (2) Making other 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. 2553, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2553, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1627-16 Finance on S.B. No. 2645

The purpose of this measure is to require the Commission on Water Resource Management to establish and implement a program to conduct standardized water audits of public water systems, while also providing technical assistance to the counties to prepare water audits, and to appropriate funds for this purpose.

The Department of Land and Natural Resources and the Hawaii Freshwater Council supported this measure.

Your Committee has amended this measure by removing its preamble 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. 2645, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2645, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1628-16 Finance on S.B. No. 2849

The purpose of this measure is to enable the Department of Commerce and Consumer Affairs (DCCA) Division of Financial Institutions to operate more efficiently and provide greater consumer protection of funds and transactions involving escrow depositories by, among other things:

- (1) Authorizing the Commissioner of Financial Institutions to enter into agreements with the National Multistate Licensing System and Registry (NMLS) to collect and maintain records and process transaction fees related to licensees;
- (2) Requiring applicants for licensure and applicants for approval of a proposed change in control of the licensee to provide information and authorizations necessary for the DCCA to conduct a criminal history record check on the applicant's controlling persons and other personnel; and
- (3) Imposing new fees.

The Department of Commerce and Consumer Affairs supported 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. 2849, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2849, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1629-16 Finance on S.B. No. 3070

The purpose of this measure is to establish new standards for the grant appropriation process established under chapter 42F, Hawaii Revised Statutes.

Specifically, this measure establishes legislative policies to:

- (1) Make appropriations for grants during the regular session of each odd-numbered year for the ensuing fiscal biennium;
- (2) Appropriate moneys for not more than one grant for each grant recipient during a fiscal biennium; and
- (3) Place a low priority on requests to fund general and administrative expenses,

subject to the Legislature's discretion to deviate from the policies.

The Hawaii Youth Services Network and Child & Family Service provided comments.

Your Committee has amended this measure by:

- (1) Requiring an organization to negotiate a lump sum or installment repayment to the State of the grant used for the planning, design, construction, renovation, operations, or equipment of facilities when it discontinues the activities and disposes of the facilities by sale or lease;
- (2) Requiring the negotiation of a lump sum or installment repayment to the State to be between the organization and the Department of Budget and Finance;
- (3) Requiring organizations to publicly recognize that a project was supported by the State when awarded a grant; and
- (4) 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. 3070, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3070, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 1630-16 Finance on S.B. No. 2217

The purpose of this measure is to ensure that agricultural crops on the island of Kauai receive a steady and dependable supply of water by appropriating funds for the operation, repair, maintenance, and improvement of the East Kauai Irrigation System by the East Kauai Water Users' Cooperative.

The East Kauai Water Users' Cooperative, Hawaii Farm Bureau, Saiva Siddhanta Church, Kalepa Koalition, and Larry Jefts Farms, LLC provided testimony in support of the measure. The Department of Agriculture provided comments.

Your Committee has amended the measure by:

- (1) Deleting the preamble; 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. 2217, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2217, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1631-16 Finance on S.B. No. 2803

The purpose of this measure is to increase farmers' access to affordable capital so that they can increase local food production, thereby making Hawaii more food self-sufficient, by appropriating funds to the Agricultural Loan Revolving Fund.

The Department of Agriculture, Ulupono Initiative, Land Use Research Foundation of Hawaii, and Hawaii Farm Bureau supported this measure.

Your Committee has amended this measure by:

- (1) Deleting its preamble; 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. 2803, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2803, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1632-16 Finance on S.B. No. 2812

The purpose of this measure is to amend laws regarding the regulation and oversight of charitable solicitations.

Among other things, this measure:

- (1) Clarifies that grant or subsidy applications of a charitable organization are not solicitations that trigger registration and reporting requirements;
- (2) Amends requirements for disclosures by professional solicitors at the time contributions are solicited;
- (3) Harmonizes registration and filing requirements with federal tax law;
- (4) Clarifies the Attorney General's enforcement powers, including the authority to require electronic submission of reports, issue cease and desist orders, impose administrative fines, and grant waivers or exemptions;
- (5) Clarifies requirements for content, filing schedules, and certification of various reports by charitable organizations, their professional solicitors, and their commercial co-venturers; and
- (6) Updates the accreditation requirements for exempt educational institutions.

The Department of the Attorney General, Hawai'i Alliance of Nonprofit Organizations, and Aloha United Way testified in support of 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 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. 2812, 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. 2812, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1633-16 Finance on S.B. No. 2852

The purpose of this measure is to amend:

- (1) Article 11 of chapter 431, Hawaii Revised Statutes (HRS), to incorporate provisions from the National Association of Insurance Commissioners (NAIC) Insurance Holding Company System Regulatory Act to comply with NAIC accreditation requirements; and
- (2) The definition of "domestic insurance holding company system" in section 431:11-102, HRS.

The Department of Commerce and Consumer Affairs and American Council of Life Insurers provided testimony in support of the 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 S.B. No. 2852, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2852, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1634-16 Finance on S.B. No. 2853

The purpose of this measure is to adopt the National Association of Insurance Commissioners (NAIC) Risk Management and Own Risk Solvency Assessment Model Act and update Hawaii's Risk Retention Law to comply with NAIC accreditation requirements.

Specifically, the bill:

- (1) Adds a new article to chapter 431, Hawaii Revised Statutes (HRS), to require certain insurers and insurance groups to maintain a risk management framework, to regularly perform an own risk and solvency assessment (ORSA), and to annually file an ORSA summary report;
- (2) Amends section 431:19-115(b), HRS, to cite sections 431:3-409, 431:3-411, and 431:3-412, HRS, as being applicable to risk retention captive insurance companies; and
- (3) Amends section 431K-1, HRS, to include new definitions for "board of directors" or "board" and "director," and amends section 431K-2, HRS, to incorporate new corporate governance requirements from the NAIC Model Risk Retention Act.

The Department of Commerce and Consumer Affairs, American Council of Life Insurers, and Property Casualty Insurers Association of America supported this measure. The Hawaii Captive Insurance Council and the Hawaii Medical Service Association 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 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. 2853, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2853, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1635-16 Finance on S.B. No. 2863

The purpose of this measure is to improve the regulation of massage therapy establishments, massage therapists, and massage therapist apprentices by authorizing the Department of Commerce and Consumer Affairs to issue citations for specific violations of massage therapy laws or rules by licensees and providing for the assessment of fines for each violation.

The Department of Commerce and Consumer Affairs and Board of Massage Therapy provided testimony in support of the 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 S.B. No. 2863, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2863, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1636-16 Finance on S.B. No. 3101

The purpose of this measure is to require the Department of Business, Economic Development, and Tourism (DBEDT) to conduct a study on the feasibility of establishing a public-private partnership resource agency within DBEDT for all state departments, divisions, and agencies to use.

The City and County of Honolulu Department of the Corporation Counsel, The Chamber of Commerce Hawaii, and the Building Industry Association of Hawaii testified in support of this measure. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in opposition to this measure. DBEDT commented on this measure.

Your Committee has amended this measure by:

- (1) Deleting the findings and purpose section; and
- (2) Making corresponding 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. 3101, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3101, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1637-16 Finance on S.B. No. 2624

The purpose of this measure is to create an income tax credit, not to exceed \$250 per year, for public and private school teachers, librarians, and counselors for grades prekindergarten through twelve who incur certain expenses for materials used in the classroom and accompanying students for educational travel.

The Hawaii State Teachers Association and IMUAlliance supported this measure. The Department of Education, Department of Taxation, and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the maximum amount of the allowable tax credit to an unspecified amount;
- (2) Changing its 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. 2624, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2624, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1638-16 Finance on S.B. No. 2108

The purpose of this measure is to facilitate criminal investigations by authorizing the Department of the Attorney General and the County Prosecuting Attorneys to issue administrative subpoenas to obtain records held by entities located outside the State.

The Department of the Attorney General and City and County of Honolulu Department of the Prosecuting Attorney provided testimony in support of the 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 S.B. No. 2108, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2108, H.D. 1.

Signed by all members of the Committee.

SCRep. 1639-16 Finance on S.B. No. 2213

The purpose of this measure is to:

- (1) Continue the Nursing Facility Sustainability Program for an additional year; and
- (2) Appropriate funds for fiscal year 2016-2017 from the Nursing Facility Sustainability Program Special Fund for uses consistent with the Fund.

The Department of Human Services, Healthcare Association of Hawaii, Hawaii Health Systems Corporation, Hale Makua Wailuku, Hawaii Pacific Health, The Queen's Health Systems, Hawaii Primary Care Association, Chamber of Commerce Hawaii, and Legacy of Life Hawaii provided testimony in support of the measure.

Your Committee has amended the measure by:

- (1) Changing the appropriation amount to an unspecified sum; 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. 2213, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2213, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 1640-16 Finance on S.B. No. 2319

The purpose of this measure is to expand access to prescription contraceptives by requiring health insurers, including health benefits plans under the Employer-Union Health Benefits Trust Fund and Medicaid managed care programs, to cover reimbursement to a prescribing health care provider or dispensing entity for contraceptive supplies that are intended to last for up to a 12-month period for an insured.

The Department of Human Services, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women, Hawaii State Commission on the Status of Women, Healthy Mothers Healthy Babies Coalition of Hawaii, Hawaii Public Health Association, Hawaii Women's Coalition, Hawaii State Democratic Women's Caucus, and numerous individuals testified in support of this measure. The Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, Chamber of Commerce Hawaii, Hawaii Medical Service Association, and Hawaii Section of the American Congress of Obstetricians and Gynecologists 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 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. 2319, 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. 2319, S.D. 1, H.D. 3.

Signed by all members of the Committee.

SCRep. 1641-16 Finance on S.B. No. 2330

The purpose of this measure is to provide funding for and to extend the Hospital Sustainability Program by an additional year. This measure also amends provisions relating to:

- (1) The use of revenues derived from the Hospital Sustainability Fee to enhance reimbursement rates and the drawdown of matched federal funds;
- (2) Hospital Sustainability Fee schedules, payment dates, and rates; and
- (3) The applicability of the Hospital Sustainability Program to various types of hospitals, including certain children's, rehabilitation, and psychiatric hospitals.

The Department of Human Services; Hawaii Health Systems Corporation; United Public Workers, AFSCME, Local 646, and AFL-CIO; Healthcare Association of Hawaii; The Queen's Health Systems; Hawaii Pacific Health; Hawaii Primary Care Association; Chamber of Commerce Hawaii; and Legacy of Life Hawaii testified in support of this measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Changing the appropriation out of the hospital sustainability program special fund from \$70,000,000 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 S.B. No. 2330, 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. 2330, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1642-16 Finance on S.B. No. 2392

The purpose of this measure is to promote the responsible use of opioid antagonists to treat drug overdoses by, among other things:

- (1) Providing immunity for health care professionals and pharmacists who prescribe, dispense, distribute, possess, or administer an opioid antagonist such as naloxone hydrochloride to persons experiencing or at risk of experiencing an opioid-related drug overdose;
- (2) Authorizing emergency personnel and first responders to administer opioid antagonists to a person believed to be suffering from opioid-related drug overdose;
- (3) Requiring Medicaid coverage for opioid antagonists;
- (4) Allowing harm reduction organizations to store and distribute opioid antagonists; and
- (5) Requiring the Department of Health to provide education and training related to opioid-related drug overdose prevention, recognition, and response, including opioid antagonist administration.

The Department of Health; Hawaii Association of Professional Nurses; Community Alliance on Prisons; Injury Prevention Advisory Committee; Hawaii Medical Association; Hawaii Substance Abuse Coalition; Drug Policy Action Group; Drug Policy Forum of Hawaii; Hawaii Medical Service Association; Community Health Outreach Work (CHOW) Project; Salvation Army Addiction Treatment Services and Family Treatment Services; Walgreen Co.; and numerous individuals supported this measure. The Department of the Attorney General; Department of Human Services; Healthcare Association of Hawaii; Hawaii Association for Justice; and Queen's Health Systems provided comments.

Your Committee has amended this measure by:

- (1) Making it 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2392, 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. 2392, S.D. 2, H.D. 3.

Signed by all members of the Committee.

SCRep. 1643-16 Finance on S.B. No. 2894

The purpose of this measure is to facilitate compliance with the federal Patient Protection and Affordable Care Act (Affordable Care Act). Specifically, this measure:

- (1) Requires the Department of Human Services to develop and administer outreach, as required by the Affordable Care Act, subject to the availability of state and federal funding;
- (2) Establishes a state health insurance exchange, the Hawaii Health Insurance Programs, within the Department of Labor and Industrial Relations as a temporary, transitional measure to preserve federal funding and continue the provision of health insurance in compliance with the Affordable Care Act and Hawaii Prepaid Health Care Act; and
- (3) Appropriates funds to the Department of Labor and Industrial Relations and the Department of Human Services.

The Department of Human Services, Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs, Healthcare Association of Hawaii, Hawaii Medical Service Association, Hawaii Primary Care Association, Project Vision Hawaii, and Ohana Health Plan provided testimony in support of the measure.

Your Committee has amended the measure by:

- (1) Changing the appropriation amounts to unspecified sums;
- (2) Changing the 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 S.B. No. 2894, 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. 2894, S.D. 2, H.D. 3.

Signed by all members of the Committee.

SCRep. 1644-16 Finance on S.B. No. 2833

The purpose of this measure is to amend the calculation of the low-income housing tax credit, including the applicable period over which the credit may be claimed from ten to five years and the establishment of different credit amounts for buildings financed by tax-exempt bonds, for the purpose of increasing available funding for affordable rental housing development.

The Building Industry Association of Hawaii; Chamber of Commerce Hawaii; Community Alliance on Prisons; Catholic Charities Hawaii; Hawaii Association of REALTORS; Pacific Resource Partnership; and InState Partners testified in support of this measure. The Hawaii Housing Finance and Development Corporation; Department of Business, Economic Development and Tourism; Department of Taxation; and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the claimable amounts of the low-income housing tax credit based on the new calculation methodology set by this measure to unspecified amounts for a period of up to 10 years;
- (2) Changing its effective date to January 1, 2030, to encourage further discussion; and
- (3) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2833, 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. 2833, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1645-16 Finance on S.B. No. 2566

The purpose of this measure is to provide capital for the development of affordable rental housing by transferring excess moneys from the Rental Assistance Revolving Fund to the Rental Housing Revolving Fund.

The Governor's Coordinator on Homelessness provided testimony in support of the measure. The Hawaii Housing Finance and Development Corporation provided comments.

Your Committee has amended this measure by:

- (1) Changing the amount transferred from the Rental Assistance Revolving Fund to the Rental Housing Revolving Fund to an unspecified sum;
- (2) Changing the 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 S.B. No. 2566, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2566, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1646-16 Finance on S.B. No. 2823

The purpose of this measure is to set the maximum allowable salary of the Executive Director of the Hawaii Housing Finance and Development Corporation (Corporation) at an amount not to exceed the salary of the Director of Business, Economic Development, and Tourism and to require the Board of Directors of the Corporation to report any salary adjustments of the Executive Director to the Legislature.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation provided testimony in support of the 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2823, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2823, H.D. 1.

Signed by all members of the Committee.

SCRep. 1647-16 Finance on S.B. No. 2231

The purpose of this measure is to provide a standardized framework and funding for after-school programs in public middle and intermediate 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) Specifies the powers and duties of the Office of Youth Services with regard to the R.E.A.C.H. Program and requires an annual report to the Legislature on the implementation of programs and use of funds under the R.E.A.C.H. Program; and
- (3) Authorizes the Office of Youth Services to establish program requirements and fees to be assessed to each participant for the cost of administering and operating the R.E.A.C.H. Program.

The State Public Charter School Commission, Office of Hawaiian Affairs, Department of Education, Office of Youth Services, Office of the Lieutenant Governor, Jarrett Middle School, President George Washington Middle School, Kapolei Middle School, Waikoloa Elementary and Middle School, Kalakaua Middle School, Family Programs Hawaii, Hawaii Medical Service Association, Hawaii Youth Services Network, Hawaii Public Charter Schools Network, and a few individuals provided testimony in support of the 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. 2231, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2231, H.D. 1.

Signed by all members of the Committee.

SCRep. 1648-16 Finance on S.B. No. 2583

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 mandating the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems.

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 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. 2583, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2583, H.D. 1.

Signed by all members of the Committee.

SCRep. 1649-16 Finance on S.B. No. 2563

The purpose of this measure is to address the availability of affordable rental housing by providing the Hawaii Public Housing Authority (HPHA) with more opportunities for funding and favorable land lease terms and facilitating its participation in collaborative projects to provide affordable rental housing near public transit stations.

Specifically, this measure:

- (1) Requires HPHA to coordinate the planning of public housing projects with the Office of Planning and the development of public housing projects with the Hawaii Housing Finance and Development Corporation (HHFDC) for public housing projects that are located within a half-mile of a public transit station and partially financed through the Rental Housing Revolving Fund;
- (2) Adds HPHA and any successor agency to HPHA as an entity to which HHFDC may lease land for 99 years at \$1 per year per parcel;
- (3) Adds HPHA as an entity that is eligible for loans or grants from the Rental Housing Revolving Fund;
- (4) Amends the preference list for projects that are eligible for assistance from the Rental Housing Revolving Fund, including by granting top priority to projects that serve persons transitioning from homelessness; and
- (5) Requires HHFDC to select an HPHA project or HPHA nonprofit project over an equally ranked nonprofit, for-profit, or other government project for funding allocation.

HPHA testified in support of this measure. HHFDC and 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. 2563, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1650-16 Finance on S.B. No. 2565

The purpose of this measure is to repeal the authority of the Hawaii Public Housing Authority to sell rental units in public housing projects, state low-income housing projects, and elderly housing projects to tenants by repealing the State Sales Housing Program of the Hawaii Public Housing Authority.

The Hawaii Public Housing Authority provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2565 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1651-16 Finance on S.B. No. 2298

The purpose of this measure is to adopt the Uniform Fiduciary Access to Digital Assets Act (2015). Specifically, this measure:

- (1) Authorizes an internet services user to establish a plan for the management and disposition of the user's electronic records, known as digital assets, following the user's death or incapacity;
- (2) Establishes procedures for custodians of digital assets to disclose users' digital assets;
- (3) Provides limitations on how digital assets may be used by a fiduciary following a user's death or incapacity; and
- (4) Grants immunity to custodians of records for compliance with the Act.

The Commission to Promote Uniform Legislation and State Privacy and Security Coalition, Inc. 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. 2298, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1652-16 Finance on S.B. No. 2560

The purpose of this measure is to address the mental health of homeless persons by:

- (1) Requiring the Department of Health to provide treatment and care for homeless individuals with serious and persistent mental health challenges to enable them to reside in a permanent dwelling unit or homeless facility and appropriating funds to provide such treatment and care;
- (2) Authorizing the Director of Health to contract with any person for outreach services, with priority given to outreach services for homeless individuals with serious and persistent mental health challenges; and
- (3) Including becoming homeless by reason of serious and persistent mental health challenges as a factor in applying for community residential treatment system services.

The Governor's Coordinator on Homelessness, Hawaii Disability Rights Center, Mental Health America of Hawaii, and an individual testified in support 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2560, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1653-16 Finance on S.B. No. 2667

The purpose of this measure is to:

- (1) Require health insurers to promptly pay clean claims for covered health care services provided by health care providers; and
- (2) Repeal the exemption of Medicaid claims from the definition of clean claims.

Hawai'i Pacific Health, Healthcare Association of Hawaii, and The Queen's Health Systems testified in support of this measure. 'Ohana Health Plan opposed this measure. The Department of Human Services and Department of Commerce and Consumer Affairs commented on this measure.

Your Committee has amended this measure by changing its 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. 2667, 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. 2667, S.D. 1, H.D. 3.

Signed by all members of the Committee.

SCRep. 1654-16 Finance on S.B. No. 2569

The purpose of this measure is to address nonviolent offenses that overburden the court system and reduce crime and recidivism by establishing the Community Court Outreach Project to be administered and operated by The Judiciary in the City and County of Honolulu to offer combined accountability and treatment options to offenders through a mobile justice system.

The Governor's Coordinator on Homelessness, The Judiciary, Department of Public Safety, City and County of Honolulu Department of the Prosecuting Attorney, and Office of the Public Defender 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. 2569, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1655-16 Finance on S.B. No. 2755

The purpose of this measure is to develop proposed statewide employment standards and training recommendations for state and county law enforcement officers who carry firearms and wear badges by establishing a temporary Advisory Law Enforcement Employment Standards and Training Board to make recommendations for voluntary adoption by law enforcement agencies.

The Department of Land and Natural Resources, Department of Public Safety, American Civil Liberties Union of Hawaii, IMUAlliance, and a few concerned individuals supported this measure. A concerned individual opposed the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2755, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1656-16 Finance on S.B. No. 2106

The purpose of this measure is to support and encourage victims and other witnesses to participate in court proceedings or pursue charges relating to criminal offenses that occur in Hawaii by increasing the per diem payments for out-of-state witnesses and the overnight supplement for inter-island witnesses who are required to stay overnight.

The County of Hawaii Office of the Prosecuting Attorney and City and County of Honolulu Department of the Prosecuting Attorney provided testimony in support of the measure.

Your Committee has amended this measure by:

- (1) Changing the per diem payments for out-of-state witnesses and the overnight supplement for inter-island witnesses who are required to stay overnight to unspecified amounts;
- (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 S.B. No. 2106, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2106, H.D. 1.

Signed by all members of the Committee.

SCRep. 1657-16 Finance on S.B. No. 2439

The purpose of this measure is to establish exceptions to the offense of obstructing government operations and the offense of violation of privacy in the second degree to include a person making a video or audio recording or taking a photograph of a law enforcement officer in the performance of the officer's duties in a public place or under circumstances in which the officer has no reasonable expectation of privacy; provided that the officer may take reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect public safety and order.

The American Civil Liberties Union testified in support of this measure. The Department of the Attorney General testified in opposition to this measure. A concerned individual provided comments.

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. 2439, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2439, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1658-16 Finance on S.B. No. 2411

The purpose of this measure is to increase transparency, accountability, and protection for law enforcement officers and civilians by:

- (1) Establishing standards, prohibitions, and privacy interest presumptions regarding county police department body-worn and vehicle camera usage, training, and recorded footage retention; and
- (2) Appropriating funds as a grant-in-aid to each county for the purchase of body-worn video cameras and law enforcement vehicle cameras subject to dollar-for-dollar match by the county.

The American Civil Liberties Union of Hawaii; IMUAlliance; and several individuals supported this measure. The Hawaii Police Department; Maui Police Department; Kauai Police Department; State of Hawaii Organization of Police Officers; and several individuals opposed this measure. The Office of Information Practices; Honolulu Police Department; and the Civil Beat Law Center of the Public Interest provided comments.

Your Committee has amended this measure by changing the appropriation expending agency to the Department of the Attorney General for the distribution of funds to each county for the purchase of body-worn video cameras and law enforcement vehicle cameras.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2411, 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. 2411, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1659-16 Finance on S.B. No. 2444

The purpose of this measure is to improve the accuracy of voter registration by requiring:

- (1) That documents or images containing driver's license and civil identification card information be provided electronically, by the Department of Transportation, to election officials and the statewide voter registration system; and
- (2) The Office of Elections to join the Electronic Registration Information Center (ERIC), a multistate organization aimed at improving voting procedures using secure data-matching tools.

This measure also provides funding for these initiatives.

The Office of Elections testified in support of this measure. The Department of Transportation testified in opposition. The County of Kauai Elections Division and League of Women Voters provided comments.

Your Committee has amended this measure by:

- (1) Deleting the requirement that, beginning prior to fiscal year 2017-2018, the Office of Elections request an appropriation as part of its annual budget to pay annual dues for Hawaii's participation in the ERIC;
- (2) Changing the appropriation amount for the Office of Elections to join the ERIC from \$25,000 to an unspecified amount;
- (3) Changing its effective date to July 1, 2030, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2444, 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. 2444, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1660-16 Finance on S.B. No. 2512

The purpose of this measure is to increase the penalties for animal desertion, except where the animal is released as part of a population management program.

The Department of Agriculture, Hawaiian Humane Society, The Humane Society of the United States, Poi Dogs & Popoki, Hawaii Cat Foundation, and several individuals testified in support of this measure. The Department of Land and Natural Resources opposed this measure. The Department of the Attorney General 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 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. 2512, 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. 2512, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1661-16 Finance on S.B. No. 2924

The purpose of this measure is to allow for the limited disclosure of tax returns and return information under certain circumstances while maintaining protections for taxpayer information. Specifically, this measure:

- (1) Exempts the following from current prohibitions regarding the disclosure of tax returns and return information:
 - (A) The limited disclosure of tax returns and return information to federal or state officials where such information is essential to the investigation or prosecution of a crime or to various civil, criminal, or administrative proceedings; and
 - (B) The disclosure of tax return information for purposes of information management and other administrative service provisions relating to the administration, management, carrying out, direction, or supervision of the execution and application of federal or state tax laws;
- (2) Requires each person or agency that receives taxpayer information to, pursuant to procedures approved by the Director of Taxation:
 - (A) Establish and maintain a permanent system of standardized records to track all of its requests for taxpayer information, as well as a secure storage system for taxpayer information; and
 - (B) Restrict access to the taxpayer information to those who need the information to execute their responsibilities; and
- (3) Enables the Director of Taxation to adopt rules to ensure that any parties to whom information is disclosed shall take adequate measures to safeguard the tax return or tax return information that is disclosed.

The Department of the Attorney General, Department of Taxation, and Tax Foundation of Hawaii commented on this measure.

Your Committee has amended this measure by changing its 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. 2924, 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. 2924, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representative Ward.

SCRep. 1662-16 Finance on S.B. No. 3024

The purpose of this measure is to reduce by \$80,000 the appropriation in Act 151, Session Laws of Hawaii 2015, to the State Ethics Commission to design and develop an electronic filing system. This measure also reappropriates the reduction amount to the State Ethics Commission to establish a task force to review and make recommendations regarding the State's lobbyist laws.

The State Ethics Commission and League of Women Voters supported this measure. A concerned individual opposed this measure.

Your Committee has amended this measure by:

- (1) Changing the amount by which the appropriation to design and develop an electronic filing system is reduced and the corresponding the appropriation for the task force to unspecified amounts;
- (2) Changing its 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. 3024, 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. 3024, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1663-16 Finance on S.B. No. 2543

The purpose of this measure is to clarify the purposes of the University of Hawaii Community Colleges by specifying that they include providing short-term and rapid response occupational and certification programs designed to qualify individuals to fill new and hard-to-fill positions in the State that require technical training.

The Department of Human Resources Development; University of Hawaii Community Colleges; Chamber of Commerce Hawaii; United Public Workers, AFSCME, Local 646, AFL-CIO; and an individual provided testimony in support of the 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 S.B. No. 2543, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2543, H.D. 1.

Signed by all members of the Committee.

SCRep. 1664-16 Finance on S.B. No. 2835

The purpose of this measure is to appropriate funds for collective bargaining unit (8) cost items and related expenses for public employees in collective bargaining unit (8) and their excluded counterparts.

The Department of Budget and Finance, Office of Collective Bargaining, University of Hawaii, and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported this measure.

Your Committee has amended this measure by appropriating \$2,560,282 to subsidize collective bargaining cost items in the collective bargaining agreement negotiated with the exclusive bargaining representative of bargaining unit (8), for non-general and unbudgeted positions. 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. 2835, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2835, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1665-16 Finance on S.B. No. 2836

The purpose of this measure is to make appropriations for collective bargaining cost items for Bargaining Unit 14 and their excluded counterparts, including the cost of salary increases and other wage related costs negotiated between the State and the bargaining unit representative.

The Office of Collective Bargaining and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. The Department of Budget and Finance commented on this measure.

Your Committee has amended this measure by deleting language that inaccurately represented that Bargaining Unit 14's excluded counterparts belong to the same compensation plans as personnel included in Bargaining Unit 14.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2836, 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. 2836, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1666-16 Finance on S.B. No. 2837

The purpose of this measure is to:

- (1) Authorize funds for all collective bargaining cost items in the agreement negotiated with the exclusive bargaining representative of Collective Bargaining Unit 11; and
- (2) Appropriate or authorize funds for salary increases and other cost adjustments for state officers and employees excluded from collective bargaining and who belong to the same compensation plans as those officers and employees within Collective Bargaining Unit 11.

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:

- (1) Deleting provisions that appropriate or authorize funds for salary increases and other cost adjustments for state officers and employees excluded from collective bargaining and who belong to the same compensation plans as those officers and employees within Collective Bargaining Unit 11; 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. 2837, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2837, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1667-16 Finance on S.B. No. 2839

The purpose of this measure is to:

- (1) Amend the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) definition of "dependent-beneficiary" to:
 - (A) Clarify the eligibility of children for participation in EUTF benefits plans; and
 - (B) Conform with the federal Patient Protection and Affordable Care Act of 2010;
- (2) Amend the management and administrative structure of the EUTF by:
 - (A) Exempting contracts for the procurement of EUTF benefit plan carriers, third-party administrators, and professional service providers from the Hawaii Public Procurement Code;
 - (B) Amending the fiduciary duties and composition, as well as the appointment, vacancy, and voting procedures, of the EUTF Board of Trustees;
 - (C) Authorizing the establishment of sub-boards of the EUTF Board of Trustees for the negotiation of contributions that apply specifically to particular bargaining units;
 - (D) Authorizing the EUTF Board of Trustees to appoint attorneys independent of the Department of the Attorney General; and
 - (E) Transferring the administrative attachment of the EUTF from the Department of Budget and Finance to the Office of Collective Bargaining; and
- (3) Make housekeeping amendments to sections 87A-34 and 87A-36, Hawaii Revised Statutes.

The Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO supported this measure. The Department of the Attorney General; Department of Budget and Finance; State Procurement Office; EUTF Board of Trustees; Office of Collective Bargaining; and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provided comments.

Your Committee has amended this measure by:

- (1) Inserting the contents of H.B. No. 2012, H.D. 1, which was passed out from this Committee earlier this session as Part III and specifies that the benefits of the Hawaii Employer-Union Health Benefits Trust Fund are subject to collective bargaining negotiations;
- (2) Changing its effective date to July 1, 2091, 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. 2839, 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. 2839, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1668-16 Finance on S.B. No. 2453

The purpose of this measure is to:

- (1) Repeal the prohibition on suspension or waiver of fines for violations of certain aquatic resource laws; and
- (2) Authorize the court to require a person who violates certain state laws relating to aquatic resources, fishing rights and regulations, and the Marine Life Conservation Program to:
 - (A) Complete an aquatic resources educational class administered by the Department of Land and Natural Resources (DLNR) in addition to or in lieu of paying a monetary fine; and
 - (B) Perform community service administered by DLNR in lieu of paying a monetary fine.

The Judiciary, Department of Land and Natural Resources, Aha Moku Advisory Committee, Malama Pupukeya-Waimea, and an individual testified in support of this measure. The Office of Hawaiian Affairs commented on this measure.

Your Committee has amended this measure by changing its 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. 2453, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2453, H.D. 1.

Signed by all members of the Committee.

SCRep. 1669-16 Finance on S.B. No. 2904

The purpose of this measure is to authorize the Department of Land and Natural Resources to establish and operate aquatic mitigation banks to restore, create, enhance, or preserve aquatic habitats or resources as compensatory mitigation where a person is required to provide compensatory mitigation prospectively and the use of banked mitigation is approved by the agency requiring mitigation, or for past damage to aquatic habitats or resources.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, and one individual testified in support of 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 S.B. No. 2904, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2904, H.D. 1.

Signed by all members of the Committee.

SCRep. 1670-16 Finance on S.B. No. 2618

The purpose of this measure is to examine potential avenues for the enhancement of interisland transportation in the State by requiring and providing funding for the Department of Transportation to conduct a feasibility study on the establishment of an interisland ferry system.

The Department of Transportation, Hawaii Farm Bureau, Hawaii Lodging & Tourism Association, Building Industry Association of Hawaii, and Ulupono Initiative testified in support of this measure. Aloha Analytics and a few individuals testified in opposition to this measure. The Grassroot Institute of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Transportation study should examine the feasibility of an interisland and intra-island ferry system, rather than just an interisland ferry system; 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. 2618, 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. 2618, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1671-16 Finance on S.B. No. 2652

The purpose of this measure is to:

- (1) Establish a five-year renewable fuels production income tax credit;
- (2) Require the Department of Business, Economic Development, and Tourism to certify all renewable fuels production income tax credits and submit a report regarding the production and sale of renewable fuels to the Governor and Legislature each year;
- (3) Repeal the existing ethanol facility tax credit;
- (4) Establish an organic foods production tax credit; and
- (5) Require the Department of Agriculture to certify all organic foods production tax credits.

The Renewable Energy Action Coalition of Hawaii, Hawaii Gas, Anaergia, and an individual provided testimony in support of the measure. The Department of Business, Economic Development, and Tourism, Department of Taxation, Tax Foundation of Hawaii, Pacific Biodiesel Technologies, Hawaii Energy Policy Forum, Hawaii Renewable Energy Alliance, Hawaii Center for Food Safety, and Ulupono Initiative provided comments.

Your Committee has amended this measure by:

- (1) Changing various tax credit amounts 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 S.B. No. 2652, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2652, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1672-16 Finance on S.B. No. 2671

The purpose of this measure is to improve the level of care for animals in the State by establishing requirements for the regulation of veterinary technicians and the practice of veterinary technology, including:

- (1) Registration and education requirements;
- (2) Limitations on the use of titles associated with the practice of veterinary technology; and
- (3) Fees and other funding necessary to implement the registration of veterinary technicians.

The University of Hawaii System, Associated Students of the University of Hawaii at Windward Community College, Hawaii Veterinary Technician Association, Hawaii Veterinary Medical Association, and several individuals testified in support of this measure. The Office of the Auditor provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation to implement the registration of veterinary technicians 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. 2671, 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. 2671, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1673-16 Finance on S.B. No. 2680

The purpose of this measure is to clarify and address inconsistencies within the Code of Financial Institutions regarding the fee schedule for financial institutions. This measure deletes provisions throughout the Code that conflict with or were made obsolete by the recently codified standard fee schedule.

The Department of Commerce and Consumer Affairs provided testimony in support of the 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 S.B. No. 2680, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2680, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1674-16 Finance on S.B. No. 2914

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, among other things:

- (1) Adds the definitions of "danger of physical harm to others" and "danger of physical harm to self" to clarify when the petitions for involuntary medical treatment are to be used;
- (2) To support the filing of a petition, allows as an alternative to an affidavit, a declaration of a licensed physician or psychologist who has examined the person, and requires such examination to occur within five days of the submission of the petition, rather than two days, to allow for better operational coordination;
- (3) Limits the petition notification requirement to persons identified as legal guardians or emergency contacts of the subject of the petition, to support timelier proceedings; and
- (4) Clarifies the ability of the Department of Public Safety to seek an extension of an involuntary treatment order, prior to expiration of the order, if necessary.

The Department of the Attorney General supported this measure. The Department of Public Safety 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. 2914, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1675-16 Judiciary on S.B. No. 2811

The purpose of this measure is to enable the family court to terminate the parental rights of a natural parent, if the court determines by clear and convincing evidence that the child was conceived as a result of an act of rape or sexual assault that was perpetrated by the natural parent. This measure establishes a presumption that the termination of parental rights in these circumstances is in the best interest of the child.

The Department of the Attorney General, Hawaii State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, The Sex Abuse Treatment Center, American Association of University Women of Hawaii, Hawaii Women's Coalition, and one concerned individual testified in support of this measure.

Your Committee finds that in May 2015, President Obama signed the Rape Survivor Child Custody Act (Act), Public Law No. 114-22, which encourages states to adopt the clear and convincing standard for the factual finding that a child was conceived in an act of sexual assault or rape to support the termination of the parental rights of the perpetrator. The Supreme Court in *Santosky v. Kramer*, 455 U.S. 745 (1982), held that the clear and convincing evidence standard satisfies due process rights in proceedings to terminate or restrict parental rights. The clear and convincing evidence standard is the most common standard for the termination of parental rights among the fifty states. This measure protects the due process rights of the parent who is accused of sexual assault or rape by requiring the clear and convincing evidence standard and, at the same time, enables the victims of rape or sexual assault to petition the courts to terminate the perpetrator's parental rights without a criminal conviction that requires the standard of proof beyond a reasonable doubt.

Your Committee has amended this measure by:

- (1) Clarifying that the conclusive effect of a conviction or guilty plea applies to the element of the occurrence of the sexual assault;
- (2) Deleting the term rape and retaining the term sexual assault, as that term is used in the Hawaii Revised Statutes to describe the relevant offenses;
- (3) Clarifying that termination of parental rights pursuant to this measure is a complete and final termination of rights to custody, guardianship, visitation, and inheritance rights;
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style; and
- (5) Making 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. 2811, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2811, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1676-16 Judiciary on S.B. No. 2181

The purpose of this measure is to adopt "Right to Try" legislation that allows terminally ill patients to use and manufacturers to make available potentially life-saving investigational drugs and biological products.

Several concerned individuals testified in support of this measure. The Department of the Attorney General and the Hawaii Association for Justice provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that a health care provider that recommends to an eligible patient an investigational drug or biological product that is being developed to treat the type of terminal illness that afflicts the patient will not serve as a basis for licensing or certification sanctions;
- (2) Making this measure 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2181, 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. 2181, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Hashem, Kawakami, Lee and Thielen.

SCRep. 1677-16 Judiciary on S.B. No. 2408

The purpose of this measure is to adopt the Uniform Partition of Heirs Property Act, which establishes the procedures and remedies that are applicable to actions for a partition of real property that is held in tenancy in common, with no binding agreement among the cotenants relating to the partition of the property, and that a court has determined to be heirs property. This measure specifies that the court is responsible to provide notice to each party regarding the determination of fair market value of the property and a cotenant's right to purchase the interest in the property of the cotenant that requested the partition by sale.

The Commission to Promote Uniform Legislation testified in support of this measure. The Judiciary and one concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Requiring the court to appoint a special master who shall fulfill the notice requirements that are specified by this measure, but are not specifically assigned to any cotenant;
- (2) Specifying that the costs of the special master's services and the expense of the notices shall be paid by the cotenants at the conclusion of the partition action; provided that the court has discretion to order payment of the cost and expenses from the estate of the deceased, the proceeds of the partition by sale, the cotenants, or a combination thereof; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2408, 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. 2408, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1678-16 Consumer Protection & Commerce on S.B. No. 2673

The purpose of this measure is to require travel agencies that sell activities to register as an activity desk.

The Activities and Attractions Association of Hawaii provided testimony in support of this measure. The Travel Agency Program of the Department of Commerce and Consumer Affairs provided comments on the measure.

Your Committee finds that when chapter 468L, Hawaii Revised Statutes, was enacted in 1991, travel agencies were not regulated with regard to the sale of activities. However, when that chapter was enacted, the visitor and activities industry was evolving tremendously. Today, the sale of activities through travel websites has increased significantly, but the protections and regulations pertaining to the sale of activities offered by chapter 468L, Hawaii Revised Statutes, do not necessarily apply to travel agencies and the websites run by travel agencies. Your Committee finds that registration of travel agencies who sell activities is important to ensure consumer protection.

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. 2673, 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. 2673, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Lee, Yamane and McDermott.

SCRep. 1679-16 Consumer Protection & Commerce on S.B. No. 2668

The purpose of this measure is to:

- (1) Require prior disclosure of and limit a patient's liability for out-of-pocket medical costs for services not covered by the patient's health plan or provided by a nonparticipating provider; and
- (2) Establish a working group to evaluate the issue of balance billing in the State.

Lihue Pharmacy Group and an individual testified in support of this measure. Hawaii Pacific Health; Hawaii Medical Service Association; Hawaii American College of Emergency Physicians; Hawaii Emergency Physicians Associated; American Congress of Obstetricians and Gynecologists, Hawaii Section; The Queen's Health Systems; Emergency Medicine Physicians of Honolulu; America's Health Insurance Plans; Healthcare Association of Hawaii; University Health Alliance; Hawaii Medical Association; Kaiser Permanente Hawaii; and numerous individuals opposed this measure. The Department of Commerce and Consumer Affairs, Department of Health, Department of the Attorney General, Hawaii Coalition for Health, and an individual commented on this measure.

Your Committee notes that the task of the working group is to evaluate the issue of balance billing in the State. It is your Committee's intent that in evaluating the issue of balance billing, the working group should examine network adequacy with regard to air ambulances for geographically challenged areas specifically on the Neighbor Islands.

With regard to the requirement that the working group determine the appropriate amount that can be billed by a nonparticipating health care provider, your Committee notes the testimony of the Department of the Attorney General that this requirement could invite scrutiny or challenges by federal antitrust agencies under federal antitrust law because the working group could comprise active market participants.

To address potential preemption and federal antitrust concerns, your Committee has amended this measure by changing the task of the working group regarding billing by a nonparticipating health care provider to a patient, to require the working group to examine whether and to what extent an appropriate amount can or should be established for billings for services performed by a nonparticipating healthcare provider to a patient without prior or subsequent authorization from the patient's health care plan, including the amount that should be paid by an insurer to the nonparticipating healthcare provider.

Your Committee has also amended this measure by:

- (1) Deleting provisions relating to disclosure requirements for health care providers, health care facilities, and hospitals to patients and prospective patients about nonemergency services not authorized by patient health care plans and health insurance plans;
- (2) Deleting provisions relating to limits on the patient's responsibility for provider billing in excess of insurance payments or patient balances for services of an out-of-network provider;

- (3) Specifying the membership of the working group; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2668, 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. 2668, S.D. 2, H.D. 2.

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

SCRep. 1680-16 Consumer Protection & Commerce on S.B. No. 2896

The purpose of this measure is to provide for a more efficient way of satisfying notice requirements to parties with respect to unfair labor practice complaints by:

- (1) Authorizing the Hawaii Labor Relations Board (Board) to require a complainant to serve a copy of the complaint upon the person charged;
- (2) Allowing service of complaints by electronic service through a company designated by the Board; and
- (3) Requiring that all parties be given written notice of hearing for unfair labor practice complaints by first class mail or by electronic service at least 15 days before the hearing.

The Hawaii Labor Relations Board provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that written notice of a hearing for unfair labor practice complaints by electronic service may be in addition to but not a replacement for service by first class mail; and
- (2) Changing the effective date to July 1, 2112, to encourage further discussion.

The measure, as received by your Committee, would have allowed notice of a hearing to be served by electronic service alone. Your Committee notes due process concerns if notice is given by electronic mail only because a respondent would not have enough time to prepare if notice is given electronically and the notice is not received because an email address is not on file. Therefore, your Committee notes that the most appropriate and suitable form of serving notice for unfair labor practice hearings is delivery by first class mail. Accordingly, your Committee has amended this measure to require that written notice of a hearing for unfair labor practice complaints by electronic service may be in addition to but not a replacement for service by first class mail.

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. 2896, 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. 2896, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Lee, Oshiro and San Buenaventura.

SCRep. 1681-16 Finance on S.B. No. 2301

The purpose of this measure is to continue the diversification of Hawaii's economy through development of the manufacturing and processing industry by authorizing the issuance of special purpose revenue bonds for Keahole Management Group LLC to assist in financing manufacturing and production facilities for products including value-added agricultural products.

Keahole Management Group LLC 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. 2301, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1682-16 Finance on S.B. No. 2981

The purpose of this measure is to recognize American Sign Language as a world language and allow public school students who successfully complete courses in American Sign Language to receive credit toward graduation requirements for world language.

The Disability and Communication Access Board 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. 2981, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1683-16 Finance on S.B. No. 3099

The purpose of this measure is to provide safe, high-quality educational activities during after school and out-of-school hours for students attending public schools from grades kindergarten through twelve by:

- (1) Establishing the Hawaii Three to Six Out-of-school Program and Hawaii Three to Six Out-of-school Program Special Fund; and
- (2) Appropriating funds for this purpose.

The Department of Education and Hui for Excellence in Education 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. 3099, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1684-16 Finance on S.B. No. 2878

The purpose of this measure is to support youth transitioning from foster care to adulthood by:

- (1) Expanding the availability of higher education stipends by increasing the age of eligibility from 21 to 26 years old and permitting its use for any costs related to higher education, not limited to cost of board; and
- (2) Clarifying key areas for ongoing implementation regarding the eligibility for and requirements of the Young Adult Voluntary Foster Care Program.

The Department of Human Services, Judiciary, Hawaii Youth Services Network, It Takes an Ohana, EPIC Ohana, Inc., Family Programs Hawaii, Hawaii Youth Opportunities Initiative, HI H.O.P.E.S. Youth Leadership Board Oahu, HI H.O.P.E.S. Youth Leadership Board West Hawaii, and many individuals provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2878, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1685-16 Finance on S.B. No. 2196

The purpose of this measure is to promote law enforcement transparency and accountability by establishing a Law Enforcement Officer Independent Review Board (Board) within the Department of the Attorney General to review criminal investigations of incidents of officer-involved death conducted by law enforcement agencies and make recommendations to the respective county prosecuting attorney. This measure also appropriates funds to establish the Board and for Board-related expenses.

The American Civil Liberties Union of Hawaii and three concerned individuals supported this measure. A concerned individual opposed the measure. The Department of the Attorney General and Department of Land and Natural 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 S.B. No. 2196, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1686-16 Finance on S.B. No. 2289

The purpose of this measure is to assist the Department of Labor and Industrial Relations (DLIR) in gathering information necessary for preparing accurate summaries of economic conditions in Hawaii. Specifically, this measure requires every employer to keep a record of the former physical addresses and current physical address of the employer and the North American Industry Classification System code applicable to the employer and deletes insurance reporting requirements made obsolete by federal law.

The Department of Labor and Industrial Relations provided 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 is in accord with the intent and purpose of S.B. No. 2289, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1687-16 Finance 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 the History and Culture of People of African Descent to:

- (1) Further the understanding of African American history and culture;

- (2) Educate residents and visitors to the State of the significance and impact of the experience of people of African descent in Hawaii; and
- (3) Submit annual reports to the Legislature with recommendations to honor and recognize contributions of persons of African descent in Hawaii.

No testimony was received 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. 194, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 194, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1688-16 Finance on S.B. No. 2156

The purpose of this measure is to allow the Department of Land and Natural Resources to become a member of the Interstate Wildlife Violator Compact, a multistate agreement that promotes enforcement of hunting, fishing, trapping and other wildlife related regulations across jurisdictions, or similar agreement.

The Humane Society of the United States-Hawaii, Humane Society International; Hawaii Goes Fishing; and several individuals supported this measure. The Department of Land and Natural Resources; Fishing Tales with Mike Sakamoto; Hawaii Fishermen's Alliance for Conservation and Tradition, Inc.; Hawaii Nearshore Fishermen; and one individual provided comments.

Your Committee has amended this measure by requiring the Department of Land and Natural Resources' Division of Aquatic Resources to conduct a comprehensive statewide science based assessment of its ocean resources. 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. 2156, 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. 2156, S.D. 1, H.D. 3.

Signed by all members of the Committee.

SCRep. 1689-16 Finance on S.B. No. 1374

The purpose of this measure is to fulfill the mandate of the Hawaii State Constitution to conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands by requiring the Department of Agriculture to negotiate land exchanges with Dole Food Company, Inc. to acquire lands that are suitable for long-term diversified agricultural production.

The Department of Land and Natural Resources and Agribusiness Development Corporation provided testimony in support of the 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 S.B. No. 1374, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1690-16 Judiciary on S.B. No. 2916

The purpose of this measure is to increase public safety by adding misdemeanor offenses involving any type of firearm, ammunition, or dangerous weapon under chapter 134, Hawaii Revised Statutes, to the offenses that disqualify parole violators from provisions that limit the period of incarceration for parole violations to no more than six months when the remaining unserved term at the time of parole exceeds the six-month maximum period.

The Department of Public Safety and Hawaii Paroling Authority testified in support of this measure. Hawaii Friends of Restorative Justice, Community Alliance on Prisons, and three concerned individuals testified in opposition.

Your Committee notes that concerns have been raised that the Justice Reinvestment Initiative, as reflected in Act 139, Session Laws of Hawaii 2012, and in other legislation, is not moving forward as fast as was hoped and expected. Nonetheless, this present measure addresses weapons violations that your Committee believes should be considered separately from Justice Reinvestment issues, and your Committee believes that it should be adopted as proposed.

Your Committee looks forward to reports from the Department of Public Safety, Department of the Attorney General, and other relevant agencies showing progress in Justice Reinvestment in the future.

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. 2916, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Creagan, Hashem, Kawakami, Lee and Thielen.

SCRep. 1691-16 Judiciary on S.B. No. 2647

The purpose of this measure is to protect animal species that are threatened with extinction by prohibiting the illegal trafficking of products or parts from protected animal species. This measure seeks to improve coordination between state and other government authorities as encouraged in section 183D-8, Hawaii Revised Statutes, and to remove any potential conflicts of law that unintentionally make Hawaii an attractive market for illegal wildlife trafficking by:

- (1) Prohibiting the sale, offering to sell, possession with the intent to sell, purchase, trade, or barter of any part or product from various protected terrestrial and marine animal species;
- (2) Requiring the Board of Land and Natural Resources to concur in the prohibition for listed marine animals, sharks, and rays;
- (3) Providing exceptions to the prohibition for traditional cultural practices that are protected by the Constitution of the State of Hawaii;
- (4) Establishing the requirement for the bona fide antiques exception to the prohibition that the protected animal species part or product shall be a fixed component or components of a larger manufactured item of which the animal species part or product is not the primary source of value;
- (5) Permitting the transfer of covered animal species parts or products to a legal beneficiary of an estate, trust, or other inheritance;
- (6) Including guns and knives in the list of exceptions to the prohibition if the protected animal species portion comprises less than 20 percent of the gun or knife;
- (7) Imposing penalties for violations of the prohibition on trafficking protected animal parts and products; and
- (8) Authorizing the Department of Land and Natural Resources to adopt rules to implement and enforce the measure.

The International Fund for Animal Welfare, Wildlife Conservation Society, Natural Resources Defense Council, Born Free USA, U.S. Friends of the David Sheldrick Wildlife Trust, NSEFU Wildlife Conservation Foundation, The Humane Society of the United States, Humane Society International, Hawaiian Humane Society, Apollo Kauai Zero Waste Kauai, Animal Rights Hawaii, Vulcan, Inc., Surfrider Foundation, Keiko Conservation, March for Elephants, WildAid, Sierra Club of Hawaii, and many concerned individuals testified in support of this measure. The National Rifle Association of America, Lahaina Scrimshaw, Knife Rights, Inc., Whaler's Locker, Inc., and several concerned individuals testified in opposition. The Department of the Attorney General, Department of Land and Natural Resources, United States Fish and Wildlife Service, and one concerned individual provided comments.

Your Committee has amended this measure by:

- (1) Recognizing the federal laws relating to the protection of certain marine animals including sharks and rays;
- (2) Deleting the requirement that the Board of Land and Natural Resources concur with the protection of species that are designated by federal law;
- (3) Deleting intrastate sales from the application of this measure;
- (4) Defining "covered animal species part or product" to mean any item that contains, or is wholly or partially made from, any covered animal species;
- (5) Specifying that enforcement actions may begin on June 30, 2017; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2647, 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. 2647, S.D. 1, H.D. 2.

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

SCRep. 1692-16 Judiciary on S.B. No. 2675

The purpose of this measure is to:

- (1) Authorize the Board of Dental Examiners, Hawaii Medical Board, and Board of Pharmacy to deny a license to an applicant who has been disciplined by another state or federal agency, and the Board of Nursing to deny a license to an applicant who has been disciplined by another state;
- (2) Authorize the Board of Dental Examiners, Hawaii Medical Board, Board of Nursing, and Board of Pharmacy to impose the same disciplinary action upon a licensee as that taken by another state or federal agency, subject to notice and administrative hearing requirements;

- (3) Prohibit a licensee from practicing in the State until a final order by the respective board is issued, if the licensee has been prohibited from practicing in another state; and
- (4) Require any final order of discipline to be public record.

The Hawaii Medical Board, Hawaii Medical Association, and Hawaii Dental Association testified in support of this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs provided comments.

Your Committee has amended this measure by:

- (1) Specifying that the regulatory boards are not limited to imposing the same disciplinary action on licensees as was imposed by other states or federal agencies;
- (2) Making this measure take effect on its 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2675, 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. 2675, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Kawakami, Lee and Thielen.

SCRep. 1693-16 Judiciary on S.B. No. 2888

The purpose of this measure is to reduce delays and enable the expedient administration of justice by establishing a more efficient pretrial process that ensures timely and relevant administration of court ordered forensic physical or mental health examinations. This measure establishes separate evaluations for fitness to proceed and for penal responsibility, with certain exemptions, in criminal prosecutions where the defendant's capacity is at issue.

The Office of the Public Defender testified in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu testified in opposition. The Department of Health, Hawaii Disability Rights Center, and one concerned individual provided comments.

Your Committee finds that this measure will assist in making forensic mental health examinations more efficient and better aligned with the American Bar Association's Criminal Justice Mental Health Standard which recommends that evaluations of a defendant's fitness to proceed and penal responsibility not be combined.

Your Committee notes that the statutory references to the various types of examiners may need to be standardized in a future measure.

Your Committee has amended this measure by:

- (1) Clarifying the qualification requirements for the persons conducting the examinations of the defendant;
- (2) Specifying that the court shall not order an examination for penal responsibility to occur more than thirty days after a finding of fitness to proceed and that, upon a showing of good cause, the court may order an examination for penal responsibility within thirty days of a finding of unfit to proceed;
- (3) Establishing the court's authority to appoint, when appropriate, additional examiners for examinations to determine whether the defendant has regained fitness to proceed, similar to the court's authority for the initial fitness exam and the penal responsibility exam;
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style; and
- (5) Making 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. 2888, 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. 2888, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives Creagan, Hashem, Kawakami, Lee and Thielen.

SCRep. 1694-16 Finance on S.B. No. 2102

The purpose of this measure is to appropriate supplemental funds for the operating and capital improvement costs of the Judiciary for fiscal year (FY) 2016-2017.

The Judiciary, Office of the Public Defender, Legal Aid Society of Hawaii, Volunteer Legal Services Hawaii, Hawaii State Bar Association, Mothers Against Drunk Driving Hawaii Chapter, Park & Kim A Limited Liability Law Company, and several concerned individuals supported this measure.

The Judiciary submitted a supplemental budget that totaled:

FY 2017

General Funds	\$160,409,874
All Means of Financing	\$172,893,297

Your Committee on Finance has amended this supplemental budget to appropriate:

FY 2017

General Funds	\$154,566,130
All Means of Financing	\$165,187,337

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2102, 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. 2102, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Tokioka.

SCRep. 1695-16 Finance on S.B. No. 2131

The purpose of this measure is to

- (1) Restore the fuel license tax on naphtha fuels sold for use in a power-generating facility;
- (2) Require that any appropriations or other funds required by law to be deposited into the High Technology Special Fund be accordingly deposited;
- (3) Authorize the Director of Finance to issue \$3,000,000 in general obligation bonds for the development of an electrolysis process hydrogen production, storage, and dispensing facility;
- (4) Appropriate \$1,800,000 in general revenues for operating costs for an electrolysis process hydrogen production, storage, and dispensing facility; provided that no funds can be made available, unless private enterprises or private entities provide matching funds on a dollar-for-dollar basis;
- (5) Temporarily raise the ceiling for the High Technology Special Fund to \$4,800,000 for fiscal year 2016-2017; and
- (6) Require the High Technology Development Corporation to adopt rules in accordance with Chapter 91, Hawaii Revised Statutes, to enable the establishment, collection, and deposit into the High Technology Special Fund of fees imposed on the sale of hydrogen made commercially available at electrolysis process hydrogen production, storage, and dispensing facilities.

The Kauai Island Utility Cooperative supported this measure. The Department of Transportation provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing amounts for the authorized issuance of general obligation bonds, and general fund appropriations for development and operating costs, for an electrolysis process hydrogen production, storage, and dispensing facility to unspecified amounts;
- (2) Changing its 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 S.B. No. 2131, 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. 2131, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1696-16 Finance on S.B. No. 3126

The purpose of this measure is to accelerate the goals of the Department of Education to cool Hawaii's schools, reduce energy costs, meet the State's clean energy goals, and authorize the issuance of general obligation bonds and the use of funds from the Green Infrastructure Loan Program to implement cooling measures in public schools to provide students with a better learning environment. Among other things, this measure:

- (1) Requires the Department of Education to establish a goal of becoming net-zero with respect to energy use by January 1, 2035;
- (2) Requires the Department of Education to establish in each county at least one microgrid pilot project at public schools that also serves as emergency shelters to allow for continued operations even during the failure of the larger electric grid during a natural disaster;
- (3) Requires the Department of Education to expedite the cooling of all public school classrooms to a temperature acceptable for student learning, and to submit a report to the Legislature about the implementation of measures taken to cool public school classrooms;
- (4) Appropriates \$100,000,000 from the Hawaii Green Infrastructure Special Fund to the Department of Business, Economic Development, and Tourism for maximizing the energy efficiency of all schools;
- (5) Authorizes the Department of Education and Department of Budget and Finance, with the approval of the Governor, to borrow \$100,000,000 from the Green Infrastructure Loan Program for capital improvement program equipment and installation costs for air conditioning and other energy efficiency measures related to heat abatement in public schools; and

- (6) Appropriates \$30,000,000 for general obligation bond funds to fund capital improvement program equipment and installation costs for air conditioning and other energy efficiency measures related to heat abatement in public schools.

Pursuant to the requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 5 to the Legislature, requested immediate consideration and passage of this measure by the Legislature to appropriate emergency funds needed to implement a rapid response plan for heat abatement at the most-in-need public schools before the start of the next school year.

The Department of Education and Hawaii Green Infrastructure Authority testified in support of this measure. The Board of Education, Department of Business, Economic Development, and Tourism, Department of Budget and Finance, Tax Foundation of Hawaii, IMUAlliance, Hawaii State Teachers Association, Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company provided comments.

Your Committee has amended this measure by:

- (1) Changing various appropriation or authorization amounts to unspecified amounts;
- (2) Changing its 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 S.B. No. 3126, 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. 3126, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1697-16 Finance on S.B. No. 3084

The purpose of this measure is to incentivize discontinued use of cesspools for residential waste disposal by:

- (1) Repealing eligibility for the income tax credit for cesspool upgrade, conversion, or connection for taxpayers whose adjusted gross income exceeds \$200,000, \$300,000, or \$400,000, depending on the taxpayers filing status;
- (2) Clarifying the availability of the credit for cesspools connected to multiple residential units;
- (3) Authorizing the Department of Health to establish a cesspool upgrade, conversion, or connection tax credit or rebate program to offset qualified expenses incurred by low-income households; and
- (4) Requiring the Department of Health to report to the Legislature no later than 20 days before the Regular Session of 2017 on further recommendations to compel or incentivize discontinued use of cesspools.

The Department of Health, Department of Taxation, Tax Foundation of Hawaii, and Hawaii Association of Realtors provided comments for this measure.

Your Committee has amended this measure by inserting the contents of H.B. No. 2517, H.D. 2, which:

- (1) Adds county-certified cesspools within 200 feet of an existing sewer system to the definition of "qualified cesspool" for the purposes of determining eligibility for an upgrade, conversion, or connection income tax credit; and
- (2) Amends the maximum available credit amount.

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

Signed by all members of the Committee.

SCRep. 1698-16 Finance on S.B. No. 3071

The purpose of this measure is to require the Department of Land and Natural Resources (Department) to engage in negotiations to acquire the makai lands of Kapua in South Kona.

The Department provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing its preamble;
- (2) Allowing rather than requiring the Department to engage in negotiations to acquire the makai lands of Kapua, island of Hawaii;
- (3) Allowing rather than requiring the Department to report to the Legislature on the status of the negotiations;
- (4) Deleting the specified amount of the appropriation for conducting due diligence and negotiations on the makai lands;

- (5) Changing its effective date to July 1, 2030, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3071, 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. 3071, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1699-16 Finance on S.B. No. 3102

The purpose of this measure is to improve government efficiency by requiring the Department of Business, Economic Development and Tourism to develop, and state agencies to implement, inter-agency agreements without entering into a memorandum of agreement or memorandum of understanding.

Your Committee has amended this measure by:

- (1) Inserting the substantive contents of H.B. No. 2545, H.D. 1, which establishes the High-growth Grant Program and High-growth Grant Program Special Fund to assist qualified businesses through the provision of grants for specific business development purposes; 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. 3102, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3102, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1700-16 Finance on S.B. No. 2476

The purpose of this measure is to provide assistance to children who are deaf, hard of hearing, or deaf-blind by:

- (1) Requiring the Department of Health to provide early intervention services for infants and toddlers who are deaf, hard of hearing, or deaf-blind;
- (2) Requiring the Department of Health, Department of Education, and Executive Office on Early Learning to establish a working group on issues related to supporting age-appropriate development for children up to five years of age who are deaf, hard of hearing, or deaf-blind; and
- (3) Appropriating funds for two permanent full-time equivalent (2.0 FTE) positions in the Department of Health to provide early language services for children up to three years of age who are deaf, hard of hearing, or deaf-blind.

The Disability and Communication Access Board and one individual testified in support of this measure.

Your Committee has amended this measure by:

- (1) Authorizing rather than requiring early intervention services for infants and toddlers;
- (2) Deleting the appropriation; 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. 2476, 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. 2476, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1701-16 Finance on S.B. No. 2738

The purpose of this measure is to support renewable energy in the State by establishing a Hawaii energy storage system rebate program. Specifically, this measure:

- (1) Provides purchasers of eligible energy storage systems with a one-time rebate that may be claimed based on the type of system and the amount of funds remaining in the Energy Storage System Fund; and
- (2) Establishes a funding framework for the program through the Hawaii Green Infrastructure Authority, the Hawaii Green Infrastructure Special Fund, and the creation of the Energy Storage System Fund.

The Alliance for Solar Choice; Blue Planet Foundation; Charge Bliss Hawaii; Solar Help Hawaii LLC; We Are One, Inc.; and numerous individuals testified in support of this measure. The Division of Consumer Advocacy, Hawaiian Electric Company, Maui Electric Company, and Hawaii

Electric Light Company testified in opposition to this measure. The Department of Business, Economic Development, and Tourism; State Procurement Office; Hawaii Green Infrastructure Authority; Department of Taxation; Public Utilities Commission; Ulupono Initiative; Tax Foundation of Hawaii; Distributed Energy Resources Council of Hawaii; Hawaii Solar Energy Association; SunPower Corporation; Stem, Inc.; and an individual provided comments.

Your Committee has amended this measure by:

- (1) Specifying that the Hawaii Green Infrastructure Authority, rather than the Department of Business, Economic Development and Tourism, shall administer the program;
- (2) Amending the responsibilities of the Hawaii Green Infrastructure Authority regarding rebate applications, eligibility, and rulemaking;
- (3) Removing provisions specifying that this will be a one-time rebate and rebate amounts are to be based upon the amount of funds available in the Energy Storage System Fund;
- (4) Establishing a cap on the total amount of energy storage system funds that may be expended on utility-scale energy storage and commercial energy storage systems;
- (5) Setting caps on the amount of individual rebates allowed for various eligible energy storage systems;
- (6) Amending the eligibility requirements for energy storage systems, including the setting of new capacity, warranty, and installation standards;
- (7) Further clarifying program eligibility and application by establishing a definition for "energy storage system property owners";
- (8) Changing the claimable rebate amounts to unspecified amounts;
- (9) Changing the \$50,000,000 appropriation out of the Hawaii Green Infrastructure Special Fund to the Energy Storage System Fund for the purposes of funding the program to an unspecified amount;
- (10) Changing its effective date to July 1, 2030; and
- (11) 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. 2738, 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. 2738, S.D. 2, H.D. 2.

Signed by all members of the Committee except Representatives DeCoite, Pouha and Ward.

SCRep. 1702-16 Finance on S.B. No. 2604

The purpose of this measure is to require the Department of Education to implement an Off-grid Microgrid Pilot Project at a school of the Department's choice through the Ka Hei Program, an educational-enrichment and comprehensive energy and sustainability program within the Department.

The Department of Education supported this measure. The Hawaiian Electric Company, Maui Electric Company, and Hawaii Electric Light Company 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 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. 2604, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2604, S.D. 1, H.D. 1.

Signed by all members of the Committee.

SCRep. 1703-16 Finance on S.B. No. 2535

The purpose of this measure is to amend the law relating to geothermal.

Ormat Nevada Inc. provided testimony in support of the 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 S.B. No. 2535, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1704-16 Finance on S.B. No. 3034

The purpose of this measure is to propose an amendment to the Constitution of the State of Hawaii to provide victims of crimes with specific rights related to the criminal justice process.

Marsy's Law Hawaii testified in support of this measure.

Your Committee has amended this measure by:

- (1) Deleting sections 1 and 2;
- (2) Clarifying in the ballot question that the rights provided to victims of crimes will be as provided by law;
- (3) Changing its effective date to July 1, 2030, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3034, 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. 3034, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1705-16 Finance on S.B. No. 2076

The purpose of this measure is to establish a Durable Medical Equipment Supplier License Program (Program). Specifically, this measure:

- (1) Requires the licensure of any person who sells, dispenses, delivers, or services durable medical equipment in the State and establishes eligibility criteria for licensure;
- (2) Authorizes the deposit of license fees into the Office of Health Care Assurance Special Fund (Special Fund) for the administration of the Program; and
- (3) Amends the Special Fund expenditure ceiling for activities of the Office of Health Care Assurance and, correspondingly, amends the Special Fund balance ceiling for funds exempt from reversion to the general fund each fiscal year.

The Hawaii COPD Coalition and Healthcare 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. 2076, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1706-16 Finance on S.B. No. 2083

The purpose of this measure is to protect public health and safety, particularly for children, by prohibiting smoking in a motor vehicle when a minor is present.

The Department of Health and Coalition for a Tobacco-Free Hawaii provided testimony in support of the measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2083, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1707-16 Finance on S.B. No. 2723

The purpose of this measure is to increase the fines for contractors and subcontractors who violate the wage and hour requirements for public works projects. Specifically, this measure changes the monetary fines as follows:

- (1) For a first violation, from a minimum of \$25 to \$1,000 per offense;
- (2) For a second violation occurring within two years of the first notice of violation, whether on the same contract or another, from \$100 or the amount of back wages due to 50 percent of back wages due, plus an additional \$5,000 for each offense; and
- (3) For a third violation occurring within three, rather than two years, of the second notification of violation, from two times the amount of back wages due or \$200, to the full amount of back wages due, plus an additional \$10,000 for each offense.

The Department of Labor and Industrial Relations; Dorvin D. Leis Co., Inc.; LYZ, Inc.; Royal Palm Construction & Landscaping, Inc.; Ship Repair Association of Hawaii; Pacific Shipyards International; Isemoto Contracting Co., Ltd.; General Contractors Association of Hawaii; Ohana Military Communities; S & M Sakamoto, Inc.; King & Neel, Inc.; Lindemann Construction Inc.; Robert M. Kaya Builders, Inc.; Nan, Inc.; Healy Tibbitts Builders,

Inc.; Building Industry Association of Hawaii; Contract Furnishers of Hawaii, Inc. DBA Office Pavilion; Hawaii Construction Alliance; and an individual testified in opposition to this measure. The Subcontractors Association of Hawaii and Chamber of Commerce Hawaii provided comments.

Your Committee has amended this measure by:

- (1) Changing the monetary penalties for first, second, and third violations of the wage and hour law to unspecified amounts;
- (2) Changing its 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. 2723, 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. 2723, S.D. 1, H.D. 2.

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

SCRep. 1708-16 Finance on S.B. No. 2398

The purpose of this measure is to allow graduate students employed by the University of Hawaii to collectively bargain by establishing a new collective bargaining unit for graduate student assistants employed by the University of Hawaii.

The University of Hawaii at Manoa Graduate Student Organization; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State AFL-CIO; ILWU Local 142; University of Hawaii Professional Assembly; and numerous individuals testified in support of this measure. The Office of Collective Bargaining, Department of Budget and Finance, and the University of Hawaii 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. 2398, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1709-16 Finance on S.B. No. 2077

The purpose of this measure is to authorize the state executive branch and other jurisdictions to offer a severance benefit or a special retirement benefit to an employee who elects to separate from service when the employee's position is identified for abolishment or when the employee is directly affected by a reduction-in-force or workforce restructuring plan, including privatization.

Specifically, the measure establishes the following benefits for separated public employees:

- (1) A severance benefit of five percent of the employee's base annual salary for each year of service, up to a maximum of ten years, provided that the amount is not more than fifty percent of the employee's base annual salary; and
- (2) A special retirement benefit that allows the employee to receive an unreduced pension benefit if the employee meets certain age and length of service requirements.

This measure also requires the State, through the Department of Budget and Finance, to pay a percentage of the base Medicare or non-Medicare monthly contribution to the Hawaii Employer-Union Health Benefits Trust Fund based on the years of service worked and one-half of the monthly contributions for the employee-beneficiary or employee-beneficiary with dependent beneficiaries upon the death of the employee.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO (HGEA); HGEA Retirees Unit; HGEA Unit 13 Public Safety Department-Kulani Correctional Facility; and numerous individuals testified in support of this measure. The Department of Budget and Finance testified in opposition. The Board of Trustees of the Employees' Retirement System and United Public Workers, AFSCME, Local 626, AFL-CIO provided comments.

Your Committee has amended this measure by authorizing only the Hawaii Health Systems Corporation to offer a voluntary severance or a special retirement benefit to an employee under this measure. Specifically, your Committee amended this measure by:

- (1) Clarifying the definitions for "agency" or "attached agency" and "employee;"
- (2) Deleting the definitions for "other jurisdictions" and "state executive branch;"
- (3) Adding definitions for "exclusive representative" and "public employer;"
- (4) Clarifying which employees qualify for the voluntary severance benefit in lieu of exercising any reduction-in-force rights and in lieu of receiving a special retirement benefit;
- (5) Changing the credited service criteria for the special retirement benefit for employees who are at least 50 years of age from 10 years of credited service as a contributory class A or B member to 5 years of credited service as a contributory class A or B member;
- (6) Adding four criteria for the special retirement benefit for class H members who became members:
 - (a) Prior to July 1, 2012, have at least 5 years of credited service and are at least 57 years of age;

- (b) Prior to July 1, 2012, have at least 30 years of credited service and are at least 50 years of age;
 - (c) After June 30, 2012, have at least 10 years of credited service and are at least 60 years of age; and
 - (d) After June 30, 2012, have at least 30 years of credited service and are at least 57 years of age;
- (7) Deleting the section authorizing other jurisdictions to provide the severance benefit or special retirement benefit to employees under an official reduction-in-force or a workforce restructuring plan;
 - (8) Deleting the section authorizing payments for a severance benefit or special retirement benefit to be deposited into an account at the Hawaii Employer-Union Health Benefits Trust Fund;
 - (9) Changing the requirements for monthly contributions to the Hawaii Employer-Union Health Benefits Trust Fund based on years of service worked and date of hire;
 - (10) Inserting a severability clause;
 - (11) Changing the effective date to take effect upon its approval and apply to employees of the Hawaii Health Systems Corporation who are separated from service as a consequence of Act 103, Session Laws of Hawaii 2015; and
 - (12) 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. 2077, 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. 2077, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 1710-16 Judiciary on S.B. No. 2816

The purpose of this measure is to:

- (1) Establish the offense of criminal trespass onto state lands as a petty misdemeanor;
- (2) Amend the offense of criminal trespass in the second degree to apply to agricultural property owned by the government; and
- (3) Require the Department of the Attorney General to report to the Legislature on the use of the new and amended statutes.

The Department of the Attorney General, Department of Land and Natural Resources, and Department of Transportation testified in support of this measure. The American Civil Liberties Union of Hawaii opposed this measure.

In *Jones v. City of Los Angeles*, 444 F.3d 1118 (9th Cir. 2006), *vacated by settlement*, 505 F.3d 1006 (9th Cir. 2007), the Ninth Circuit Court of Appeals held that laws that criminalize a person who is sitting, lying, or sleeping on public property when that person is homeless and has nowhere else to go are a violation of the protections against cruel and unusual punishment guaranteed by the Eighth Amendment to the United States Constitution. The court held that "involuntary sitting, lying, or sleeping on public sidewalks" is an "unavoidable consequence of being human and homeless without shelter in the City of Los Angeles."

Similarly, in Hawaii, a person cannot be arrested or prosecuted for the mere status of homelessness. On the basis of assurances of the Attorney General, your Committee understands and expects that the State will not sanction the arrest or prosecution of homeless persons where appropriate shelter is unavailable. Your Committee urges county prosecutors to examine the relevant federal case law before prosecuting in these circumstances.

Your Committee notes that arrests themselves create criminal records and that criminal prosecutions are highly burdensome for defendants as well as for the entire criminal justice system. Arrests and prosecutions should be avoided when reasonable alternatives exist.

However, where a homeless person is unlawfully on state property and refuses available shelter, that person may be subject to arrest and prosecution pursuant to this measure. Your Committee wishes to emphasize that while a person's status as homeless may prevent arrest or incarceration for trespass as such, that status does not immunize the person from prosecution for other crimes, such as theft or vandalizing state property. This measure does not change the law in that regard.

Your Committee has amended this measure by:

- (1) Changing its findings and purpose section to reflect that this measure cannot and is not intended to abridge the constitutional rights of persons who are homeless; and
- (2) Making additional technical, nonsubstantive amendments for 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. 2816, 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. 2816, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Belatti, Nakashima, Rhoads and Thielen.
(Representative Creagan voted no.)

SCRep. 1711-16 Finance on S.B. No. 2987

The purpose of this measure is to address the allocation of transient accommodations tax revenues by:

- (1) Making permanent the annual allocation of \$103,000,000 of transient accommodations tax revenues to the counties; and
- (2) Establishing a new state-county functions working group on July 1, 2022, to study the division of duties between the State and the counties in the provision of public services and report recommendations to the Legislature, Governor, and the County mayors and councils on the appropriate allocation of the transient accommodations tax revenues between the State and counties.

The Maui County Council, Maui County Councilmember for the Island of Molokai, Maui County Councilmember for the South Maui District, Kauai County Council, Kauai County Councilmember, Hawaii County Councilmember for District 9, Hawaii State Association of Counties, and an individual testified in opposition to this measure. The Department of Budget and Finance, Office of the Mayor of the County of Maui, Office of the Mayor of the County of Hawaii, Office of the Mayor of the City and County of Honolulu, Tax Foundation of Hawaii, Hawaii Lodging & Tourism Association, and Maui Hotel & Lodging Association provided comments.

Your Committee has amended this measure by:

- (1) Removing provisions establishing the state-county functions working group;
- (2) Changing the \$103,000,000 annual allocation of transient accommodations revenues to the counties to an unspecified amount;
- (3) Amending the annual percentage of transient accommodations revenues allocated to each county as follows:
 - (A) Kauai County: from 14.5 to 20 per cent;
 - (B) Hawaii County: from 18.6 to 25 per cent;
 - (C) City and County of Honolulu: from 44.1 to 30 per cent; and
 - (D) Maui County: from 22.8 to 25 per cent; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2987, 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. 2987, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 1712-16 Veterans, Military, & International Affairs, & Culture and the Arts on S.C.R. No. 32

The purpose of this measure is to provide a tangible, permanent reminder of the sacrifice, dedication, and service of the men and women of the United States Armed Forces by requesting the Governor to take all necessary action to rename and designate a specified section of Kapule Highway in Kaua'i County as the Kaua'i Veterans Memorial Highway. The measure also requests the Department of Transportation to erect and maintain appropriate signage for the memorial highway.

The Office of Veterans' Services 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 concurs with the intent and purpose of S.C.R. No. 32 and recommends that it be referred to your Committee on Transportation.

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

SCRep. 1713-16 Public Safety on S.C.R. No. 97

The purpose of this measure is to urge the State to establish the Puuhonua Program in the Department of Public Safety for the continued rehabilitation of post-incarcerated persons, parolees, and probationers.

Hoomana Pono, LLC., and a concerned individual 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 concurs with the intent and purpose of S.C.R. No. 97 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Har, Johanson and Nakashima.

SCRep. 1714-16 Public Safety on S.C.R. No. 33

The purpose of this measure is to request that Hawaii's congressional delegation assist the State in negotiating with the federal government for the acquisition of the Federal Detention Center, Honolulu.

The Department of Public Safety, Hawaii Paroling Authority, and two concerned individuals supported this measure. Community Alliance on Prisons 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. 33 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Har, Johanson and Nakashima.

SCRep. 1715-16 Veterans, Military, & International Affairs, & Culture and the Arts on S.C.R. No. 20

The purpose of this measure is to act upon the recommendations of the Hawaii Sister-State Committee by establishing a sister-state relationship, pursuant to section 229-31, Hawaii Revised Statutes, between Hawaii and the State of Goa, Republic of India, to promote mutual commerce and trade and opportunities for economic, social, cultural, educational, and environmental exchanges.

United States Representative Tulsi Gabbard and the Department of Business, Economic Development, and Tourism supported this measure. The Center for Hawaiian Sovereignty Studies opposed this measure.

Your Committee has amended this measure by:

- (1) Clarifying that before recommending the establishment of a sister-state relationship between Hawaii and the State of Goa, the Hawaii Sister-State Committee reviewed the Hawaii/Goa sister-state application; and
- (2) Making technical, nonsubstantive amendments that hyphenate the term "sister-state" in its title so that it reads: SENATE CONCURRENT RESOLUTION ESTABLISHING A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE STATE OF GOA OF THE REPUBLIC OF INDIA.

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. 20, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 20, S.D. 1, H.D. 1.

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

SCRep. 1716-16 Veterans, Military, & International Affairs, & Culture and the Arts on S.C.R. No. 48

The purpose of this measure is to acknowledge the commitment of the United States to resolve the fates of members of the Armed Forces who are still prisoners, missing, and unaccounted for, and who are symbolized by the National League of Families' POW/MIA flag (POW/MIA flag), by requesting the Governor to order that:

- (1) Whenever the United States flag is flown on a permanent flagpole in front of the State Capitol building, the POW/MIA flag be flown on the same halyard directly under the United States flag; and
- (2) If the United States flag and the Hawaii State flag are flown in front of the State Capitol on different halyards, the POW/MIA flag be flown directly below the United States flag, or if on the same halyard, the POW/MIA flag be flown directly under the Hawaii State flag.

The Office of Veterans' Services 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 concurs with the intent and purpose of S.C.R. No. 48 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1717-16 Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 96

The purpose of this measure is to request that the Hawaii State Foundation on Culture and the Arts establish and provide technical oversight to a task force to determine the appropriate placement of the statue Spirit of Lili'uokalani and to discuss the commission of permanent works of art commemorating the monarchs of the Kamehameha dynasty.

The Association of Hawaiian Civic Clubs submitted testimony in support of this measure. Ho'okipa Network – Kauai submitted testimony in opposition. The Office of Hawaiian Affairs submitted comments.

Your Committee has amended this measure by:

- (1) Amending the composition of the task force to include members representing each of the Native Hawaiian and cultural interest organizations listed instead of a single member representing all organizations; and
- (2) Making a technical, nonsubstantive amendment to accurately reflect the Office of Hawaiian Affairs administrative structure.

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 S.C.R. No. 96, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 96, S.D. 2, H.D. 1.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1718-16 Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 163

The purpose of this measure is to commemorate and honor the life of Robert William Kalanihiapo Wilcox, who advocated for the rights of Native Hawaiians, the sovereignty of the Hawaiian monarchy, and all Hawaiian citizens' rights to self-determination and full participation in government through his leadership and service to the Hawaiian Kingdom in the Royal Guard, Royal Legislature, and National Reform Party and his service to all citizens of the Territory of Hawaii in the Home Rule Party of Hawaii, and United States Congress.

The Office of Hawaiian Affairs and an individual submitted testimony in support of this measure. The Center for Hawaiian Sovereignty Studies submitted testimony in opposition. The Coalition of Hawaiian Nationals and an 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 S.C.R. No. 163, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1719-16 Health/Education on S.C.R. No. 44

The purpose of this measure is to request the Auditor to conduct a sunrise analysis of S.B. No. 2612, introduced during the Regular Session of 2016, and submit findings and recommendations, including any proposed legislation, to the Legislature prior to the convening of the Regular Session of 2017.

The Department of Education, Hawaii Association of School Psychologists, and two individuals supported this measure. The Department of Commerce and Consumer Affairs offered comments on this measure.

As affirmed by the records of votes of the members of your Committees on Health and Education that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 44, S.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Jordan, Oshiro and Tupola.

SCRep. 1720-16 Health/Education on S.C.R. No. 30

The purpose of this measure is to request the Department of Health and the Department of Education to:

- (1) Collaborate on educational information and materials for distribution about the human papillomavirus vaccine that can be provided to parents of public school children based on recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention; and
- (2) Seek and obtain private or federal funding to assist with the financing of the actions requested by this measure.

The Department of Education, Hawaii Youth Services Network, Planned Parenthood Votes Northwest and Hawaii, Hawaii State Democratic Women's Caucus, American Association of University Women- Hawaii, Hawaii Public Health Institute of Hawaii, and numerous individuals supported this measure. The Department of Health and numerous individuals opposed this measure. Two individuals provided comments on this measure.

As affirmed by the records of votes of the members of your Committees on Health and Education that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 30, S.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Ing, Jordan, Oshiro, Fukumoto Chang and Tupola.

SCRep. 1721-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.C.R. No. 16

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement for the use, repair, and maintenance of an existing seawall and steps located at Waikiki, Honolulu, Oahu.

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

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 S.C.R. No. 16 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1722-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.C.R. No. 17

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement for the use, repair, and maintenance of a portion of an existing rock wall located on state submerged lands at Makaha, Waianae, Oahu. This easement adds to an existing easement approved by the Legislature in 2013 that covers the remainder of the wall.

The Department of Land and Natural Resources submitted 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 concur with the intent and purpose of S.C.R. No. 17, S.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1723-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.C.R. No. 18

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement for the use, maintenance, improvement, and replacement of an existing floating dock located on state submerged lands at Sand Island, Honolulu, Oahu. The purpose of this easement is to allow the University of Hawai'i to make necessary improvements to relocate the small boat operations of its School of Ocean and Earth Science and Technology to the existing facility that houses Honolulu Community College's Marine Education Training Center.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and University of Hawai'i.

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 S.C.R. No. 18, S.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1724-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.C.R. No. 19

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement for the use, maintenance, and repair of an existing sea wall located on state submerged lands at Kukuiulua, Koloa, Kauai.

The Department of Land and Natural Resources submitted 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 concur with the intent and purpose of S.C.R. No. 19, S.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1725-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.C.R. No. 68

The purpose of this measure is to urge the Office of Hawaiian Affairs to develop a land use plan for its lands at Wahiawa, Oahu that comports with the objectives of perpetuating, promoting, and increasing use of the traditional Hawaiian farming systems, increasing and developing small-scale farms, contributing to Hawaii's food self-sufficiency, and creating a sustainable and efficient agricultural model for the State.

The Office of Hawaiian Affairs submitted 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 concur with the intent and purpose of S.C.R. No. 68 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1726-16 Economic Development & Business on S.C.R. No. 83

The purpose of this measure is to request the Access Hawaii Committee, Hawaii Information Consortium, and each state agency who currently has a partnership with the Hawaii Information Consortium to collaborate and provide the Legislature with a comprehensive progress report regarding the activities and expenses of the State's Internet portal.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services.

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 S.C.R. No. 83 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Choy and Ito.

SCRep. 1727-16 Economic Development & Business on S.C.R. No. 164

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism, in consultation with the Department of Budget and Finance, and Department of Taxation, to conduct a study on the economic impact of granting an exemption for the sale of goods and services to the federal government from the state general excise tax.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism and the Department of Taxation.

Your Committee finds that contracts to provide goods and services to the federal government are a vital part of Hawaii's economy. Your Committee further finds that businesses domiciled and based in Hawaii are assessed the state general excise tax for the sale of goods and services to the federal government. However, the federal government does not enforce the state general excise tax on out-of-state businesses bidding to provide goods and services. Your Committee finds that it is necessary for Hawaii businesses to be on the same footing as out-of-state businesses when bidding on federal contracts and therefore supports a study to determine the potential impacts of exempting the sale of goods and services to the federal government from the State's general excise tax.

The Committee on Economic Development and Business requests that should your Committee on Finance deliberate this measure further, that it consider appropriating \$200,000 for the Department of Business, Economic Development, and Tourism for data collection and extensive analysis to estimate the amount of federal spending that would be subject to Hawaii's general excise tax.

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 S.C.R. No. 164 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Brower, Choy and Ito.

SCRep. 1728-16 Health on S.C.R. No. 140

The purpose of this measure is to request the Legislative Reference Bureau to conduct a review of the Child and Adolescent Mental Health Division of the Department of Health.

Your Committee received testimony in support of this measure from three individuals.

Your Committee received comments on this measure from the Department of Health and the Legislative Reference Bureau.

Your Committee finds that, given the Division's ongoing reorganization, the Child and Adolescent Mental Health Division should be reviewed to determine its effectiveness and efficiency.

Your Committee has amended this measure by:

- (1) Narrowing the scope of the review to focus on goals, objectives, and rationale of the Division's reorganization plan, including:
 - (A) How the Division operated and provided services to its clients prior to initiating its reorganization plan;
 - (B) If available from the Department of Health, data that would assist the Legislature in determining the Division's baseline effectiveness in meeting its mandated duties prior to the initiation of its reorganization plan;
 - (C) How the Division developed its reorganization plan, the reasons for the reorganization, and the timetable for the implementation of the plan;
 - (D) How the Division's reorganization plan meets current best practices;
 - (E) What performance benchmarks and monitoring protocols the Division has included in its reorganization plan in order to measure the reorganization's effectiveness;
 - (F) If data is available from the Department of Health, projected client population growth over the next five fiscal years and how the reorganized Division plans on meeting the needs of the increased population;
 - (G) How the Division will be ensuring that it is maximizing reimbursements from and cost sharing opportunities with the federal government;
 - (H) How the Division is collaborating with the Department of Health's other relevant divisions or sister agencies, including but not limited to the Department of Human Services, the Department of Education, the Office of Youth Services, and the Judiciary;
 - (I) A description of the information technology component of the Division's planned reorganization to include:
 - (i) The objectives of the information technology component;
 - (ii) The development, implementation, and operation costs of the information technology component;
 - (iii) Actual and projected federal matching funds to be received for the development, implementation, and operation costs of the information technology component;
 - (iv) Protocols that the Division has or will have in place to ensure that vendor and maintenance costs remain at or below a level that is considered acceptable based on industry or best practices standards; and
 - (v) Protocols that the Division has or will have in place to ensure that the information technology component will operate according to the Division's contract specifications; and
 - (J) The initial costs of the Division's reorganization plan, costs of any foreseeable disruptions in client service or provider reimbursements, and estimated ongoing annual operating costs for the next five fiscal years to maintain the Division in its reorganized form; and

- (2) Clarifying that certain aspects of the data and information to be included in the review will be provided by the Department of Health;
- (3) Requesting the Department of Health and other appropriate agencies to provide any requested data to the Legislative Reference Bureau by August 1, 2016; and
- (4) Adding the Director of Human Services, Superintendent of Education, Chief Justice, and the Executive Director of the Office of Youth Services to the list of persons that are to receive a certified copy 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 concurs with the intent and purpose of S.C.R. No. 140, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 140, S.D. 1, H.D. 1.

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

SCRep. 1729-16 Human Services/Housing on S.C.R. No. 60

The purpose of this measure is to request the revision of federal regulations so that housing subsidies through the Section 8 Rental Assistance and Homeownership Program paid directly to a Supplemental Nutrition Assistance Program applicant are excluded from the calculation of household income to determine eligibility for the Supplemental Nutrition Assistance Program.

Several concerned individuals supported this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 60 and recommend that it be referred to your Committee on Finance.

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

SCRep. 1730-16 Labor & Public Employment on S.C.R. No. 71

The purpose of this measure is to designate April 28, 2016, as "Workers' Memorial Day" in Hawaii in memory of workers killed, injured, or disabled in the workplace.

The Department of Labor and Industrial Relations, Hawaii Construction Alliance, Hawaii Injured Workers Association, Hawaii State AFL-CIO, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO testified in support of this measure. One individual 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 S.C.R. No. 71, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representative Tupola.

SCRep. 1731-16 Labor & Public Employment on S.C.R. No. 132

The purpose of this measure is to:

- (1) Request that the state departments and counties affirm the tenets and principles found in the United Nations Convention on the Elimination of All Forms of Discrimination Against Women;
- (2) Urge the state departments and the counties to work with the Hawaii State Commission on the Status of Women to develop gender analysis guidelines; and
- (3) Urge the Department of Human Resources Development and the counties to implement a gender analysis of governmental functions.

The Hawai'i Civil Rights Commission, Hawaii State Commission on the Status of Women, American Association of University Women-Hawaii, and one individual testified in support of this measure. One individual 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 S.C.R. No. 132 and recommends that it be referred to your Committee on Finance.

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

SCRep. 1732-16 Water & Land on S.C.R. No. 10

The purpose of this measure is to provide legislative approval for the sale of the leased fee interest in the property located at 41-648 Inoaole Street, Waimanalo, Hawaii, pursuant to section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation provided testimony in support of the 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 concurs with the intent and purpose of S.C.R. No. 10 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1733-16 Water & Land on S.C.R. No. 11

The purpose of this measure is to grant legislative approval to sell the leased fee interest in 47-394 Keohapa Place, Kaneohe, Hawaii, pursuant to section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism, Hawaii Housing Finance and Development Corporation, and an individual provided testimony in support of the 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 concurs with the intent and purpose of S.C.R. No. 11 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1734-16 Water & Land on S.C.R. No. 12

The purpose of this measure is to grant legislative approval to sell the leased fee interest in 95-029 Kuahelani Avenue, No. 128, Mililani, Hawaii.

The Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation provided testimony in support of the 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 concurs with the intent and purpose of S.C.R. No. 12 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1735-16 Water & Land on S.C.R. No. 13

The purpose of this measure is to approve the sale of the leased fee interest in 94-946 Meheula Parkway, No. 264, Mililani, Hawaii, in a manner that complies with section 171-64.7, Hawaii Revised Statutes.

The Department of Business, Economic Development, and Tourism, Hawaii Housing Finance and Development Corporation, and an individual provided testimony in support of the 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 concurs with the intent and purpose of S.C.R. No. 13 and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1736-16 Water & Land on S.C.R. No. 45

The purpose of this measure is to authorize the amendment of a perpetual non-exclusive easement for the portion of state submerged lands fronting the property identified as Tax Map Key: (2) 4-4-001: 055, Lahaina, Maui, for maintenance and repair of the existing seawall and landscaping constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

The Department of Land and Natural Resources 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 concurs with the intent and purpose of S.C.R. No. 45, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1737-16 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 7

The purpose of this measure is to authorize the Board of Land and Natural Resources to formalize a previously approved term, non-exclusive easement covering a portion of state submerged lands fronting Apartments A and B of the 1688 Halama Street Condominium, also identified as Tax Map Key: (2) 3-9-11:8, and seaward, situated at Waiohuli-Keokea (Kihei), Wailuku, Maui, Hawaii, for the use, maintenance, and repair of the existing seawall constructed thereon.

The Department of Land and Natural Resources and an individual provided testimony in support of the 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. 7 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1738-16 Water & Land/Ocean, Marine Resources, & Hawaiian Affairs on S.C.R. No. 125

The purpose of this measure, as received by your Committee, is to request that the Waipi'o Valley Stakeholders Alliance coordinate with the Bishop Museum, Kamehameha Schools, Friends of the Future, County of Hawaii, Office of Hawaiian Affairs, Trust For Public Land, State of Hawaii, and other interested parties who may be invited by the Waipi'o Valley Stakeholders Alliance to provide their guidance and mana'o regarding the future preservation and stewardship of Waipi'o Valley.

Prior to the public hearing, a Proposed House Draft was circulated and made available to the public for the purpose of receiving testimony.

The Department of Land and Natural Resources, Hyatt Kaanapali, Kaanapali Operations Association, Inc., and an individual provided testimony in support of the Proposed House Draft.

After careful consideration, your Committees have amended this measure by adopting the Proposed House Draft, which deletes the contents of the original measure and inserts new language that expresses endorsement and support for a unique and aggressive approach by the Department of Land and Natural Resources to use durable and temporary geo-synthetic materials as necessary for the protection of the Kaanapali Beach Walk from shoreline hazards until the beach nourishment program at Kaanapali Beach can be completed.

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. 125, S.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as S.C.R. No. 125, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1739-16 Education/Human Services on S.C.R. No. 153

The purpose of this measure is to request the Department of Education to conduct a two-year pilot project to implement contracts for services for students with disabilities on a block basis in addition to a one-to-one basis.

The Department of Education, State Council on Developmental Disabilities, Disability and Communication Access Board, Special Education Advisory Council, and Community Children's Council of Hawaii supported this measure. The Hawaii Disability Rights Center opposed this measure.

As affirmed by the records of votes of the members of your Committees on Education and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 153, S.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Aquino, Belatti, Ing, Ito, Fukumoto Chang and Matsumoto.

SCRep. 1740-16 Education on S.C.R. No. 110

The purpose of this measure is to request the Department of Education to affirm its commitment to uphold the tenets of Title IX of the Education Amendment Act of 1972 including submitting a report to the Legislature regarding the addition of complex area Title IX coordinators.

The Department of Education, Hawaii Civil Rights Commission, Hawaii State Democratic Women's Caucus, American Association of University Women-Hawaii, and Planned Parenthood Votes Northwest and Hawaii 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 concurs with the intent and purpose of S.C.R. No. 110, S.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 1741-16 Education on S.C.R. No. 146

The purpose of this measure is to request that the Department of Education, a school of architecture, and Kula Kaiapuni 'O Ānuenue enter a partnership to develop a proof of concept plan and design for a gymnasium at Ānuenue School.

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 concurs with the intent and purpose of S.C.R. No. 146, S.D. 1, and recommends that it be referred to your Committee on Finance.

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

SCRep. 1742-16 Education on S.C.R. No. 154

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study on the per-pupil funding system to determine whether the system fulfills its statutory purpose of equalizing operational funding among public schools.

The State Public Charter School Commission, Office of Hawaiian Affairs, Hawaii State Teachers Association, and Kamehameha Schools supported this measure. The Legislative Reference Bureau submitted comments.

Your Committee has amended this measure by:

- (1) Requesting the Department of Education and State Public Charter School Commission to come to an agreement on various parameters prior to any data's being submitted to the Legislative Reference Bureau; and
- (2) Postponing the deadline by which the Legislative Reference Bureau is requested to submit its report to no later than 20 days prior to the convening of the Regular Session of 2018.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 154, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 154, S.D. 1, H.D. 1.

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

SCRep. 1743-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.C.R. No. 9

The purpose of this measure is to authorize the issuance of an easement for the purpose of amending and expanding an existing easement to allow the use, construction, maintenance, and repair of a boat dock placed on state submerged lands at Heeia, Koolaupoko, Oahu.

The Department of Land and Natural Resources submitted 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 concur with the intent and purpose of S.C.R. No. 9 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1744-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.C.R. No. 14

The purpose of this measure is to authorize the issuance of a term, nonexclusive easement for the use, repair, and maintenance of an existing rock wall located on state submerged lands at Kaipapau, Koolauloa, Oahu and for the use, repair, and maintenance of the existing improvements constructed thereon.

The Department of Land and Natural Resources submitted 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 concur with the intent and purpose of S.C.R. No. 14 and recommend that it be referred to your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1745-16 Ocean, Marine Resources, & Hawaiian Affairs/Water & Land on S.C.R. No. 15

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement for the use, repair, and maintenance of an existing pier located on state submerged land at Kaneohe, Koolaupoko, Oahu, and for the use, repair, and maintenance of the existing improvement 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 Ocean, Marine Resources, & Hawaiian Affairs and Water & Land 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 your Committee on Finance.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1746-16 Health on S.C.R. No. 106

The purpose of this measure is to recognize the month of September of every year as Sepsis Awareness Month, and the thirteenth day in September of every year as Hawaii Sepsis Day.

The Healthcare Association of Hawaii, Hawaii Nurses Association OPEIU Local 50, Sepsis Alliance, and numerous individuals supported this measure. One individual 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. 106 and recommends its adoption.

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

SCRep. 1747-16 Health/Human Services on S.C.R. No. 85

The purpose of this measure is to:

- (1) Affirm that all persons have the right to access reproductive health care services without fear of violence, intimidation, or harassment; and
- (2) Reaffirm support for Planned Parenthood health centers and staff in carrying out their mission to safeguard and provide access to a fundamental human right.

The Hawaii State Commission on the Status of Women, Hawaii Youth Services Network, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Nurses Association OPEIU Local 50, Hawaii State Democratic Women's Caucus, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women - Hawaii, and numerous individuals supported this measure. Hawaii Family Forum, Hawaii Catholic Conference, Hawaii Federation of Republican Women, and numerous individuals opposed this measure. One individual commented on this measure.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 85, S.D. 1, and recommend its adoption.

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

SCRep. 1748-16 Energy & Environmental Protection/Water & Land on S.C.R. No. 63

The purpose of this measure is to urge the State to establish an annual Statewide Clean-Up Day on April 22 to coincide with Earth Day and celebrate and honor Hawaii's environment and natural resources.

The Office of Hawaiian Affairs and three concerned individuals supported this measure.

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 concur with the intent and purpose of S.C.R. No. 63 and recommend its adoption.

Signed by all members of the Committee except Representatives Pouha and Thielen.

SCRep. 1749-16 Finance on S.C.R. No. 81

The purpose of this measure is to establish a task force to plan and coordinate the celebration of the Fiftieth Anniversary of the Hawaii State Capitol.

Your Committee received testimony in support from the Center for Hawaiian Sovereignty Studies.

As affirmed by the record of 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. 81 and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka, Yamashita and Ward.

SCRep. 1750-16 Finance on S.C.R. No. 96

The purpose of this measure is to request the establishment of an Ali'i Memorial Art Advisory Task Force.

As affirmed by the record of 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. 96, S.D. 2, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1751-16 Finance on S.C.R. No. 125

The purpose of this measure is to express the Hawaii Legislature's endorsement and support for a unique and aggressive approach by the Department of Land and Natural Resources to use durable and temporary geo-synthetic materials as necessary for the protection of the Kaanapali Beach walk from shoreline hazards until the beach nourishment program at Kaanapali Beach can be completed.

As affirmed by the record of 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. 125, S.D. 1, H.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1752-16 Finance on S.C.R. No. 49

The purpose of this measure is to urge the Department of Health to endorse the "Screen at 23" campaign that screens adult Asian Americans for type 2 diabetes at a Body Mass Index of 23.

As affirmed by the record of 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. 49, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1753-16 Finance on S.C.R. No. 71

The purpose of this measure is to designate April 28, 2016, as "Workers' Memorial Day" in Hawaii in memory of workers killed, injured, or disabled in the workplace.

As affirmed by the record of 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. 71, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1754-16 Finance on S.C.R. No. 97

The purpose of this measure is to urge the state to establish the Puuhonua program in the Department of Public Safety for the continued rehabilitation of post-incarcerated persons, parolees, and probationers.

As affirmed by the record of 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 and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1755-16 Finance on S.C.R. No. 33

The purpose of this measure is to request Hawaii's congressional delegation to assist the state in negotiating with the federal government for the acquisition of the Federal Detention Center, Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 33 and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1756-16 Finance on S.C.R. No. 58

The purpose of this measure is to request that the Tax Review Commission evaluate income tax credits, exclusions, and deductions.

Your Committee received comments from the Department of Taxation and Hawaii Appleseed.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 58 and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka, Yamashita and Ward.

SCRep. 1757-16 Finance on S.C.R. No. 59

The purpose of this measure is to request that the Tax Review Commission study conformity of state income tax law with the internal revenue code as it relates to the standard deduction and personal exemption.

Your Committee received comments from the Department of Taxation.

As affirmed by the record of 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. 59 and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka, Yamashita and Ward.

SCRep. 1758-16 Finance on S.C.R. No. 138

The purpose of this measure is to request that the Tax Review Commission evaluate the impacts of general excise and use tax increases proposed during the regular session of 2016.

Your Committee received comments on this measure from the Department of Taxation.

Your Committee has amended this measure by:

- (1) Amending its title to read "REQUESTING THE TAX REVIEW COMMISSION TO EVALUATE THE IMPACTS OF GENERAL EXCISE AND USE TAX INCREASES PROPOSED DURING THE REGULAR SESSION OF 2016 AND GENERAL EXCISE TAX PYRAMIDING AS APPLIED TO TRANSIENT ACCOMMODATIONS";
- (2) Inserting provisions detailing tax pyramiding within the State's general excise and transient accommodations tax framework; including how it relates to the sublease deduction enacted by Act 353, Session Laws of Hawaii 1997;

- (3) Requesting the Tax Review Commission to analyze whether the sublease deduction pursuant to section 237-16.5, Hawaii Revised Statutes, should also be applied to transient accommodations; 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 concurs with the intent and purpose of S.C.R. No. 138, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 138, H.D. 1.

Signed by all members of the Committee except Representatives Johanson, Tokioka, Yamashita and Ward.

SCRep. 1759-16 Finance on S.C.R. No. 164

The purpose of this measure is to request that the Department of Business, Economic Development, and Tourism, in consultation with the Department of Budget and Finance, and Department of Taxation, conduct a study on the economic impact of granting an exemption for the sale of goods and services to the federal government from the state general excise tax.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 164 and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1760-16 Finance on S.C.R. No. 7

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Waiohuli-Keokea (Kihei), Wailuku, Maui, Hawaii, 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. 7 and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1761-16 Finance on S.C.R. No. 9

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Heeia, Koolaupoko, Oahu, for the use, construction, maintenance, and repair of the existing boat dock 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. 9 and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1762-16 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 Kaipapau, Koolauloa, Oahu, for the maintenance and repair of the existing rock seawall, and for use, repair, and maintenance of the existing improvements 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 Johanson, Tokioka and Ward.

SCRep. 1763-16 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 Kaneohe, Koolaupoko, Oahu, for the maintenance and repair of the existing pier, and for use, repair, and maintenance of the existing improvements 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 Johanson, Tokioka and Ward.

SCRep. 1764-16 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 Waikiki, Honolulu, Oahu, for the maintenance and repair of the existing seawall and steps, and for use, repair, and maintenance of the existing improvements 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 Johanson, Tokioka and Ward.

SCRep. 1765-16 Finance on S.C.R. No. 17

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Makaha, Waianae, Oahu, for the maintenance and repair of the existing seawall, and for the use, repair, and maintenance of the existing improvements 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, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1766-16 Finance on S.C.R. No. 18

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Sand Island, Honolulu, Oahu, for the use, maintenance, improvement, and replacement of the existing floating dock.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 18, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1767-16 Finance on S.C.R. No. 19

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Kukuiula, Koloa, Kauai, for the maintenance and repair of the existing rock seawall, and for the use, maintenance, and repair of the existing improvements 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. 19, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1768-16 Finance on S.C.R. No. 45

The purpose of this measure is to authorize the amendment of perpetual non-exclusive easement for maintenance and repair of existing seawall and landscaping of easement area at Lahaina on the island of Maui.

As affirmed by the record of 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. 45, S.D. 1, and recommends its adoption.

Signed by all members of the Committee except Representatives Johanson, Tokioka and Ward.

SCRep. 1769-16 Finance on S.B. No. 2807

The purpose of this measure is to consolidate the State's management of information technology through the abolition of the Office of Information Management and Technology and the Information and Communication Services Division of the Department of Accounting and General Services and the formal establishment of the Office of Enterprise Technology Services. In addition to the transfer of functions of the abolished entities to the Office of Enterprise Technology Services, this measure also:

- (1) Directs the Office of Enterprise Technology Services to:
 - (A) Work with the executive branch departments and agencies to develop information technology plans;
 - (B) Coordinate the information technology budget requests of each department;
 - (C) Provide centralized computer information management and processing services; and
 - (D) Provide a means for the public to access public information;
- (2) Amends the membership of the Information Privacy and Security Council; and
- (3) Authorizes the Chief Information Officer to appoint a portal program manager.

The Department of Accounting and General Services; Office of Enterprise Technology Services; Department of Labor and Industrial Relations; Department of Budget and Finance; Department of Human Services; Department of Health; The Judiciary; Office of Consumer Protection of the Department

of Commerce and Consumer Affairs; Department of Human Resources Development; Department of Business, Economic Development and Tourism; Department of Transportation; Department of the Attorney General; Department of Taxation; High Technology Development Corporation; and Hawaii Open Data 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. 2807, S.D. 2, and recommends that it pass Third Reading.

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