

Conf. Com. Rep. 1-16 on H.B. No. 2362

The purpose of this measure is to conform the membership and duties of the Hawaii Workforce Development Council to the requirements of the federal Workforce Innovation and Opportunity Act of 2014.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2362, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2362, H.D. 2, S.D. 1, C.D. 1.

Representatives Nakashima, San Buenaventura, Brower and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, K. Kahele and Kim.
Managers on the part of the Senate.

Conf. Com. Rep. 2-16 on S.B. No. 2121

The purpose of this measure is to:

- (1) Make permanent Act 221, Session Laws of Hawaii 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, Session Laws of Hawaii 2014.

Your Committee on Conference finds that county council members must sometimes attend public board and community group meetings to fulfill their duty to the public to stay informed on developing policy issues throughout their respective counties. Act 221, Session Laws of Hawaii 2014 (Act 221), provides county council members with the ability to attend such meetings that are open to the public by holding a limited meeting that may have less than a quorum of the council members. Your Committee on Conference further finds that Act 221 will be repealed on June 30, 2016. This measure will make Act 221 permanent and preserve the ability of county council members to attend public board and community meetings and hear issues of importance to the community. This measure also requires each county council to submit an annual report to the Legislature that details the council's use of this limited meeting provision.

Your Committee on Conference has amended this measure by changing the effective date to June 29, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2121, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2121, S.D. 1, H.D. 1, C.D. 1.

Representatives Rhoads, San Buenaventura and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Nishihara, Keith-Agaran and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 3-16 on H.B. No. 2350

The purpose of this measure is to:

- (1) Update certain statutory references for "foster boarding home" to "resource family home" and "foster parents" to "resource caregivers";
- (2) Establish qualified immunity from liability for resource caregivers and child caring institutions that authorize a child's participation in activities pursuant to the reasonable and prudent parent standard;
- (3) Add 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) Require courts, in proceedings for children aged fourteen years or older, to make findings and include in the permanent plan the services needed to assist the child to transition from foster care to independent living.

Your Committee on Conference has amended this measure by:

- (1) Amending the purpose section to clarify the intent of the measure;
- (2) Changing its effective date to July 1, 2016; and

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2350, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2350, H.D. 2, S.D. 1, C.D. 1.

Representatives Morikawa, Rhoads, Kobayashi and Pouha.
Managers on the part of the House.

Senators Chun Oakland, Keith-Agaran and Ruderman.
Managers on the part of the Senate.

Conf. Com. Rep. 4-16 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 to ensure the health, safety, and well-being of children under the grant, including by requiring the Department of Human Services to conduct background checks, including sex offender registry checks, on household members and all employees of child care facilities and providers that are licensed or registered by or receive child care subsidies from the State.

Your Committee on Conference has amended this measure by:

- (1) Changing its effective date to July 1, 2016; and
- (2) Making a technical, nonsubstantive amendment for clarity and consistency.

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

Representatives Morikawa, Belatti, Rhoads and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Chun Oakland, Baker, Keith-Agaran and Riviere.
Managers on the part of the Senate.

Conf. Com. Rep. 5-16 on S.B. No. 2395

The purpose of this measure is to enhance access to care via telehealth, including:

- (1) Requiring Medicaid managed care and fee-for-service programs to provide reimbursement for services provided by telehealth in the same manner as those provided in person;
- (2) Ensuring that services provided by telehealth are consistent with privacy, security, and confidentiality laws;
- (3) Specifying medical professional liability insurance policy requirements for telehealth coverage;
- (4) Requiring written disclosure of coverage and benefits associated with telehealth;
- (5) Lifting restrictions and limitations on patient setting and applicable telehealth technology;
- (6) Clarifying relationship requirements between patients, insurers, and providers; and
- (7) Clarifying other reimbursement requirements for telehealth, including reimbursement requirements for Hawaii Employer-Union Health Benefits Trust Fund health benefits plans.

Your Committee on Conference finds that telehealth is a proven, efficient, and effective way to facilitate timely access to quality health care, improve health outcomes, reduce the incidence of avoidable urgent and emergent care, and ensure equitable distribution of health care providers. The use of telehealth allows health care providers to treat patients in settings that are more convenient and comfortable for the patient, which facilitates a patient-centered approach for delivery of health care services.

Your Committee on Conference further finds that telehealth is used extensively throughout the country and can be particularly effective in states like Hawaii, where many segments of the population, particularly in rural and medically underserved areas, experience challenges in accessing quality health care. This measure removes artificial barriers to telehealth that have contributed to poor adoption and utilization of telehealth by health care providers, in order to improve the quality and accessibility of health care for patients throughout the State.

Your Committee on Conference has amended this measure by changing its effective date to January 1, 2017.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2395, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2395, S.D. 1, H.D. 2, C.D. 1.

Representatives Belatti, Morikawa, McKelvey, Kobayashi, Creagan and Tupola.

Managers on the part of the House.
(Representative Tupola was excused.)

Senators Baker, Chun Oakland, English, Kidani and Ruderman.
Managers on the part of the Senate.

Conf. Com. Rep. 6-16 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.

Your Committee on Conference finds that Act 187, Session Laws of Hawaii 2015, authorized the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems. Composting toilets have been proposed as a means to bring toilet facilities to populations without adequate access to sanitation facilities, such as individuals living in areas where geological features or the limits of existing infrastructure make the use of conventional toilets and septic systems impracticable, or homeless individuals living in encampments. This measure requires counties to approve the installation of composting toilets.

Your Committee on Conference has amended this measure by making it effective upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2583, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2583, H.D. 1, C.D. 1.

Representatives Morikawa, Kobayashi, Creagan and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Nishihara, Gabbard, English and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 7-16 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.

Your Committee finds that as the State undergoes economic and environmental changes, it will be a challenge to achieve the goal of a sustainable, well-managed community in which food is grown locally and fresh water sources remain available for reasonable, beneficial uses. Your Committee believes that without continued access to a water source, there may be significant economic and social impacts on Hawaii's agricultural community and sustainability goals.

Your Committee notes that the Judge's decision in *Carmichael, et al. v. Board of Land and Natural Resources* (Civ. No. 15-1-0650-04), has created a very serious situation for agriculture in the State and brought into question the validity of water and land revocable permits. This uncertainty clouds the future not only of the lands used to grow sugar on Maui but for permit holders across the State.

Your Committee finds that there are currently nine holders of long-standing revocable water permits other than the one currently being litigated. Two of the nine holders are the local electric companies on Kauai and the Big Island, who use state water to generate hydropower. The other seven are ranchers, farmers and small businesses on Kauai and the Big Island, who use state waters to support their businesses. Many other users of agricultural lands have testified in support of a solution, worried that their operations too may also be in jeopardy.

The situation on Maui, though, is emblematic of the challenges that the State faces when one era ends and a new future is contemplated. Your Committee finds that it is in the State's interest to respond to the closure of the sugar industry and to facilitate the revitalization of Maui's economy.

This change has had a very real impact on peoples' lives as 650 people have lost their jobs. The abrupt termination of water rights on Maui could have even more serious consequences for the community as the Attorney General's Office worried that:

"[N]ot continuing the permit could result in people being left with no drinking water, farmers being left with no water for their fields, and schools and hospitals being forced to shut down."

This is water that is delivered to the County of Maui's upcountry Maui water treatment plant, serving the water needs of 36,000 upcountry residents and farmers, and to support the transition to diversified agriculture. Recently announced efforts to transition to diversified agriculture may be in jeopardy without an adequate supply of reliable, cost-efficient water.

Embracing this transition is in line with the State's constitutional duty to conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands. Currently, there are 27,000 acres of Important Agricultural Lands whose status may be threatened if water rights were terminated. According to section 205-50, Hawaii Revised Statutes, "if a sufficient supply of water is no longer available to allow profitable farming of the land" a landowner may petition to remove the Important Agricultural Lands designation. It is estimated that any less than 3,500 gallons of water per acre per day would put that status of those 27,000 acres in jeopardy.

Your Committee also notes that along with this measure, two positions were provided for in the budget to expedite the applications to continue previously-authorized dispositions of water rights. In addition \$1.5 million will be spent on a United States Geological Survey study on streams statewide.

Your Committee finds that the provision of drinking water; the generation of clean, renewable energy; and the support of agriculture and agricultural lands has a clear value to the public. The intent of this measure is to provide for a three year window to resolve applications to continue a previously authorized water use by the Department of Land and Natural Resources in order to prevent their abrupt cessation and the resulting negative social and economic impacts that would threaten our communities.

Your Committee on Conference amended this measure by:

- (1) Deleting the appropriation for the Department of Land and Natural Resources to hire for two positions to expedite applications to continue previously-authorized dispositions of water rights;
- (2) Clarifying that this measure is applicable to applications for the disposition of water rights that are pending before the Board of Land and Natural Resources on its effective date or filed prior to June 30, 2019; and
- (3) Making technical nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2501, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2501, H.D. 2, S.D. 2, C.D. 1.

Representatives Yamane, Rhoads, Luke, Cullen and Fukumoto Chang.
Managers on the part of the House.

Senators Gabbard, Tokuda, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 8-16 on S.B. No. 2540

The purpose of this measure is to expedite the development or expansion of a forensic facility at the Hawaii State Hospital by authorizing the Governor to negotiate directly with any person to construct the facility. This measure also provides for an extended review and comment period for an environmental assessment or environmental impact statement.

Your Committee on Conference finds that the Department of Health is proposing to undertake the construction of a new building at the Hawaii State Hospital. The new building is of high priority because of census and health and safety issues at the hospital. To expedite the development, the Department of Health and Department of Accounting and General Services intend to use the design-build process. However, the Department of Health and Department of Accounting and General Services may need more flexibility, such as the mechanism proposed by this measure, to allow the Governor to expedite the development of a critically needed building.

Your Committee on Conference has amended this measure by changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2540, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2540, H.D. 1, C.D. 1.

Representatives Belatti, Luke, Kobayashi and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Tokuda and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 9-16 on S.B. No. 2861

The purpose of this measure is to repeal the Joint Formulary Advisory Committee.

Your Committee on Conference finds that the Joint Formulary Advisory Committee's sole function is to determine the formulary for advanced practice registered nurses with prescriptive authority. However, the Board of Nursing, as the authority that oversees the practice of nursing in Hawaii, including advanced practice registered nurses with prescriptive authority, ultimately makes the final determination on the exclusionary formulary. This measure repeals the Joint Formulary Advisory Committee, as it is obsolete and unnecessary, and permits the Board of Nursing to be the sole authority that determines the exclusionary formulary for qualified advanced practice registered nurses with prescriptive authority.

Your Committee on Conference has amended this measure by changing its effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2861, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2861, S.D. 2, H.D. 1, C.D. 1.

Representatives Belatti, McKelvey, Nishimoto, Creagan and Tupola.
Managers on the part of the House.
(Representative McKelvey was excused.)

Senators Baker, Chun Oakland and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 10-16 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 an incapacitated adult 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 or well-being of the ward.

Your Committee on Conference has amended this measure by changing its effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1585, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1585, H.D. 2, S.D. 1, C.D. 1.

Representatives Morikawa, Rhoads, Brower and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, K. Kahele and Shimabukuro.
Managers on the part of the Senate.
(Senator K. Kahele was excused.)

Conf. Com. Rep. 11-16 on S.B. No. 2886

The purpose of this measure is to reduce barriers to accessing mental health services for minors by lowering the age of consent to receive treatment and services, other than prescription medication or out-of-home or residential treatment, from eighteen years of age to fourteen years.

Your Committee on Conference finds that requiring parental consent for minors to receive substance abuse treatment and family planning services may pose a barrier to health care. Minors may find desired mental health services inaccessible due to the discomfort and even opposition caused by obtaining parental consent. By allowing access to mental health services for consenting minors of a certain age, individuals seeking improved emotional and mental well-being may be served in a timely manner.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2886, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2886, S.D. 2, H.D. 2, C.D. 1.

Representatives Belatti, Rhoads, Luke, Morikawa and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Chun Oakland, Keith-Agaran.
Managers on the part of the Senate.

Conf. Com. Rep. 12-16 on S.B. No. 2788

The purpose of this measure is to amend the eligibility requirements for membership on the Molokai Irrigation System Water Users Advisory Board.

Specifically, this measure:

- (1) Authorizes agents, officers, or employees of Molokai irrigation system users 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.

Your Committee on Conference finds that the Molokai Irrigation System is the only agricultural water source on Molokai and therefore sustains agriculture on Molokai. The Molokai Irrigation System Water Users Advisory Board advises the Department of Agriculture on matters concerning use of the system; therefore, it is necessary that the Board be able to establish a quorum and hold official meetings frequently. Passage of this measure will facilitate the Board in conducting its duties in an efficient and effective manner.

Your Committee on Conference has amended this measure by:

- (1) Making it effective upon its approval; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2788, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2788, H.D. 1, C.D. 1.

Representatives Tsuji, Yamane, DeCoite and Matsumoto.
Managers on the part of the House.

Senators Gabbard, English, Ruderman and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 13-16 on H.B. No. 1517

The purpose of this measure is to provide that the commission of certain offenses of assault, sexual assault, and abuse of a family or household member in the presence of a minor is an aggravating factor to be considered in the sentencing of the defendant convicted of the offense.

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.

Your Committee also finds that research has shown that children who witness assault or domestic violence can suffer severe emotional and developmental difficulties that are similar to those of children who are victims of direct physical and mental abuse. By broadening the application of the aggravating factor considered by the courts when sentencing defendants convicted of committing certain crimes in the presence of a minor pursuant to section 706-606.4, Hawaii Revised Statutes, to include the commission of assault and sexual assault offenses regardless of the pre-existing legal relationship between the defendant and the victim or the child, this measure recognizes the impact that witnessing an assault has on a child. The use of the aggravating factor for sentencing does not elevate the seriousness of the offense charged.

Your Committee on Conference has amended this measure by making it effective upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1517, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1517, H.D. 1, S.D. 1, C.D. 1.

Representatives Rhoads, Hashem, San Buenaventura and McDermott.
Managers on the part of the House.
(Representative Hashem was excused.)

Senators Keith-Agaran, Kim and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 14-16 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.

Your Committee on Conference has amended this measure by:

- (1) Specifying that an assistance dog organization for facility dog purposes be accredited by Assistance Dogs International or a similar internationally recognized organization; and
- (2) Making this measure take effect upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1668, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1668, S.D. 1, C.D. 1.

Representatives Rhoads, Brower, Creagan and McDermott.
Managers on the part of the House.

Senators Keith-Agaran, Shimabukuro and L. Thielen.
Managers on the part of the Senate.
(Senator L. Thielen was excused.)

Conf. Com. Rep. 15-16 on S.B. No. 2317

The purpose of this measure is to:

- (1) Require the Director of Health to submit annual reports to the Legislature relating to child and maternal deaths and death reviews in the State;
- (2) Allow the Department of Health to conduct multidisciplinary and multiagency reviews of maternal deaths;
- (3) Require, upon written request from the Director of Health, all providers of health care or social services and county and state agencies to disclose child death review information and to provide information or other materials relating to the condition and treatment of any person to the Department of Health, or its designee, for studies to reduce morbidity or mortality;
- (4) Allow the Department of Health to request certain information stored in electronic format or in paper copies, or gathered through interviews; and

- (5) Appropriate funds to the Department of Health to conduct child death reviews and implement a program to perform maternal death reviews.

Your Committee on Conference finds that comprehensive multidisciplinary reviews of child deaths are needed to understand risk factors, prevent future child deaths, and keep children in the State safe and healthy. Child death reviews provide in-depth, accurate, and timely information to assist with the administration of child health and protection programs and provide appropriate data reporting to federal and state agencies.

Your Committee on Conference further finds that comprehensive multidisciplinary reviews of maternal deaths are needed to understand risk factors for and prevent the deaths of mothers during pregnancy, labor, and the year following the birth of a child. This information would benefit policymakers and facilitate the establishment and administration of relevant programs.

Your Committee on Conference further finds that because comprehensive reviews of child and maternal deaths are a matter of ongoing concern and the program of reviews must be sustainable, funding to conduct child and maternal death reviews is necessary not only in the current biennium, but in subsequent biennia as well.

Your Committee on Conference has amended this measure by:

- (1) Repealing section 321-345, Hawaii Revised Statutes (HRS), and inserting similar contents related to the use of child death review information into section 321-343, HRS;
- (2) Further amending section 321-343, HRS, by adding provisions related to compliance with state and federal privacy statutes and regulations, use of child death review information, and liability protections and safeguards to privacy and confidentiality;
- (3) Specifying that the Department of Health may conduct multidisciplinary and multiagency reviews of maternal deaths to reduce the incidence of preventable maternal deaths;
- (4) Amending section 324-1, HRS, to add provisions regarding the disclosure of information or other data or material to the Department of Health, or its designee, for reducing maternal morbidity or mortality; access to medical records and interviews with hospital employees; compliance with state and federal privacy statutes and regulations; and liability protections and safeguards to privacy and confidentiality;
- (5) Inserting an appropriation amount of \$150,000 for the Department of Health to conduct child death reviews and implement a program for the performance of maternal death reviews;
- (6) Changing the effective date to July 1, 2016; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2317, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2317, S.D. 2, H.D. 1, C.D. 1.

Representatives Belatti, Johanson, Creagan and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Baker, Chun Oakland and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 16-16 on S.B. No. 2330

The purpose of this measure is to provide funding for and to extend the hospital sustainability program for one year. This measure also amends provisions related 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.

Recognizing that Medicaid payments to hospitals were far below the actual costs of care, the Legislature created the hospital sustainability program by enacting Act 217, Session Laws of Hawaii 2012, which increases Medicaid payments to hospitals. The program achieves this increase by assessing a fee on hospitals, using the revenue to obtain matching federal Medicaid funds, and returning a majority of the combined amount directly to hospitals. Because of this program, Medicaid payments are now closer to the actual costs of care, thereby reducing losses and improving the financial stability of hospital systems. The program has made it possible for hospitals to cover eighty-six percent of their costs related to Medicaid patients, up from seventy-five percent without the program. Your Committee on Conference finds that the hospital sustainability program helps to ensure that Medicaid patients will maintain access to needed hospital care.

Your Committee on Conference has amended this measure by:

- (1) Specifying that payments made by Medicaid managed care health plans shall be made within thirty business days upon receipt of monthly capitation rates from the Department of Human Services;

- (2) Inserting an appropriation amount of \$65,000,000 out of the hospital sustainability program special fund for fiscal year 2016-2017 for the purposes of the hospital sustainability program special fund;
- (3) Changing the effective date to June 29, 2016; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2330, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2330, S.D. 2, H.D. 2, C.D. 1.

Representatives Belatti, Morikawa, Kobayashi, Creagan and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Baker, Chun Oakland, Tokuda, Kidani and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 17-16 on S.B. No. 2560

The purpose of this measure is to:

- (1) Require 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 appropriate funds to provide such treatment and care;
- (2) Authorize 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) Amend program elements of the community residential treatment system to include the provision of services for persons who are at risk of becoming homeless by reason of serious and persistent mental illness.

Your Committee on Conference finds that the issue of homelessness is complex, as there are many reasons why individuals become homeless, such as issues related to housing, poverty, access to health care, and mental health. A continuum of comprehensive services is needed to assist individuals with serious and persistent mental health issues in the State. Reaching out to these individuals and providing them with effective mental health treatment and care will help break the cycle of homelessness for many individuals with serious and persistent mental health challenges.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$500,000 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
- (2) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2560, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2560, S.D. 2, H.D. 1, C.D. 1.

Representatives Belatti, Morikawa, Luke, Oshiro and Fukumoto Chang.
Managers on the part of the House.
(Representative Oshiro was excused.)

Senators Baker, Chun Oakland, Tokuda, Kidani and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 18-16 on S.B. No. 2671

The purpose of this measure is to:

- (1) Beginning on July 1, 2018, establish requirements for the regulation of veterinary technicians and the practice of veterinary technology;
- (2) Establish registration requirements and limitations on use of titles for veterinary technicians; and
- (3) Appropriate funds to implement the registration of veterinary technicians.

Your Committee on Conference finds that veterinary technicians are essential members of a veterinary health care team. Your Committee on Conference further finds that graduates from veterinary technician programs in Hawaii must travel out of the State to receive the title of "registered veterinary technician", as that title is not currently recognized in Hawaii. Accordingly, this measure provides title protection for veterinary technicians and registered technicians, establishes criteria for registration, and makes clear that a licensed veterinarian is not precluded from utilizing support or auxiliary personnel.

Your Committee on Conference notes that since this measure provides title protection and registration for veterinary technicians, rather than full licensure, a reduction in the registration surcharge amount is appropriate.

Your Committee on Conference has amended this measure by:

- (1) Reducing the surcharge each veterinary technician must pay in addition to each new registration and registration renewal from \$100 to \$50;
- (2) Inserting an appropriation amount of \$30,000 from the compliance resolution fund to implement the registration of veterinary technicians; and
- (3) Changing its effective date from July 1, 2030, to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2671, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2671, S.D. 1, H.D. 2, C.D. 1.

Representatives McKelvey, Johanson, Hashem and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Keith-Agaran, Riviere, Kidani and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 19-16 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.

Your Committee on Conference finds that ensuring that nursing facilities remain financially viable is crucial for Hawaii residents to continue to have access to long term care resources. Your Committee on Conference notes that Medicaid patients make up the majority of nursing facilities' patient population, and Medicaid payments are less than the actual costs of care. Your Committee on Conference recognizes that the nursing facility sustainability program increases Medicaid payments to Hawaii's nursing facilities and has successfully helped these facilities to offset some of the losses that they incur while caring for the most underserved patients. Accordingly, your Committee on Conference finds that this measure will enable the nursing facility sustainability program to continue supporting the crucial services provided by nursing facilities.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$14,000,000 from the nursing facility sustainability program special fund for uses consistent with the nursing facility sustainability program special fund; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2213, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2213, S.D. 2, H.D. 1, C.D. 1.

Representatives Belatti, Morikawa, Kobayashi, Creagan and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Chun Oakland, Baker and Tokuda.
Managers on the part of the Senate.

Conf. Com. Rep. 20-16 on S.B. No. 2910

The purpose of this measure is to:

- (1) Clarify the Lieutenant Governor's rulemaking authority relating to Commissioners of Deeds;
- (2) Authorize the Lieutenant Governor to assess and collect fees and administrative fines relating to Commissioners of Deeds;
- (3) Clarify that the Lieutenant Governor is responsible for the Commissioners of Deeds program;
- (4) Increase the surety bond requirement for Commissioners of Deeds; and
- (5) Appropriate funds for the establishment and administration of the Commissioners of Deeds program.

Your Committee on Conference finds that Act 277, Session Laws of Hawaii 2013 (Act 277), established the Commissioners of Deeds program within the Office of the Lieutenant Governor. The program includes a process for the Governor to appoint individuals to serve as Commissioners of Deeds to administer oaths, take acknowledgments, and take proofs of execution outside of the United States in connection with the execution of conveyance documents relating to a time share interest, any property subject to a time share plan, or the operation of a time share plan covering any property located within Hawaii.

Your Committee on Conference further finds that a working group, convened to discuss and analyze the implementation of Act 277, has determined that additional legislation and authorization are necessary to fully implement the Commissioners of Deeds program. This measure addresses the issues identified by the working group and provides the Office of the Lieutenant Governor with the authority and clarification needed to properly implement Act 277.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$60,000 for a Commissioner of Deeds specialist and the establishment and administration of the Commissioners of Deeds program; and
- (2) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2910, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2910, S.D. 2, H.D. 1, C.D. 1.

Representatives McKelvey, Johanson and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 21-16 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:

- (1) Extending, by one year, the lapse date for the appropriation of funds in Act 216, Session Laws of Hawaii 2015, 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; and
- (2) Appropriating funds for fiscal year 2016-2017 for providing grants and loans for Phases II and III awards.

Your Committee on Conference finds that since 1989, the High Technology Development Corporation has been assisting Phase I Small Business Innovation Research award recipients to reach their commercial potential through the provision of grants. This has proven to be successful for the businesses awarded a grant and the State. Your Committee on Conference finds that this measure will ensure the continuation of the grant program for Phase II and Phase III awards and allow for more companies to achieve commercialization and increase the beneficial economic impacts of this program to the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$2,000,000 for fiscal year 2016-2017 for the purposes of providing grants and loans for Phases II and III awards; and
- (2) Changing the effective date for the fiscal year 2016-2017 appropriation to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3110, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3110, S.D. 1, H.D. 1, C.D. 1.

Representatives Kawakami, Johanson, Kong and Ward.
Managers on the part of the House.

Senators Wakai, Galuteria, Espero and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 22-16 on S.B. No. 3109

The purpose of this measure is to increase economic development in the State through the promotion of manufacturing by:

- (1) Extending, for one year, the lapse date for the appropriation of funds in Act 215, Session Laws of Hawaii 2015, for the continuation of the manufacturing grant program in the High Technology Development Corporation; and
- (2) Appropriating funds for the manufacturing development program for the 2016-2017 fiscal year.

Your Committee on Conference finds that, 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 on Conference 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 on Conference has amended this measure by inserting an appropriation amount of \$1,000,000 for fiscal year 2016-2017 for the manufacturing grant program, including operational expenses.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3109, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3109, S.D. 1, H.D. 1, C.D. 1.

Representatives Kawakami, Johanson, Tokioka and Ward.
Managers on the part of the House.

Senators Wakai, Galuteria and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 23-16 on S.B. No. 2476

The purpose of this measure is to:

- (1) Enhance early language services for children from birth to age five years who are deaf, hard of hearing, or deaf-blind within the Department of Health to support age-appropriate language development; and
- (2) Establish a working group for the purposes of investigating issues related to resources and tools for parents of children who are deaf, hard of hearing, or deaf-blind and improvements to the statewide system of services that support age-appropriate language development for children from birth to age five who are deaf, hard of hearing or deaf-blind.

Your Committee on Conference finds that early language acquisition is a key component in a child's social and educational development. Most children who are deaf, hard of hearing, or deaf-blind do not develop language in the same way that hearing children do, because most have had hearing parents who do not know how to communicate with a child who does not hear. Children who are deaf, hard of hearing, or deaf-blind often begin kindergarten without the necessary language skills to acquire the knowledge and academic competencies that will allow them to be successful in school and life, therefore it is imperative that a child who is deaf, hard of hearing, or deaf-blind develop language, in some form, as soon as possible.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2476, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2476, S.D. 2, H.D. 2, C.D. 1.

Representatives Belatti, Takumi, Johanson, Creagan, Tokioka and Tupola.
Managers on the part of the House.
(Representative Creagan was excused.)

Senators Baker, Kidani, Dela Cruz, Espero and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 24-16 on S.B. No. 2672

The purpose of this measure is to amend various statutes to clarify the role of advanced practice registered nurses with regard to their authority and participation in the health care system.

Your Committee on Conference finds that advanced practice registered nurses provide a wide variety of health care services to people in Hawaii. Section 323-3, Hawaii Revised Statutes, requires each hospital within the State to allow advanced practice registered nurses to practice within the full scope of their practice, including as primary care providers. Advanced practice registered nurses are also recognized as participating primary health care providers for insurance purposes under the State's insurance code.

Your Committee on Conference further finds that certain sections within state law omit advanced practice registered nurses from the definitions or designations of health care entities who may provide health care, prescribe drugs, or sign forms. The outdated statutes must be amended to authorize increased participation by advanced practice registered nurses and recognize appropriately trained advanced practice registered nurses as primary care providers. Authorizing increased participation by advanced practice registered nurses in certain circumstances, especially with regard to global signature authority, will 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 on Conference has amended this measure by changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2672, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2672, S.D. 1, H.D. 1, C.D. 1.

Representatives Belatti, McKelvey, Tokioka and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Espero and Kidani.
Managers on the part of the Senate.
(Senator Kidani was excused.)

Conf. Com. Rep. 25-16 on H.B. No. 2389

The purpose of this measure is to allow the use of the Federal Reimbursement Maximization Special Fund for corrections workforce recruitment and retention.

Your Committee on Conference has amended this measure by changing its effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2389, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2389, H.D. 1, S.D. 1, C.D. 1.

Representatives Takayama, Yamashita, Onishi and Ward.
Managers on the part of the House.

Senators Nishihara, Galuteria and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 26-16 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.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$1,553,559 to provide an inflationary adjustment to long-term care facilities' provider specific prospective payment rates; and
- (2) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1943, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1943, H.D. 1, S.D. 1, C.D. 1.

Representatives Morikawa, Kobayashi, Oshiro and McDermott.
Managers on the part of the House.

Senators Chun Oakland, Baker, Riviere and Green.
Managers on the part of the Senate.

Conf. Com. Rep. 27-16 on H.B. No. 900

The purpose of this measure is to:

- (1) Provide that a person commits medical assistance fraud if the person knowingly makes or causes to be made a false statement or representation of a material fact relative to any medical assistance benefit;
- (2) Clarify that fraudulently applying for or renewing medical assistance benefits is a class C felony;
- (3) Clarify that an individual charged with the offense relating to an application for or renewal of a medical assistance benefit shall pay restitution equivalent to the amount of medical assistance benefits received; and
- (4) Extend the statute of limitations for prosecution of medical assistance fraud.

Your Committee on Conference 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 managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 900, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 900, H.D. 2, S.D. 1, C.D. 1.

Representatives Morikawa, Rhoads, Brower and McDermott.
Managers on the part of the House.

Senators Chun Oakland, Keith-Agaran and Riviere.
Managers on the part of the Senate.

Conf. Com. Rep. 28-16 on S.B. No. 2566

The purpose of this measure is to provide capital for the development of affordable rental housing by transferring excess monies from the rental assistance revolving fund to the rental housing revolving fund.

Your Committee on Conference finds that more affordable rental housing is needed by the people of Hawaii. The rental housing revolving fund should be provided with additional funds to facilitate the development of more affordable rental housing projects. Additionally, the rental assistance revolving fund has a balance in excess of the immediate needs of the fund and, therefore, the excess monies should be transferred to the rental housing revolving fund to spur affordable rental housing projects.

Your Committee on Conference has amended this measure by:

- (1) Inserting an amount of \$9,500,000 to be transferred from the rental assistance revolving fund to the rental housing revolving fund on July 1, 2016;
- (2) Changing the effective date to July 1, 2016; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2566, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2566, S.D. 1, H.D. 1, C.D. 1.

Representatives Hashem, Luke, Jordan and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Harimoto, Chun Oakland and Galuteria.
Managers on the part of the Senate.

Conf. Com. Rep. 29-16 on S.B. No. 911

The purpose of this measure is to prohibit the use of latex gloves:

- (1) By personnel working in food establishments; and
- (2) With limited exceptions, by personnel working in dental health facilities or health care facilities, or by personnel providing ambulance services or emergency medical services.

Your Committee on Conference finds that latex allergy is a serious concern because it causes reactions ranging from mild rashes to difficulty breathing and deadly anaphylaxis. Approximately 3,000,000 people in the general population of the United States have an allergy to latex. Individuals with this allergy must be vigilant about latex exposure since there is currently no medically approved treatment except strict avoidance.

Your Committee on Conference has amended this measure by:

- (1) Removing exceptions for the use of latex gloves by personnel providing ambulance services or emergency medical services;
- (2) Changing the effective date to upon approval; provided that the provisions related to the prohibitions of the use of latex gloves shall take effect on January 1, 2017; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 911, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 911, S.D. 2, H.D. 2, C.D. 1.

Representatives Belatti, Rhoads, DeCoite, Kobayashi and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, English and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 30-16 on H.B. No. 1702

The purpose of this measure is to amend 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.

Your Committee on Conference has amended this measure to take effect upon its approval and apply to taxable years beginning after December 31, 2015.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1702, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1702, H.D. 1, S.D. 1, C.D. 1.

Representatives Luke, Johanson, Nishimoto and Pouha.
Managers on the part of the House.

Senators Tokuda, Chun Oakland and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 31-16 on H.B. No. 2093

The purpose of this measure is to authorize the issuance of \$20,000,000 in special purpose revenue bonds to assist Goodwill Industries of Hawaii, Inc., and its affiliates with the planning, acquisition, construction, and renovation of its facilities, as well as assist them with other capital improvement projects in the State.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2093, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2093, H.D. 1, S.D. 2, C.D. 1.

Representatives Morikawa, Kobayashi and McDermott.
Managers on the part of the House.

Senators Wakai, Chun Oakland and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 32-16 on H.B. No. 2340

The purpose of this measure is to authorize the Department of Human Services to conduct criminal history record checks of alleged perpetrators of harm or threat of harm to a child and all adults living in the family home of an alleged child victim, without consent, when an assessment is required under the Child Protective Act.

Your Committee on Conference 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 managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2340, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2340, H.D. 1, S.D. 2, C.D. 1.

Representatives Morikawa, Rhoads, Oshiro and McDermott.
Managers on the part of the House.
(Representative Oshiro was excused.)

Senators Chun Oakland, Keith-Agaran and Riviere.
Managers on the part of the Senate.

Conf. Com. Rep. 33-16 on H.B. No. 1684

The purpose of this measure is to assist the Natural Energy Laboratory of Hawaii Authority (NELHA) in the development of lands under its control by exempting the operations of NELHA from the 15-year lease term limit on concessions or concession space on public property.

NELHA is a self-sufficient agency attached to the Department of Business, Economic Development, and Tourism. Currently, the lease of concessions or concession space on public land may not exceed a term of 15 years. NELHA operates the Hawaii Ocean Science and Technology Park on approximately 80 acres of public land in Kailua-Kona on the island of Hawaii. The plans for this park are to develop a large commercial and industrial complex or mall. However, a significant portion of this land is underdeveloped, as it is on barren lava, which requires an investment of over \$50,000 to grade a single acre, and the imposition of a 15-year lease term limit hinders NELHA's ability to find a developer willing to develop this area at such a significant cost.

While your Committee on Conference believes that simply exempting NELHA from the 15-year lease term limit would facilitate the ability of NELHA to find developers for its underdeveloped lands, your Committee on Conference finds that exempting the operations of NELHA from all bidding requirements for concessions or concession space on public property would be a more efficient and effective means of developing NELHA lands.

Accordingly, your Committee has amended this measure by exempting instead the operations of NELHA from bidding requirements for concessions or space on public property.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1684, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1684, H.D. 2, S.D. 1, C.D. 1.

Representatives Kawakami, Lowen, Keohokalole and Pouha.
Managers on the part of the House.
(Representative Keohokalole was excused.)

Senators Wakai, Kim and Inouye.
Managers on the part of the Senate.
(Senator Kim was excused.)

Conf. Com. Rep. 34-16 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, or distribute, and any persons who administer, an opioid antagonist such as naloxone hydrochloride to persons experiencing or at risk of experiencing an opioid-related drug overdose;
- (2) Beginning on January 1, 2017, 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 under certain circumstances; 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.

Your Committee on Conference finds that according to the Centers for Disease Control and Prevention, overdoses involving prescription painkillers are at epidemic levels. However, deaths caused by opioids are often preventable via timely administration of an opioid antagonist. As a result, over half of the states in the country have enacted some form of a 911 drug immunity law or have implemented a law or developed a pilot program to allow administration of medication, like naloxone hydrochloride, to reverse the effects of an opioid-related overdose. Studies have found that providing opioid overdose training and naloxone kits can help people identify signs of an opioid-related drug overdose and can help reduce opioid-related overdose mortality.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have required the Department of Health to monitor adverse drug reaction to opioid antagonist use by requiring hospital emergency departments to report to the Department all adverse drug reactions occurring after administration of an opioid antagonist; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2392, S.D. 2, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2392, S.D. 2, H.D. 3, C.D. 1.

Representatives Belatti, McKelvey, Rhoads, Luke, Creagan and Fukumoto Chang.
Managers on the part of the House.
(Representative McKelvey was excused.)

Senators Baker, Keith-Agaran, Chun Oakland and Kidani.
Managers on the part of the Senate.
(Senator Keith-Agaran was excused.)

Conf. Com. Rep. 35-16 on H.B. No. 2233

The purpose of this measure is to:

- (1) Require every physician, osteopathic physician, physician assistant, advanced practice registered nurse, and naturopathic physician applying for licensure or renewing a license to provide the licensing authority with a current electronic mail address as prescribed by the licensing authority;
- (2) Authorize licensing authorities to share the electronic mail address only with other state or federal agencies, upon request, for public health and safety purposes and for use by the licensing authority for any purpose related to the license; and

- (3) Require that laboratory data reported to the Department of Health regarding any individual affected by or suspected of being affected by a communicable or dangerous disease or condition include the individual's complete demographic information.

Your Committee recognizes the comments of the Department of Commerce and Consumer Affairs that full implementation of this measure with respect to the collection and sharing of email addresses of health care licensees will require approximately one-and-a-half to two years. In the meantime, the Department has committed to begin this process through the immediate collection of affected licensee information following this measure's enactment while long-term steps to implement this measure, including the revision of license applications and the adjustment of its licensing databases, are being taken.

Your Committee on Conference has amended this measure by:

- (1) Changing its effective date to July 1, 2016; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2233, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2233, H.D. 2, S.D. 1, C.D. 1.

Representatives Belatti, Woodson, Lowen, Creagan and Tupola.
Managers on the part of the House.

Senators Baker, Chun Oakland and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 36-16 on H.B. No. 1852

The purpose of this measure is to clarify that nonprofit organizations may receive loans from the Water Pollution Control Revolving Fund to engage in activities that are consistent with the Federal Water Pollution Control Act, including the planning, design, and construction of wastewater treatment works. To achieve this purpose, this measure also permits use of the Revolving Fund for all purposes authorized under federal law and clarifies loan conditions.

Your Committee on Conference has amended this measure by:

- (1) Changing its effective date to July 1, 2016; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1852, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1852, H.D. 1, S.D. 1, C.D. 1.

Representatives Belatti, Cullen, Creagan and Tupola.
Managers on the part of the House.
(Representative Creagan was excused.)

Senators Baker, English and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 37-16 on H.B. No. 1111

The purpose of this measure is to:

- (1) Authorize the Hawaii Health Systems Corporation (HHSC) to set rates for copies of records protected from the disclosure requirements of Chapter 92F, Hawaii Revised Statutes, the Uniform Information Practices Act; and
- (2) Establish minimum and maximum rates for copies of medical records subpoenaed from any of HHSC's regional system facilities and require that rates charged be based on the facility's actual cost of preparation.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1111, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1111, H.D. 2, S.D. 1, C.D. 1.

Representatives Belatti, Rhoads, Cullen and Tupola.
Managers on the part of the House.

Senators Baker, Keith-Agaran, Chu and Oakland.
Managers on the part of the Senate.

Conf. Com. Rep. 38-16 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.

Your Committee on Conference 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. There is a 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.

Your Committee on Conference has amended this measure by making it effective on July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1561, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1561, S.D. 1, C.D. 1.

Representatives Rhoads, San Buenaventura and McDermott.
Managers on the part of the House.

Senators Keith-Agaran, K. Kahele and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 39-16 on H.B. No. 1807

The purpose of this measure is to support members of the National Guard or Reserve of the Armed Forces who are also officers or employees of the State or the counties by allowing them to include inactive-duty training days in their 15 working days of annual paid military leave.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1807, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1807, H.D. 2, S.D. 1, C.D. 1.

Representatives Ito, Nakashima, Nishimoto, Onishi and Fukumoto Chang.
Managers on the part of the House.

Senators Nishihara, Keith-Agaran, Galuteria, Espero and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 40-16 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 by:

- (1) Requiring the Board of Nursing to conduct, as it deems appropriate, investigations of the background, character, competency, and integrity of qualified applicants for renewing, reinstating, reactivating, or restoring an applicant's license;
- (2) Beginning with the July 1, 2017, licensing biennium, requiring applicants for a license to practice nursing as a registered nurse, practical nurse, or advanced practice registered nurse, and beginning with the July 1, 2019, licensing biennium, requiring applicants for renewal or reactivation of their licenses, to submit a full set of electronic fingerprints for obtaining federal and state criminal history record checks to the Hawaii Criminal Justice Data Center for processing with the Federal Bureau of Investigation;
- (3) Requiring the Hawaii Criminal Justice Data Center to provide information on request to the Department of Commerce and Consumer Affairs (DCCA); and
- (4) Authorizing DCCA to conduct criminal history record checks on applicants for nurse licensure or license renewal, reactivation, or restoration.

Your Committee on Conference has amended this measure by:

- (1) Changing its effective date to July 1, 2016; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1756, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1756, H.D. 3, S.D. 2, C.D. 1.

Representatives Belatti, McKelvey, Rhoads, Cachola and Tupola.
Managers on the part of the House.
(Representative McKelvey was excused.)

Senators Baker, Chun Oakland, Keith-Agaran, Kidani and Ruderman.
Managers on the part of the Senate.

Conf. Com. Rep. 41-16 on S.B. No. 2630

The purpose of this measure is to:

- (1) Authorize Hawaii Correctional Industries to sell inmate-made products and services on the open market to the general public;
- (2) Authorize portions of the proceeds from the sales to first be credited as restitution to victims, then to the State, and lastly, if any balance is remaining, to the inmate; and
- (3) Require the Department of Business, Economic Development, and Tourism to conduct a feasibility study on establishing a reentry academy for training and entrepreneurial resources.

Your Committee on Conference finds that the correctional industries program provides opportunities for committed persons to acquire marketable skills, prosocial behaviors, and positive work ethic while incarcerated, as well as reducing rates of recidivism after incarceration. Establishing a training and mentoring program to assist the reentry of incarcerated persons will also promote the acquisition of valuable skills and reduce the risk of recidivism. Your Committee on Conference further finds that the distribution of proceeds from the sale of inmate-made products and services is already provided for under existing law and that the inclusion of such language in this measure is redundant.

Your Committee on Conference has amended this measure by:

- (1) Removing language specifying the distribution of proceeds from the sale of inmate-made products and services; and
- (2) Inserting an appropriation amount of \$150,000 for the study to determine the feasibility of establishing the reentry academy for training and entrepreneurial resources.

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

Representatives Takayama, Yamashita, San Buenaventura and Ward.
Managers on the part of the House.

Senators Nishihara, Galuteria and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 42-16 on S.B. No. 2319

The purpose of this measure is to require health insurers in the State, including health benefits plans under the Hawaii Employer-Union Health Benefits Trust Fund and Medicaid managed care programs, to cover reimbursement for prescription contraceptive supplies intended to last for up to a twelve-month period for an insured.

Your Committee on Conference finds that insurance companies typically cover a thirty- or ninety-day supply of prescription contraceptives. However, these coverage requirements may act as a barrier for women, especially those who live in rural areas, frequently travel, are unable to schedule regular visits to health care providers, or are unable to readily pick up their prescriptions. Your Committee on Conference further finds that providing a greater number of prescription contraceptive supplies at one time is associated with higher continuation rates, fewer pregnancy tests, fewer unplanned pregnancies, and decreased health care costs per woman. This measure expands access to prescription contraceptives by requiring insurers to cover up to a twelve-month period of prescription contraceptive supplies for an insured.

Your Committee on Conference has amended this measure by:

- (1) Deleting references to "certified nurse midwife-delivered" medical services, as this is an arcane phrase no longer used by the health care industry;
- (2) Changing its effective date to July 1, 2016; provided that the required reimbursement for prescription contraceptive supplies shall apply to policies, contracts, plans, or agreements, including health benefits plans, issued or renewed on or after January 1, 2017; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2319, S.D. 1, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2319, S.D. 1, H.D. 3, C.D. 1.

Representatives Belatti, McKelvey, LoPresti, Morikawa and Fukumoto Chang.
Managers on the part of the House.
(Representative McKelvey was excused.)

Senators Baker, Chun Oakland and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 43-16 on S.B. No. 2387

The purpose of this measure is to require the provision of written documentation of a physical examination performed within twelve months prior to attending seventh grade at a public school.

Your Committee on Conference finds that school physical examinations are currently only conducted upon entry into the public school system, usually in kindergarten. Expansion of physical examination requirements for students promotes a culture of wellness and preventative healthcare. This measure will require students entering seventh grade to complete a physical examination and provide a legal framework for the Department of Health to follow-up with the families of students who do not complete the physical examination.

Your Committee on Conference has amended this measure by:

- (1) Removing the requirement that the Department of Education's annual list to the Department of Health of students who have not submitted appropriate written documentation be in an electronic format;
- (2) Removing the definition of "physical examination";
- (3) Removing the appropriation to the Department of Health;
- (4) Changing the effective date to upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2387, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2387, S.D. 2, H.D. 1, C.D. 1.

Representatives Takumi, Belatti, Cullen and Matsumoto.
Managers on the part of the House.

Senators Kidani, Baker and Dela Cruz.
Managers on the part of the Senate.

Conf. Com. Rep. 44-16 on S.B. No. 2896

The purpose of this measure is to:

- (1) Require the Hawaii Labor Relations Board to serve complaints or require complainants to serve complaints by first class mail or electronic mail;
- (2) Require the Board to provide written notice of a hearing by first class mail; and
- (3) Authorize the Board to provide additional written notice of a hearing by electronic service through a company designated by the Board at least fifteen days before the scheduled date of the hearing.

Your Committee on Conference finds that under existing law, the Hawaii Labor Relations Board may serve complaints and notices of hearings on a party by delivery to the person, by mail, or by telegram. However, the electronic service of complaints and notices is a faster and less expensive method of service. Implementation of this measure will reduce costs and provide a more efficient process to accommodate all parties.

Your Committee on Conference has amended this measure by:

- (1) Requiring the Hawaii Labor Relations Board to provide written notice of a hearing either by first class mail or electronic service rather than only allowing electronic service to be in addition to notice by mail; and
- (2) Making it effective upon its approval;

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2896, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2896, S.D. 1, H.D. 2, C.D. 1.

Representatives Nakashima, McKelvey, Keohokalole and Fukumoto Chang.
Managers on the part of the House.
(Representative Fukumoto Chang was excused.)

Senators Kim, Keith-Agaran and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 45-16 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.

Your Committee on Conference finds that travel agencies may also function as activity desks when the travel agencies sell or arrange activities furnished by an activity provider for travelers. However, these travel agencies are not currently required to register as an activity desk. Accordingly, this measure requires travel agencies that sell activities individually or as part of a tour package to register as an activity desk, which will ensure better protection for those consumers who purchase activities from travel agencies.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2673, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2673, S.D. 2, H.D. 2, C.D. 1.

Representatives Brower, McKelvey, Woodson and Pouha.
Managers on the part of the House.
(Representative Pouha was excused.)

Senators English, Baker and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 46-16 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 that is deemed heirs property.

Your Committee on Conference finds that in 2010, the Uniform Law Commission promulgated the Uniform Partition of Heirs Property Act to provide a fair solution to the risks posed to those who own heirs property, which is real property held in tenancy in common that meets certain requirements. This measure adopts language that closely mirrors the Uniform Partition of Heirs Property Act, which establishes a hierarchy of remedies designed to protect a family's property holdings and real property wealth and is intended to provide cotenants with many of the protections and rights commonly found in private agreements governing the partition of tenancy in common property. Your Committee on Conference further finds that family members in a partition action may be unfamiliar with their rights under the partition action or may not be able to afford counsel. This measure addresses these concerns by requiring the court to determine, as a jurisdiction matter, whether the property in question is heirs property and also specifies that the court is responsible for appointing a special master to fulfill the notice requirements associated with an action for partition.

Your Committee on Conference has amended this measure by:

- (1) Changing its effective date to January 1, 2017; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2408, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2408, S.D. 1, H.D. 2, C.D. 1.

Representatives McKelvey, Rhoads, San Buenaventura and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Keith-Agaran and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 47-16 on S.B. No. 2375

The purpose of this measure is to establish speed limits along certain portions of the Daniel K. Inouye Highway.

Your Committee on Conference finds that 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.

Your Committee on Conference has amended this measure by:

- (1) Inserting a speed limit of sixty miles-per-hour beginning at mile marker 12;
- (2) Inserting a speed limit of forty-five miles-per-hour or any other speed limit as determined by the Department of Transportation along the highway beginning at Pohakuloa training area and ending one-half mile east of the Mauna Kea county park entrance; and
- (3) Changing the effective date to January 1, 2017.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2375, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2375, S.D. 1, H.D. 1, C.D. 1.

Representatives Aquino, LoPresti, Nakashima and Tupola.
Managers on the part of the House.

Senators Inouye, Kidani, English and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 48-16 on H.B. No. 2034

The purpose of this measure is to support the Kaho‘olawe Island Reserve Commission's restoration and management of the Kaho‘olawe Island Reserve by requiring the Commission to submit a financial self-sufficiency and sustainability plan to the Legislature and appropriating funds for Commission activities including restoration and preservation of the Reserve's natural, cultural, and historic resources and its continued safe and meaningful use.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$450,000; and
- (2) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2034, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2034, H.D. 1, S.D. 2, C.D. 1.

Representatives Ing, Yamane, Lowen and Ward.
Managers on the part of the House.
(Representative Yamane was excused.)

Senators Shimabukuro, Gabbard and English.
Managers on the part of the Senate.
(Senator Gabbard was excused.)

Conf. Com. Rep. 49-16 on H.B. No. 2277

The purpose of this measure is to assist the King Kamehameha Celebration Commission in performing its duties by amending its membership and appointment process, clarifying the Commission's purpose and mission, and authorizing the appointment of an advisory committee and an Executive Director.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Commission is not required to have a specified number of members;
- (2) Restoring the Kapahulu Music Club as an organization which shall be represented in the Commission's membership;
- (3) Changing its effective date to July 1, 2016; and
- (4) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2277, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2277, H.D. 1, S.D. 1, C.D. 1.

Representatives Ing, Ito, Lowen, Tokioka and Ward.
Managers on the part of the House.

Senators Shimabukuro, Galuteria and Inouye.
Managers on the part of the Senate.

Conf. Com. Rep. 50-16 on H.B. No. 2077

The purpose of this measure is to permit the construction of small hydropower facilities in agricultural districts.

Specifically this measure:

- (1) Repeals the maximum five hundred kilowatt generating capacity for hydroelectric facilities in an agricultural district;
- (2) Authorizes, within agricultural districts, the construction of small hydropower facilities that meet the United States Department of Energy definition of small hydropower facility, including impoundment, diversion, run-of-river, and pumped storage facilities; and

- (3) Requires the approval of the Commission on Water Resource Management, including the establishment of new in stream flow standards, for the construction, within an agricultural district, of any hydroelectric facility that has a capacity of more than five hundred kilowatts.

Your Committee on Conference finds that permitting the construction, in an agricultural district, of hydroelectric facilities that have a generating capacity of more than five hundred kilowatts will provide the economies of scale necessary to make construction of hydroelectric infrastructure more economically viable. Your Committee on Conference believes that permitting construction of facilities that meet the federal definition of a small hydropower facility will promote the development of clean, renewable, and secure energy; contribute to a more efficient electricity grid; and lower the cost of energy in the State.

Your Committee on Conference has amended this measure by:

- (1) Limiting the requirement for the Commission on Water Resource Management to approve a hydroelectric facility to only new hydroelectric facilities that have the capacity to generate over five hundred kilowatts, rather than when such a facility requires a new or expanded diversion of water; and
- (2) Making technical nonsubstantive amendments for purposes of consistency and clarity.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2077, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2077, H.D. 2, S.D. 2, C.D. 1.

Representatives Lee, Yamane, Tsuji, McKelvey and Pouha.
Managers on the part of the House.

Senators Inouye, Gabbard, Baker and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 51-16 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.

Your Committee on Conference amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2231, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2231, H.D. 1, S.D. 1, C.D. 1.

Representatives Lee, Lowen, Evans and Pouha.
Managers on the part of the House.

Senators Inouye, Baker, Riviere and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 52-16 on H.B. No. 32

The purpose of this measure is to reduce pedestrian confusion when using a crosswalk equipped with a countdown timer by clarifying that a pedestrian shall complete the pedestrian's crossing while the countdown time is operating.

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.

However, your Committee on Conference notes that confusion also exists as to when a driver is required to stop and yield to a pedestrian crossing the roadway which can lead to pedestrian injuries or even fatalities. Clarifying a driver's duty to stop and yield the right of way for a pedestrian by specifying when a pedestrian is considered to be crossing a roadway will help reduce confusion, allow for better enforcement of pedestrian safety laws, and will make Hawaii's streets safer for everyone.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Inserting language clarifying that a pedestrian is considered to be within an intersection or adjacent crosswalk when any part or extension of the pedestrian, including the pedestrian's body, wheelchair, cane, crutch, or bicycle, is beyond the curb or the edge of the roadway while the pedestrian is intending to proceed across the intersection or roadway; and
- (2) Clarifying that a pedestrian may not start to cross a roadway equipped with a countdown timer once the countdown timer has begun operating.

Your Committee on Conference has also amended this measure by:

- (1) Changing its effective date from January 7, 2059, to upon its approval; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 32, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 32, S.D. 2, C.D. 1.

Representatives Aquino, Rhoads, Brower and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Inouye, Keith-Agaran and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 53-16 on H.B. No. 901

The purpose of this measure is to assist the Harbors Division of the Department of Transportation (Harbors Division) in enforcing the laws of this State by:

- (1) Allowing the use of blue and red lamps, reflectors, or illumination devices on approved law enforcement vehicles of the Harbors Division; and
- (2) Amending the definition of "authorized emergency vehicle" to include Harbors Division law enforcement vehicles.

Under current law, 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, the Harbors Division does not have 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 law enforcement vehicles of the Harbors Division and assist them in enforcing the laws of the State.

Your Committee on Conference has amended this measure by changing its effective date from July 1, 2030, to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 901, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 901, S.D. 1, C.D. 1.

Representatives Aquino, Rhoads, LoPresti and Tupola.
Managers on the part of the House.
(Representative LoPresti was excused.)

Senators Inouye, Keith-Agaran and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 54-16 on H.B. No. 1011

The purpose of this measure is to ensure highway safety by prohibiting the use of certain types of motor vehicle wheels that are considered dangerous. Specifically, this measure:

- (1) Defines the term "dangerous wheels" to mean any wheel, wheel cover, hubcap, lug nut cover or cap, prong, or any ornamentation affixed to any of the aforementioned items that extends at least four inches beyond the portion of the wheel rim that extends furthest away from the vehicle and that may cause injury or property damage by minimal contact with a person or object; and
- (2) Prohibits any person from operating a vehicle, trailer, or semi-trailer equipped with dangerous wheels.

An increasing number of motor vehicles operating on Hawaii's roadways are reportedly using wheels with a propensity to cause severe injury and property damage. By design, most of these wheels have parts that extend past their rim, and include items such as gorilla pokes, superpoke elbows, and giraffe necks. However, others not designed as such are just as dangerous due to the addition of aftermarket parts, such as lug nuts and wheel covers that bear sharp pointed projections. Your Committee on Conference finds that existing law does not address the inherent dangers associated with the use of this type of motor vehicle wheel and that prohibiting their use will improve public safety on Hawaii's highways.

Your Committee on Conference has amended this measure by changing its effective date from January 7, 2059, to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1011, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1011, H.D. 1, S.D. 2, C.D. 1.

Representatives Aquino, Woodson, McKelvey and McDermott.
Managers on the part of the House.
(Representative McKelvey was excused.)

Senators Inouye, Keith-Agaran and Slom.

Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 55-16 on H.B. No. 1747

The purpose of this measure is to:

- (1) Allow 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; and
- (2) Provide notice and administrative hearing requirements for the lien holder or registered owner to recover possession of the impounded motor vehicle or demand an administrative hearing to contest the basis given for the impoundment of the motor vehicle.

Your Committee on Conference finds that numerous drivers are cited each year for offenses such as 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. Unfortunately, many of these drivers continue to operate their motor vehicles immediately after receiving these citations. While allowing police officers to tow and impound a motor vehicle if the operator of that motor vehicle is arrested or cited for certain traffic offenses may act as a deterrent to this type of activity and make Hawaii's roadways safer, your Committee on Conference finds that this action should be limited to serious traffic offenses.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Limiting the traffic violations for which a police officer may have a motor vehicle towed and impounded to when the driver of the vehicle is cited or arrested for operating a vehicle under the influence of an intoxicant and operating a vehicle after consuming a measurable amount of alcohol when the driver is under the age of 21;
- (2) Providing that the arresting officer must have reason to believe the arrested person is likely to return to the vehicle and continue to drive under the influence after being released from custody; and
- (3) Changing its effective date from July 1, 2030, to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1747, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1747, H.D. 1, S.D. 1, C.D. 1.

Representatives Aquino, Rhoads, Takayama and Tupola.
Managers on the part of the House.

Senators Inouye, Nishihara, Keith-Agaran and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 56-16 on H.B. No. 2305

The purpose of this measure is to provide assistance with financing to state agencies, counties, and private developers to increase the capacity of infrastructure facilities by authorizing the Hawaii Housing Finance and Development Corporation to:

- (1) Upon request by a county, establish and operate a regional state infrastructure subaccount 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;
- (2) Expend funds within the subaccounts to repay private investors on their investments made into the subaccounts to finance capacity-increasing infrastructure improvements; and
- (3) Accept improved lands as repayment of loans made from a regional state infrastructure subaccount.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2305, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2305, H.D. 1, S.D. 1, C.D. 1.

Representatives Hashem, Jordan, Yamashita and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Harimoto, Dela Cruz and Galuteria.
Managers on the part of the Senate.

Conf. Com. Rep. 57-16 on H.B. No. 2017

The purpose of this measure is to:

- (1) Authorize physicians to submit workers' compensation treatment plans to employers by mail or facsimile;

- (2) Beginning January 1, 2021, require employers to allow physicians to submit workers' compensation treatment plans to employers by mail or facsimile; and
- (3) Specify requirements for receipt and acceptance of treatment plans, including requiring an employer to file with the Director of Labor and Industrial Relations by mail or facsimile an objection to the treatment plan, evidence supporting the denial, and a copy of the denied treatment plan within ten business days after receipt.

Your Committee on Conference has amended this measure by:

- (1) Requiring, beginning January 1, 2021, an employer to allow a physician to submit a workers' compensation treatment plan to an employer by mail, facsimile, or secure electronic means;
- (2) Clarifying that a treatment plan will be deemed accepted if an employer fails to file with the Director of Labor and Industrial Relations an objection to the treatment plan, evidence supporting the denial, and a copy of the denied treatment plan, copying the physician and the injured employee;
- (3) Clarifying that after acceptance of the treatment plan, an employer may file an objection to the plan if new documentary evidence supporting the denial is received;
- (4) Changing its effective date from July 1, 2050, to upon its approval; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2017, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2017, H.D. 1, S.D. 2, C.D. 1.

Representatives Nakashima, McKelvey, Keohokalole and Tupola.
Managers on the part of the House.

Senators Baker, Keith-Agaran, Kidani and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 58-16 on H.B. No. 2018

The purpose of this measure is to:

- (1) Establish guidelines for the management of capital improvement projects; and
- (2) Require the Department of Accounting and General Services to submit a status report on the implementation of practices required by this measure no later than twenty days prior to the Regular Session of 2017.

Your Committee on Conference believes that this measure is necessary in light of the Office of the Auditor's Report No. 15-13, Study of State Departmental Engineering Sections That Manage Capital Improvement Projects, which found inconsistent adherence to best practices in the execution and application of capital improvement projects throughout state government. Anecdotal information suggests that work is completed with a "get the job done" attitude rather than with the goal of meeting program needs, project goals and objectives, and providing customer service.

While the Administration indicated an interest in pursuing these goals, your Committee on Conference believes that it is important to provide legislative guidance for the execution of this effort. This measure will require:

- (1) Using timelines that include a comprehensive list of all activities required on a project, including all phases in the project's life cycle, namely, the initiation, planning, design, bid, construction, and post-construction phases;
- (2) Tracking payments and deliverables in accordance with state procurement guidelines; and
- (3) Identifying and involving stakeholders throughout a capital improvement project's execution and closing to help ensure end-user satisfaction with the project.

Creating these uniform expectations will assist the Legislature in executing oversight on capital improvement project expenditures and provide a basis for future project authorizations.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2018, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2018, H.D. 1, S.D. 1, C.D. 1.

Representatives Nakashima, Keohokalole, Yamashita and Ward.
Managers on the part of the House.

Senators Kim, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 59-16 on H.B. No. 1739

The purpose of this measure is to:

- (1) Prohibit, subject to certain exemptions, employers from:
 - (A) Requiring, requesting, or coercing employees or potential employees to disclose the username, password, or any other information for the purpose of accessing the employee's or potential employee's personal account;
 - (B) Requiring, requesting, or coercing employees or potential employees to provide access to the employee's or potential employee's personal account in the presence of the employer; and
 - (C) Coercing or compelling employees or potential employees to add anyone, including the employer, to the employee's or potential employee's list of contacts associated with a personal account;
- (2) Limit the liability of employers who inadvertently receive the username, password, or any other information that would enable the employer to gain access to the employee or potential employee's personal account through the use of a lawful technology that monitors the employer's network or employer-provided devices for network security or data confidentiality, except in certain situations; and
- (3) Establish a fine of not less than \$25 and not more than \$100, to be collected by the Director of Labor and Industrial Relations for a violation by the employer.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that employers may request or require an employee to share content regarding a personal account necessary to ensure compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct; and
- (2) Removing the provision that an employer is not liable for deleting information received inadvertently.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1739, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1739, H.D. 2, S.D. 1, C.D. 1.

Representatives Nakashima, Rhoads, LoPresti and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Keith-Agaran, Kim and Shimabukuro.
Managers on the part of the Senate.
(Senator Shimabukuro was excused.)

Conf. Com. Rep. 60-16 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, which includes obtaining an urn through any means described under the offense of theft under section 708-830, Hawaii Revised Statutes (HRS); intentionally desecrating a columbarium or an urn under section 711-1107, HRS; or violating the statement requirements of scrap dealers under section 445-233, HRS, as a class C felony; provided that the penalty imposed for the intentional desecration of an urn shall be pursuant to section 711-1107(3), HRS;
- (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; and
- (3) Making the intentional desecration of a columbarium or urn an offense of desecration.

Your Committee on Conference has amended this measure by:

- (1) Removing from the elements of a theft of urn the intentional desecration of a columbarium or an urn under section 711-1107, HRS, and its corresponding penalty;
- (2) Deleting the section that makes it an offense of desecration to intentionally desecrate a columbarium or an urn; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1578, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1578, H.D. 2, S.D. 1, C.D. 1.

Representatives McKelvey, Rhoads, Woodson and Fukumoto Chang.
Managers on the part of the House.

Senators Keith-Agaran, K. Kahele and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 61-16 on H.B. No. 2030

The purpose of this measure is to prohibit the discharge of treated or raw sewage into state waters after December 31, 2049, except when used to create clean energy.

Your Committee on Conference has amended this measure by:

- (1) Changing to December 31, 2026, the date upon which the discharge of treated or raw sewage into state waters shall be prohibited; and
- (2) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2030, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2030, H.D. 1, S.D. 2, C.D. 1.

Representatives Yamane, Lee, Cullen and Ward.
Managers on the part of the House.

Senators Wakai, Inouye and Baker.
Managers on the part of the Senate.
(Senator Baker was excused.)

Conf. Com. Rep. 62-16 on H.B. No. 2036

The purpose of this measure is to establish an automatic extension of the deadline for a decision by the Department of Land and Natural Resources on a conservation district land use permit application of ninety days beyond the time necessary to complete any required environmental impact statement or contested case hearing regarding the land use.

Your Committee on Conference has amended this measure by changing its effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2036, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2036, H.D. 1, S.D. 2, C.D. 1.

Representatives Yamane, Rhoads, Cullen and Pouha.
Managers on the part of the House.

Senators Gabbard, Wakai, Riviere and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 63-16 on H.B. No. 2675

The purpose of this measure is to appropriate funds for research to combat rapid ohia death.

Your Committee on Conference has amended this measure by:

- (1) Changing the appropriation amount to \$300,000;
- (2) Changing the expending agency to the Department of Agriculture; and
- (3) Making the measure effective on July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2675, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2675, H.D. 1, S.D. 2, C.D. 1.

Representatives Yamane, Onishi, Evans and Matsumoto.
Managers on the part of the House.

Senators Gabbard, English, Nishihara and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 64-16 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.

Your Committee on Conference has amended this measure by:

- (1) Moving the proposed language from a new section in chapter 206E, Hawaii Revised Statutes, relating to the Hawaii Community Development Authority, to section 171-30, Hawaii Revised Statutes, relating to acquisition of real property by the Department of Land and Natural Resources;
- (2) Removing language related to deeds of conveyance for transportation infrastructure under the jurisdiction of the Department of Transportation; and
- (3) Making the measure effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2604, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2604, H.D. 1, S.D. 1, C.D. 1.

Representatives Yamane, Rhoads, Nishimoto and Pouha.
Managers on the part of the House.
(Representative Nishimoto was excused.)

Senators Gabbard, Keith-Agaran, Galuteria and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 65-16 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 as a shield, hostage, or for ransom or reward.

Your Committee on Conference has amended this measure to make it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1726, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1726, S.D. 1, C.D. 1.

Representatives Rhoads, Brower, San Buenaventura and McDermott.
Managers on the part of the House.
(Representative San Buenaventura was excused.)

Senators Keith-Agaran, Kim and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 66-16 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.

Your Committee on Conference has amended this measure based on the recommendation of the Attorney General to add four new claims that have been recently resolved for an additional general fund appropriation request of \$204,442.96.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2279, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2279, H.D. 2, S.D. 2, C.D. 1.

Representatives Rhoads, Luke, Yamashita and McDermott.
Managers on the part of the House.

Senators Keith-Agaran, Tokuda and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 67-16 on H.B. No. 1581

The purpose of this measure is to provide for the expedited judicial review of certain contested case proceedings.

Specifically, this measure:

- (1) Requires that appeals of contested case proceedings conducted by the Commission on Water Resource Management, the Land Use Commission, the Public Utilities Commission, the Hawaii Community Development Authority, and those involving conservation districts be taken directly to the Supreme Court;
- (2) Requires a court conducting judicial review to give appeals in contested cases of statewide importance priority over all other civil or administrative appeals;
- (3) Permits, rather than requires, a court conducting judicial review in contested case proceedings to hear oral arguments;

- (4) Provides that, for contested case proceedings of the Commission on Water Resource Management, Land Use Commission, and those involving conservation districts, only a person aggrieved in the contested case proceeding may appeal; and
- (5) Requires the Judiciary to submit a report to the Legislature regarding the change in judicial proceedings made by this measure.

Your Committee on Conference finds that this measure is intended to expedite the judicial review of contested case proceedings conducted by the Commission on Water Resource Management, the Land Use Commission, the Public Utilities Commission, the Hawaii Community Development Authority, and those involving conservation districts because of their importance to Hawaii's future. Your Committee on Conference believes that this measure will substantially reduce the time required to resolve disputes regarding the actions of these agencies by making these disputes subject to review only by the State's highest court.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the contested case appeals that are subject to this measure shall be taken from a final decision and order or from certain preliminary rulings;
- (2) Clarifying that, for contested case proceedings of the Public Utilities Commission and the Hawaii Community Development Authority, appeals may only be taken by a person aggrieved in the contested case proceeding;
- (3) Authorizing a court to reserve jurisdiction to appoint a master or monitor to ensure compliance with the court's orders, when remanding a matter to an agency for the purpose of conducting a contested case hearing;
- (4) Changing the effective date to August 1, 2016; and
- (5) Making technical, nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1581, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1581, H.D. 2, S.D. 2, C.D. 1.

Representatives Rhoads, Yamane, Cullen and Pouha.
Managers on the part of the House.

Senators Gabbard, Baker, Keith-Agaran and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 68-16 on H.B. No. 254

The purpose of this measure is to ensure patient safety and access to medicines at lower prices by allowing for and regulating interchangeable biological products, or biological products that are biosimilar to and interchangeable with the biological product identified in a prescription and to which there are no clinically significant differences in terms of safety or effectiveness.

This measure also:

- (1) Requires a pharmacist or authorized agent to offer to the consumer, an equivalent generic drug product or interchangeable biological product from the Hawaii list of equivalent generic drug products and interchangeable biological products (Hawaii list), and inform the consumer of the differences between the brand name drug and equivalent generic drug product or interchangeable biological product, when the pharmacist fills a prescription for a brand name drug;
- (2) Requires a pharmacist to substitute an interchangeable biological product when consented to by the practitioner and consumer or when the substitute results in savings;
- (3) Specifies the conditions in which a pharmacist is prohibited from substituting an interchangeable biological product;
- (4) Requires that within 24 hours of dispensing a biological product, the dispensing pharmacist or designee must communicate to the provider, the specific product provided to the patient;
- (5) Authorizes the Director of Health, rather than the Drug Production Selection Board (Board), to adopt rules for drug production selection;
- (6) Specifies that the Hawaii list serves as the state list of approved therapeutically equivalent generic drug products; and
- (7) Repeals the Board and transfers the Board's duties of creating the list of substitutable generic drug products and biological products to the Department of Health.

Upon consideration, your Committee on Conference has amended this measure by:

- (1) Amending the definitions of "equivalent generic drug product", "Hawaii list of equivalent generic drug products and interchangeable biological products", and "interchangeable biological product";
- (2) Deleting the requirement that pharmacists or authorized agents inform consumers of the differences between the brand name drug and equivalent generic drug product or interchangeable biological product when filling a prescription order for a brand name drug;

- (3) Amending the conditions in which a pharmacist can substitute an equivalent generic drug product or an interchangeable biological product;
- (4) Requiring that within two business days, rather than within 24 hours, following the dispensing of a biological product, a dispensing pharmacist or designee must communicate to the practitioner, the specific product provided to the patient;
- (5) Making the adoption of rules by the Director of Health subject to the Administrative Procedure Law;
- (6) Changing the specifications and means by which pharmacies shall be notified of the Hawaii list;
- (7) Deleting the provision prohibiting the Director of Health from approving as substitutable, any biological products that the United States Food and Drug Administration has neither licensed nor determined as meeting standards for interchangeability;
- (8) Deleting requirements relating to the distribution, publishing, notice, and establishment of fees to persons who request copies of the Hawaii list by the Department of Health with respect to distribution of the Hawaii list;
- (9) Changing its effective date to July 1, 2016; and
- (10) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 254, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 254, H.D. 2, S.D. 1, C.D. 1.

Representatives Belatti, McKelvey, Creagan and Tupola.
Managers on the part of the House.

Senators Baker, Espero and Kidani.
Managers on the part of the Senate.
(Senator Espero was excused.)

Conf. Com. Rep. 69-16 on H.B. No. 2632

The purpose of this measure is to require a person who has been disqualified from legal gun ownership due to mental illness or emotional disorder, substance abuse, or involuntary or emergency psychiatric hospitalization to surrender all of the person's firearms and ammunition to the Chief of Police immediately upon notice of disqualification. This measure also authorizes seizure of firearms and ammunition by the Chief of Police if the person does not voluntarily surrender them.

Your Committee on Conference has amended this measure by:

- (1) Permitting, rather than requiring, the Chief of Police to seize firearms and ammunition if the disqualified person does not immediately surrender them; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2632, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2632, H.D. 2, S.D. 2, C.D. 1.

Representatives Belatti, Rhoads, Lee and Ward.
Managers on the part of the House.
(Representative Ward was excused.)

Senators Nishihara, Keith-Agaran and Espero.
Managers on the part of the Senate.

Conf. Com. Rep. 70-16 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 detainees or inmates charged on or after July 1, 2016, with petty misdemeanor or misdemeanor offenses; provided that the detainee or inmate is not disqualified based on present charges or past arrest or conviction of certain serious or violent offenses. This measure also requires the Director of Public Safety to report to the Legislature on the effects of this measure and sunsets on July 1, 2020.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that no person who has previously been convicted of any offense that involves injury or threat of injury to the person of another, including offenses related to sexual harassment, harassment by stalking, and violation of an order of protection or temporary restraining order, shall be eligible for early release; and
- (2) Clarifying that the appropriate court and prosecuting attorney shall receive notice of a misdemeanant's release from custody not later than forty-eight hours before the actual release.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2391, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2391, H.D. 2, S.D. 2, C.D. 1.

Representatives Takayama, Rhoads, San Buenaventura and Pouha.
Managers on the part of the House.

Senators Nishihara, Keith-Agaran and Espero.
Managers on the part of the Senate.

Conf. Com. Rep. 71-16 on S.B. No. 2217

The purpose of this measure is to appropriate funds for operation, repair, maintenance, and improvement costs for the East Kauai Irrigation System by the East Kauai Water Users' Cooperative.

Your Committee on Conference finds that reliable irrigation systems are the lifelines of the State's agricultural community and that the East Kauai Irrigation System should be repaired, properly maintained, and improved to ensure that agricultural crops receive a steady and dependable supply of water.

Your Committee on Conference has amended this measure by:

- (1) Inserting the purpose section of the S.D. 2 version;
- (2) Inserting an appropriation amount of \$75,000 for fiscal year 2016-2017 for operation, repair, maintenance, and improvement costs for the East Kauai Irrigation System by the East Kauai Water Users' Cooperative;
- (3) Changing the effective date to July 1, 2016; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2217, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2217, S.D. 2, H.D. 1, C.D. 1.

Representatives Yamane, Tsuji, Onishi and Matsumoto.
Managers on the part of the House.

Senators Gabbard, English, Ruderman and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 72-16 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 damages to aquatic habitats or resources.

Your Committee on Conference finds that aquatic mitigation banks help to restore, create, enhance, or preserve aquatic habitats or resources to recover the ecological functions, services, and value of aquatic resources lost by adverse impacts to other similar aquatic habitats. Mitigation banks serve as a mechanism to restore or replace aquatic resources and ecological functions of aquatic habitats either prospectively or after they have been damaged; therefore, your Committee on Conference finds that mitigation banks are a first step in the process of creating innovative mechanisms for aquatic resource conservation in the State.

Your Committee on Conference has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2904, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2904, H.D. 1, C.D. 1.

Representatives Ing, Lowen, Cullen and Ward.
Managers on the part of the House.

Senators Gabbard, Galuteria, Shimabukuro and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 73-16 on S.B. No. 2854

The purpose of this measure is to make various amendments in the Insurance Code relating to: property insurance; market conduct; insurance premium taxes; insurance contracts; accident and health or sickness insurance; claim filing; captive insurance companies; duty to respond; mental health and alcohol and drug abuse treatment insurance benefits; the Hawaii Hurricane Relief Fund; covered services; mutual benefit societies; and health maintenance organizations.

Your Committee on Conference finds that this measure makes numerous amendments to update and improve the State's Insurance Code, including: conforming to model legislation; updating terminology; amending health care provider provisions for consistency; adding flexibility to captive insurance laws; and adding certain consumer protections. Your Committee further finds that certain language in this measure regarding monthly and annual premium tax statements and payments may have unintended consequences that could create delays or increase administrative costs. Amendments to this measure are therefore needed to address these concerns.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Insurance Commissioner has the authority to approve or disapprove written requests from insurers seeking to provide multi-peril coverage for residential property after July 1, 2016, and making associated amendments regarding multi-peril coverage available from the Hawaii Hurricane Relief Fund for consistency and to conform with current insurance industry terminology;
- (2) Requiring each authorized insurer to file their monthly and annual statement and premium tax statements and pay their premium taxes electronically, rather than limiting this electronic filing and payment requirement to insurers with a tax liability in excess of \$100,000;
- (3) Requiring payment of monthly and annual taxes via Automated Clearing House debit or credit for authorized insurers to coincide with the authorized insurers' annual and monthly tax statement filing requirements;
- (4) Clarifying that in cases of contested or denied claims, an entity is required to notify a health care provider, insurer, or member filing a claim from a non-contracted provider;
- (5) Amending the definition of "contraceptive services", as applied to mutual benefit societies, to maintain uniformity with the definition of "contraceptive services", as applied to accident and health or sickness insurers and health maintenance organizations;
- (6) Changing the effective date to July 1, 2016; provided that the provisions in this measure that require insurers to file their premium tax statements and pay their premium taxes electronically shall take effect on January 1, 2017; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2854, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2854, S.D. 2, H.D. 1, C.D. 1.

Representatives McKelvey, Cachola, Woodson and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Taniguchi and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 74-16 on S.B. No. 2853

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 certain requirements for risk-based capital and severability and notice provisions to risk retention captive insurance companies; and
- (3) Adopt the National Association of Insurance Commissioners' Model Risk Retention Act.

Your Committee on Conference finds that the National Association of Insurance Commissioners requires all states to adopt its Risk Management and Own Risk and Solvency Assessment Model Act by January 1, 2018, to maintain accreditation. The National Association of Insurance Commissioners also requires Hawaii to adopt the Association's Model Risk Retention Act by January 1, 2017, and amend state insurance law relating to risk retention captive insurance companies to maintain accreditation. Accordingly, this measure makes necessary amendments to the Insurance Code, which will enable the Department of Commerce and Consumer Affairs to maintain its accreditation with the National Association of Insurance Commissioners.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2853, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2853, S.D. 2, H.D. 1, C.D. 1.

Representatives McKelvey, Cachola, Woodson and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Taniguchi and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 75-16 on S.B. No. 1311

The purpose of this measure is to:

- (1) Exempt licensed or credentialed practitioners practicing within their recognized scope of practice from behavior analyst licensure and certification requirements;
- (2) Temporarily exempt from behavior analyst licensing requirements, direct support workers who provide autism treatment services pursuant to an Individualized Education Plan; and
- (3) Require the Department of Education to report to the Legislature on implementing measures to comply with the licensure and certification requirements.

Your Committee on Conference finds that licensure of behavior analysts is necessary for client protection and access to services. While ensuring the provision of quality services by properly trained providers is of the utmost importance, your Committee on Conference finds that the State's current credentialed workforce is inadequate to meet present needs. This measure will 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.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2016; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1311, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1311, S.D. 2, H.D. 1, C.D. 1.

Representatives Takumi, Belatti, McKelvey, Nishimoto and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Kidani, Baker and English.
Managers on the part of the Senate.

Conf. Com. Rep. 76-16 on S.B. No. 2987

The purpose of this measure is to amend the annual allocation of transient accommodations tax revenues to the counties.

Specifically, this measure:

- (1) Changes the annual aggregate cap on the transient accommodations tax revenues allocation to the counties from \$93,000,000 after fiscal year 2015-2016 to an unspecified amount;
- (2) Amends the annual percentage of transient accommodations tax revenues allocated to each county as follows:
 - (A) From 14.5 to 20 per cent for the County of Kauai;
 - (B) From 18.6 to 25 per cent for the County of Hawaii;
 - (C) From 44.1 to 30 per cent for the City and County of Honolulu; and
 - (D) From 22.8 to 25 per cent for the County of Maui; and
- (3) Deletes language concerning the transient accommodations tax revenues allocation to the counties for fiscal years 2014-2015 and 2015-2016.

Your Committee on Conference recognizes that Act 174, Session Laws of Hawaii 2014, temporarily increased the \$93,000,000 annual aggregate cap on the transient accommodations tax revenues allocation to the counties to \$103,000,000 for fiscal years 2014-2015 and 2015-2016. Given that the several counties often request stability in funding, your Committee on Conference finds that it would be appropriate to extend the \$103,000,000 cap for one additional fiscal year while also maintaining each county's existing share of transient accommodations tax revenues.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Extending the \$103,000,000 annual aggregate cap on the transient accommodations tax revenues allocation to the counties into fiscal year 2016–2017, and restoring existing statutory language that lowers the cap to \$93,000,000 for each fiscal year thereafter;
- (2) Deleting amendments that would have changed the annual percentage of transient accommodations tax revenues allocated to each county;
- (3) Restoring existing statutory language concerning the transient accommodations tax revenues allocation to the counties for fiscal years 2014–2015 and 2015–2016; and
- (4) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2987, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2987, S.D. 2, H.D. 2, C.D. 1.

Representatives Brower, Luke, Nishimoto and Pouha.
Managers on the part of the House.
(Representative Pouha was excused.)

Senators English, Nishihara, Tokuda and K. Kahele.
Managers on the part of the Senate.
(Senator Nishihara was excused.)

Conf. Com. Rep. 77-16 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;
- (2) Authorize the court to require a person who violates certain laws pertaining to aquatic resources 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; and
- (3) Authorize the court to require a person who violates certain laws pertaining to aquatic resources to perform community service administered by the Department of Land and Natural Resources in lieu of paying a monetary fine.

Your Committee on Conference finds that educational programs and community service opportunities are effective sentencing alternatives to specifically address resource offenses and violators. Educational programs and community service opportunities deter future violations, enhance public knowledge about Hawaii's resources, and ensure that punishment for resource violations is appropriate. Your Committee on Conference further finds that an educational curriculum that provides a broad overview of aquatic resource statutes, rules, and regulations, as well as information about closed seasons, restricted areas, and methods of extraction, already exists and would be easily implemented.

Your Committee on Conference has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2453, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2453, H.D. 1, C.D. 1.

Representatives Ing, Rhoads, Lowen and Ward.
Managers on the part of the House.

Senators Gabbard, Keith-Agaran, Riviere and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 78-16 on S.B. No. 3084

The purpose of this measure is to provide targeted incentives for the upgrade or conversion of cesspools.

Specifically, this measure:

- (1) Disallows the income tax credit for cesspool upgrade, conversion, or connection for taxpayers whose federal adjusted gross income exceeds certain amounts;
- (2) Authorizes 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;
- (3) Authorizes the use of the credit for large-capacity cesspools connected to residential units;
- (4) Provides that cesspools located within two hundred feet of an existing sewer system may be certified by the county; and
- (5) Requires the Department of Health to report to the Legislature prior to the Regular Session of 2017 on further recommendations to compel or incentivize cesspool conversion.

Your Committee on Conference finds that, in order to reduce the contamination of groundwater, drinking water sources, streams, and the ocean caused by cesspool pollution, Act 120, Session Laws of Hawaii 2015, established a temporary income tax credit for taxpayers who upgrade or convert a qualified cesspool into a septic system or an aerobic treatment unit system, or who connect a qualified cesspool to a sewer system. Your Committee on Conference also finds that, as currently written, the income tax credit statute is ambiguous regarding the availability of the tax credit for cesspools that are connected to multiple residential units.

Your Committee on Conference has amended this measure by:

- (1) Deleting all of its provisions, except for the provision that clarifies the availability of the income tax credit for cesspool upgrade, conversion, or connection for cesspools connected to multiple residential units; and

- (2) Clarifying that the residential large-capacity cesspools must be connected to more than one residence in order to be eligible for the tax credit.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3084, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3084, S.D. 1, H.D. 2, C.D. 1.

Representatives Lee, Belatti, Lowen, Creagan and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators English, Inouye and Riviere.
Managers on the part of the Senate.
(Senator Riviere was excused.)

Conf. Com. Rep. 79-16 on S.B. No. 2850

The purpose of this measure is to make various amendments to the mortgage loan originators law, chapter 454F, Hawaii Revised Statutes, and the mortgage servicers law, chapter 454M, Hawaii Revised Statutes, by:

- (1) Increasing the clarity and consistency of the two chapters, including adding definitions, updating references to federal regulations, and applying the same confidentiality requirements to mortgage servicers that currently apply to mortgage loan originators;
- (2) Moving mortgage servicer provisions that currently appear in chapter 454F, Hawaii Revised Statutes, to chapter 454M, Hawaii Revised Statutes; and
- (3) Deleting the mortgage loan servicer loan modification license under chapter 454F, Hawaii Revised Statutes.

Your Committee on Conference finds that there is a degree of overlap between mortgage loan origination industry regulation governed by chapter 454F, Hawaii Revised Statutes, and mortgage servicer industry regulation governed by chapter 454M, Hawaii Revised Statutes. This measure makes various amendments to these chapters for clarity and consistency and migrates mortgage servicer provisions under chapter 454F, Hawaii Revised Statutes, into the mortgage servicer law, which will help eliminate confusion for mortgage servicers. Your Committee on Conference further finds that the amendments proposed by this measure will ensure clearer requirements within the mortgage loan origination and mortgage servicer industries, which will support licensee compliance.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the information sharing provisions added by the new confidentiality section under chapter 454M, Hawaii Revised Statutes, apply to regulatory officials with mortgage servicer industry oversight, rather than mortgage industry oversight;
- (2) Removing a reference to mortgage loan originators and mortgage loan originator companies in the new confidentiality section added to chapter 454M, Hawaii Revised Statutes, as these entities are governed by a confidentiality section in a different chapter;
- (3) Clarifying that the presumption of control provision for mortgage loan originator companies applies to voting securities of licensees or applicants;
- (4) Clarifying that the exemption under the mortgage servicer law for time share plans applies to a developer of a time share plan, or an affiliated entity of a developer of a time share plan, that services a specific type of loan and adding definitions associated with this exemption;
- (5) Changing its effective date to July 1, 2016; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2850, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2850, S.D. 2, H.D. 1, C.D. 1.

Representatives McKelvey, Cachola, Woodson and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Riviere, Kidani, Nishihara and Slom.
Managers on the part of the Senate.
(Senators Nishihara and Slom were excused.)

Conf. Com. Rep. 80-16 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 201H-38, Hawaii Revised

Statutes, or section 46-15.1, Hawaii Revised Statutes, with the involvement of the Hawaii Housing Finance and Development Corporation or a corresponding county agency respectively; 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.

Your Committee on Conference finds that Act 245, Session Laws of Hawaii 2007, established the law regarding school impact fees, including new methods of financing the development of new educational facilities and the expansion of existing facilities. Since 2007, land use planning, development patterns, and preferences have changed significantly. This measure will clarify the responsibilities of developers of residential property within designated school impact districts.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2731, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2731, S.D. 1, H.D. 1, C.D. 1.

Representatives Takumi, Luke, Ichiyama and Matsumoto.
Managers on the part of the House.

Senators Kidani, Tokuda and Riviere.
Managers on the part of the Senate.

Conf. Com. Rep. 81-16 on S.B. No. 2670

The purpose of this measure is to:

- (1) Reduce the surcharge on the license fee and renewal fee for behavior analysts from \$100 to \$50; and
- (2) Temporarily exempt from the licensing requirements for the practice of behavior analysis direct support workers who provide Medicaid home and community-based services pursuant to the Social Security Act through January 1, 2019.

Your Committee on Conference finds that the initial costs for behavior analyst licensure and the annual fees to maintain this license can total over \$1,000, which can be significant to behavior analysts, many of whom are paid hourly with minimal benefits. This measure reduces the surcharge on the license and renewal fee for behavior analysts, which will ease the financial burden of behavior analyst licensing, encourage the licensure of behavior analysts, and increase the number of licensed behavior analysts available to the public.

Your Committee on Conference further finds that this measure temporarily exempts direct support workers who provide necessary behavioral interventions for individuals in the Medicaid Home and Community Based Services waiver program. This exemption prevents a disruption in services for individuals currently receiving behavioral services while also facilitating efforts to build an adequate workforce of credentialed paraprofessionals and licensed professionals in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Amending its effective date to upon approval, with the exemption for direct support workers applicable from January 1, 2016; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2670, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2670, H.D. 1, C.D. 1.

Representatives Belatti, McKelvey, Tokioka, Kobayashi and Tupola.
Managers on the part of the House.
(Representative McKelvey was excused.)

Senators Baker, Tokuda and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 82-16 on S.B. No. 2542

The purpose of this measure is to:

- (1) Require each state executive agency that manages a state-owned building, facility, or other improvement to submit to the Legislature an annual report on the funds and positions deemed necessary by the agency to perform routine repair and maintenance on the state-owned building, facility, or other improvement during the fiscal year covered by the report;
- (2) Require Judiciary to submit a similar report for Judiciary-owned buildings, facilities, and other improvements; and
- (3) Require every capital improvement project for the construction of a new state-owned building, facility, or other improvement to include a recommended plan for the routine repair and maintenance of the building, facility, or other improvement.

Your Committee on Conference finds that the deferred maintenance of state-owned buildings, facilities, and other improvements leads to more expensive capital replacement or renewal costs in the future. Implementation of this measure will promote transparency and preserve the condition of state-owned buildings, facilities, and other improvements for public use or benefit in a cost efficient manner, now and into the future.

Your Committee on Conference has amended this measure by:

- (1) Deleting the requirement that every capital improvement project for the construction of a new state-owned building, facility, or other improvement include a recommended plan for the routine repair and maintenance of the building, facility, or other improvement;
- (2) Changing the effective date to upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2542, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2542, S.D. 2, H.D. 1, C.D. 1.

Representatives Luke, Nishimoto, Yamashita and Pouha.
Managers on the part of the House.
(Representative Yamashita was excused.)

Senators Kim, Keith-Agaran, Tokuda, Ihara and Slom.
Managers on the part of the Senate.
(Senators Ihara and Slom were excused.)

Conf. Com. Rep. 83-16 on S.B. No. 3077

The purpose of this measure is to:

- (1) Establish the Hawaii Interagency Council for Transit-Oriented Development within the Department of Business, Economic Development, and Tourism (DBEDT) to coordinate effective and efficient transit-oriented development planning on a statewide level;
- (2) Designate the Office of Planning as the lead state agency for transit-oriented development coordination;
- (3) Allow the Department of Education to use school impact fees for schools statewide; and
- (4) Appropriate funds to DBEDT for coordinating transit-oriented development planning on a statewide level.

Your Committee on Conference finds that state participation is essential to developing mixed-use, mixed-income projects on state lands in close proximity to rail transit stations. The State is able to provide land and funding to develop more affordable housing and workforce housing, provide required infrastructure to support development of state-owned parcels, and contribute to increasing the regional capacity of major infrastructure systems to accelerate development. Therefore, it is critical to establish the Hawaii Interagency Council for Transit-Oriented Development to promote effective and efficient transit-oriented development planning and coordination in the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting references to mixed use and affordable and rental housing projects for consideration by the Hawaii Interagency Council for Transit-Oriented Development when performing its duties related to transit-oriented development projects, programs, or plans;
- (2) Changing the composition of the Hawaii Interagency Council for Transit-Oriented Development to add the Chief of Staff of the Office of the Governor, replace the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs with the Chairperson of the Stadium Authority, add a representative of the community with experience in housing and real estate development, and redesignate the representative of the Honolulu Field Office of the United States Department of Housing and Urban Development to serve on a non-voting ex-officio basis;
- (3) Inserting a definition for "development plans" into section 225M-2(b), Hawaii Revised Statutes;
- (4) Specifying that school impact fees from projects within a county-designated transit-oriented development zone may be used for various purposes, including construction of new school facilities in new or existing school sites or leasing land or facilities for school use within a county-designated transit oriented development zone;
- (5) Inserting an appropriation amount of \$50,000 for DBEDT for the purposes of this measure;
- (6) Changing the effective date to July 1, 2016; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3077, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3077, S.D. 1, H.D. 1, C.D. 1.

Representatives Aquino, Yamane, Cullen and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Harimoto, Wakai, Inouye, Tokuda and Galuteria.
Managers on the part of the Senate.
(Senators Galuteria and Inouye were excused.)

Conf. Com. Rep. 84-16 on S.B. No. 2981

The purpose of this measure is to:

- (1) Recognize American Sign Language as a world language; and
- (2) Allow students who pass courses in American Sign Language to receive credit for those courses toward satisfaction of graduation requirements for world language.

Your Committee on Conference finds that American Sign Language is a vital part of the linguistic heritage of the State. Familiarity and proficiency in American Sign Language benefits hearing impaired and non-impaired individuals by allowing easier, more efficient communication and exchange of ideas. Additionally, research indicates that individuals with disabilities other than hearing impairment learn and gain proficiency in American Sign Language more quickly than in other languages such as Chinese or Spanish.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to upon approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2981, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2981, S.D. 1, H.D. 1, C.D. 1.

Representatives Ohno, Yamashita, Tokioka and Matsumoto.
Managers on the part of the House.

Senators Kidani, Riviere and K. Kahahe.
Managers on the part of the Senate.

Conf. Com. Rep. 85-16 on S.B. No. 2557

The purpose of this measure is to:

- (1) Expand the scope of the concussion educational program under Act 197, Session Laws of Hawaii 2012, to include youth athletics;
- (2) Incorporate additional requirements into the concussion educational program; and
- (3) Appropriate monies to the Department of Kinesiology and Rehabilitation Science of the University of Hawaii and Department of Education for the purpose of funding the program.

Your Committee on Conference finds that the intent of Act 197, Session Laws of Hawaii 2012, was to provide a statewide concussion educational program to ensure that public and private high school students, school personnel, and parents are provided with consistent and up-to-date information on the management of symptoms and injuries related to a concussion. This measure will expand Act 197 to include youth athletics and refine the requirements of the concussion educational program.

Your Committee on Conference has amended this measure by:

- (1) Changing the definition of "school athletics" to apply to grades nine to twelve;
- (2) Specifying the types of health care providers who can provide clearance to a concussed student prior to the student's return to academics and athletics;
- (3) Requiring that returning students be monitored by a State of Hawaii registered athletic trainer;
- (4) Clarifying the cognitive testing and neuropsychological test requirements of the concussion management educational program;
- (5) Removing the exemption for out of state athletics trainers who have served their respective teams for less than one month from the concussion management educational program;
- (6) Inserting an appropriation amount of \$450,000 for the concussion educational program;
- (7) Removing the appropriation to the Department of Education and placing the concussion and awareness program for youth athletics under the Department of Kinesiology and Rehabilitation Science of the University of Hawaii;
- (8) Changing the effective date to July 1, 2016; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2557, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2557, S.D. 2, H.D. 1, C.D. 1.

Representatives Belatti, Takumi, Nishimoto, Johanson and Fukumoto Chang.
Managers on the part of the House.

Senators Kidani, Baker and Tokuda.
Managers on the part of the Senate.

Conf. Com. Rep. 86-16 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 in accordance with the method adopted by the American Water Works Association's Water Audits and Loss Control Programs, Manual of Water Supply Practices - M36, as amended, and to appropriate funds for this purpose.

Your Committee on Conference finds that the efficient use of the State's limited water resources is of paramount importance to the continued growth and security of the State. Audits can provide valuable information to help utilities manage their operational and financial resources in a more effective manner.

Your Committee on Conference has amended this measure by:

- (1) Inserting the purpose section of the S.D. 2 version;
- (2) Deleting the appropriation of general funds;
- (3) Authorizing \$600,000 of other federal funds for fiscal year 2016-2017 to conduct standardized water audits of public water systems if private matching funds of \$100,000 are provided;
- (4) Appropriating \$700,000 of the authorized revenues for fiscal year 2016-2017 to establish and implement the program to conduct standardized water audits of public water systems;
- (5) Changing the effective date to July 1, 2016; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2645, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2645, S.D. 2, H.D. 1, C.D. 1.

Representatives Yamane, Cullen, Lowen and Pouha.
Managers on the part of the House.
(Representative Pouha was excused.)

Senators Gabbard, English and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 87-16 on S.B. No. 2561

The purpose of this measure is to establish a rental housing strategy for the State by:

- (1) Establishing 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) Establishing 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 an update to the State Planning Act to include the state housing plan;
- (3) Requiring the special action team on affordable rental housing to develop a ten-year plan, to be incorporated into the state housing plan, that identifies state, county, and private parcels of land suitable for affordable housing units; and
- (4) Appropriating funds for the special action team on affordable rental housing.

Your Committee on Conference finds that for the period from 2015 to 2025, Hawaii will require an additional 64,700 housing units to meet projected long-term housing demands. Of this amount, 22,247 households of all income levels will require rental units. The lack of supply leads to higher rents for households of all income levels, leaving all tenants with less disposable income, increasing the personal stress of tenants, reducing tenant quality of life, and exacerbating overcrowding and homelessness. Given these consequences, the lack of affordable rental housing requires the concentrated attention of state government at the highest level and the establishment of specific goals related to affordable rental housing. Therefore, it is necessary to establish a special action team that consists of those who are knowledgeable about affordable housing and prepared not only to identify benchmarks for progress, but also the barriers to progress and the possible solutions to overcome them, to ensure that the State achieves its housing goal.

Your Committee on Conference has amended this measure by:

- (1) Changing the composition of the special action team on affordable rental housing to specify that the public member will represent affordable housing advocacy groups, add a member of the public to represent non-profit developers with expertise in housing development, and add a member of the public to represent for-profit developers with expertise in housing development;
- (2) Clarifying that members who represent affordable housing advocacy groups, non-profit developers, or for-profit developers also may designate an officer or employee of the respective group to attend meetings;
- (3) Inserting an appropriation amount of \$100,000 for the administration and operation of the special action team on rental housing, including staff, and to propose an update to the State Planning Act to include the state housing plan;
- (4) Changing the effective date to upon approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2561, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2561, S.D. 2, H.D. 1, C.D. 1.

Representatives Hashem, Luke, Jordan and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Harimoto, Tokuda and Galuteria.
Managers on the part of the Senate.

Conf. Com. Rep. 88-16 on S.B. No. 2659

The purpose of this measure is to establish an industrial hemp pilot program within the Department of Agriculture to allow the cultivation of industrial hemp and distribution of its seed in the State through limited agricultural or academic research activities, and appropriate funds for one full-time equivalent position to effectuate the pilot program.

Your Committee on Conference finds that industrial hemp is well suited to Hawaii's climate and soil and can grow to over ten feet in a short period of time with little water and no pesticides. According to estimates by the Hemp Industries Association, retail sales of industrial hemp products grew to over \$620,000,000 annually in 2014. Industrial hemp has over 25,000 uses, including food, fiber, and fuel products, and has high potential to contribute to the future viability of the State's agricultural industry.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$425,000 for the Department of Agriculture to effectuate the industrial hemp pilot program, to be allocated as follows:
 - (A) \$100,000 for a Program Coordinator position;
 - (B) \$75,000 for an Inspector position; and
 - (C) \$250,000 for the administrative costs of the program;
- (2) Changing the effective date to July 1, 2016, and the sunset date to June 30, 2021; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2659, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2659, S.D. 2, H.D. 1, C.D. 1.

Representatives Tsuji, Rhoads, Onishi, Belatti and Thielen.
Managers on the part of the House.
(Representatives Belatti and Rhoads were excused.)

Senators Gabbard, Keith-Agaran, English and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 89-16 on S.B. No. 2849

The purpose of this measure is to clarify the State's escrow depositories law by: adding definitions; authorizing the Commissioner of Financial Institutions to use NMLS for its escrow depositories program; adding criminal history record check and disclosure requirements to licensure and change in control applications; updating the escrow depository license renewal date for consistency with NMLS; clarifying sale or transfer of license or change in control requirements; and updating certain fees.

Your Committee on Conference finds that this measure streamlines the escrow depository licensing process by authorizing the Commissioner of Financial Institutions to use NMLS, a nationwide online licensing and registration system for state-licensed providers of financial services. This measure also requires litigation disclosure and criminal history record checks for initial escrow depository license applicants, which will enhance protection of

consumer funds and transactions involving escrow depositories, and makes other amendments to the escrow depositories law for clarity and to support licensee compliance.

Your Committee on Conference has amended this measure by:

- (1) Changing its effective date to upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2849, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2849, S.D. 1, H.D. 1, C.D. 1.

Representatives McKelvey, Rhoads, Nishimoto and Pouha.
Managers on the part of the House.

Senators Baker, Keith-Agaran, Riviere, Kidani and Slom.
Managers on the part of the Senate.
(Senators Riviere and Slom were excused.)

Conf. Com. Rep. 90-16 on H.B. No. 1878

The purpose of this measure is to:

- (1) Appropriate funds for the Kupuna Care Program, aging and disability resource centers (ADRCs), fall prevention and early detection services for the elderly, the Healthy Aging Partnership Program, an Alzheimer's disease and related dementia services coordinator position, and an Alzheimer's disease and related dementia public awareness campaign; and
- (2) Require the Executive Office on Aging to develop a system of evaluation to determine the effectiveness of ADRCs in each county and to submit its evaluation findings to the Legislature no later than 60 days prior to the 2017 Regular Session (evaluation findings).

Your Committee on Conference has amended this measure by:

- (1) Deleting appropriations for the Kupuna Care Program, the Healthy Aging Partnership Program, an Alzheimer's disease and related dementia services coordinator position, and an Alzheimer's disease and related dementia public awareness campaign;
- (2) Appropriating \$1,700,000 for fiscal year 2016-2017 for ADRCs and \$32,000 for fiscal year 2016-2017 for fall prevention and early detection services for the elderly;
- (3) Requiring the Executive Office on Aging to submit the evaluation findings to the Legislature no later than 60 days prior to the 2018 Regular Session, in addition to the report to be submitted before the 2017 Regular Session;
- (4) Requiring the Executive Office on Aging to submit a report to the Legislature no later than 60 days prior to the 2017 and 2018 Regular Sessions on its implementation of the federal No Wrong Door/Aging and Disability Resource Center network implementation grant it received in 2015;
- (5) Changing its effective date to July 1, 2016; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1878, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1878, H.D. 1, S.D. 2, C.D. 1.

Representatives Belatti, Luke, Kobayashi and Tupola.
Managers on the part of the House.

Senators Chun Oakland, Baker, Tokuda and Ihara.
Managers on the part of the Senate.

Conf. Com. Rep. 91-16 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 covered by health benefit plans in the State.

Your Committee on Conference has amended this measure to take effect on July 1, 2016, and to clarify that it apply to policies, contracts, and plans of health insurance issued or renewed after January 1, 2018. Your Committee on Conference has also amended this measure by making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1897, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1897, H.D. 1, S.D. 1, C.D. 1.

Representatives Belatti, McKelvey, Nishimoto, Ichiyama and Fukumoto Chang.
Managers on the part of the House.
(Representatives Ichiyama and McKelvey were excused.)

Senators Baker, Tokuda and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 92-16 on H.B. No. 2252

The purpose of this measure is to require hospitals to adopt and maintain written discharge policies consistent with recent updates to federal regulations by which:

- (1) Each patient can designate a caregiver;
- (2) Each patient and the patient's designated caregiver can participate in the discharge planning and can receive instruction, prior to discharge, related to the patient's after-care needs; and
- (3) Each patient's caregiver is notified of the patient's discharge or transfer.

Your Committee on Conference recognizes that Hawaii's population of older adults continues to increase. In 2012, Hawaii had the highest percentage of residents over the age of 85 in the United States. This population is projected to grow to 65 percent over the next 20 years. These individuals are the most likely to need long-term supports and services and will likely rely on family and friends as their caregivers due to financial and resource constraints.

While strong home- and community-based resources, such as respite, non-medical transportation services, and home-delivered meals, are important to help caregivers and their loved ones, medical supports are also important. Coordination among primary care providers, along with preventive care, will enable many seniors and other individuals with chronic or debilitating conditions to stay in their homes longer. However, in the event of an acute episode, hospitals must provide assistance to patients and their caregivers to prepare them for discharge and help them transition back to home.

All hospitals must comply with comprehensive guidelines mandated by the federal government related to discharge planning and transitions of care. Among other things, hospitals must assess and consider the unique preferences and needs of patients and their caregivers when developing a discharge plan. For a successful transition from hospital to home setting, the patient requires collaboration on the part of inpatient health care professionals and at-home caregivers.

This measure supports families by ensuring that all patients in inpatient hospitals have an opportunity to designate a caregiver who must be notified prior to the discharge or transfer of the patient to ensure that the patient and the designated caregiver are involved in the discharge planning process, and that the patient and caregiver are provided a consistent level of instructional support, both written and oral, prior to discharge to facilitate the patient's transition to the home setting regardless of which facility the patient is in.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2252, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2252, H.D. 1, S.D. 2, C.D. 1.

Representatives Belatti, Rhoads, Keohokalole, Takayama and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Chun Oakland, Keith-Agaran and Kidani.
Managers on the part of the Senate.
(Senator Chun Oakland was excused.)

Conf. Com. Rep. 93-16 on H.B. No. 2559

The purpose of this measure is to promote assisted community treatment as an alternative to involuntary hospitalization. Specifically, this measure:

- (1) Defines "imminently dangerous to self or others";
- (2) Repeals the authority of law enforcement officers to take a person subject to an assisted community treatment order into custody and transport them to a designated mental health program without a court order to do so;
- (3) Changes the maximum period of court-ordered assisted community treatment from one hundred eighty days to one year;
- (4) Amends the circumstances under which a person subject to an assisted community treatment order may be physically forced to take medication or otherwise compelled to comply with prescribed treatment; and
- (5) Repeals the sunset date of statutory language authorizing and setting requirements for assisted community treatment.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the definition of "imminently dangerous to self or others" to mean "that, without intervention, the person will likely become dangerous to self or dangerous to others within the next forty-five days"; and

- (2) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2559, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2559, H.D. 1, S.D. 2, C.D. 1.

Representatives Belatti, Rhoads, Cachola and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, English, Keith-Agaran, Kidani and Nishihara.
Managers on the part of the Senate.
(Senator Nishihara was excused.)

Conf. Com. Rep. 94-16 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) Appropriating funds to develop, operate, and implement the Program, including hiring a full-time coordinator and a workforce development specialist.

Your Committee on Conference has amended this measure by

- (1) Specifying the appropriation amount of \$200,000 to be used to hire only one full-time equivalent coordinator for the Program; and
- (2) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1997, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1997, S.D. 1, C.D. 1.

Representatives Tsuji, Nakashima, Onishi and Matsumoto.
Managers on the part of the House.
(Representative Matsumoto was excused.)

Senators Gabbard, Kidani, Keith-Agaran, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senators Kidani and Slom were excused.)

Conf. Com. Rep. 95-16 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 within the existing Livestock Revitalization Program for Qualified Feed Developers to cover a percentage of the development cost of feed sold to Qualified Producers;
- (2) Appropriating funds to reimburse Qualified Producers of specified livestock, fish, and crustaceans to offset feed costs; and
- (3) Requiring and 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.

Your Committee on Conference has amended this measure by:

- (1) Specifying the appropriation amount of:
 - (A) \$1,000,000 to reimburse Qualified Producers; and
 - (B) \$1,000,000 to reimburse Qualified Feed Developers;
- (2) Deleting the requirement and funding for the Department of Agriculture to conduct a survey of locally sourced feed ingredients;
- (3) Changing its effective date to July 1, 2016; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1999, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1999, H.D. 1, S.D. 2, C.D. 1.

Representatives Tsuji, Onishi and Matsumoto.

Managers on the part of the House.

Senators Gabbard, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 96-16 on H.B. No. 2657

The purpose of this measure is to financially assist Molokai farmers and ranchers in complying with federal and state food safety laws by:

- (1) Converting the Molokai Diversified Agricultural Revolving Loan Program, established by Act 387, Session Laws of Hawaii 1988, to a cost reimbursement program that provides reimbursements to Molokai farmers and ranchers for mandated food safety compliance audits and other related costs; and
- (2) Appropriating funds to the Maui Office of Economic Development to review and approve cost reimbursement applications.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriation for the Maui Office of Economic Development to review and approve cost reimbursement applications;
- (2) Changing its effective date to July 1, 2016; and
- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2657, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2657, H.D. 2, S.D. 2, C.D. 1.

Representatives Tsuji, Kawakami, Onishi, DeCoite and Matsumoto.
Managers on the part of the House.

Senators Gabbard, English, Shimabukuro and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 97-16 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.

Your Committee on Conference amended this measure by:

- (1) Inserting an appropriation amount of \$150,000,000 to be deposited into the Emergency and Budget Reserve Fund; and
- (2) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2317, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2317, H.D. 1, S.D. 1, C.D. 1.

Representatives Luke, Nishimoto and Pouha.
Managers on the part of the House.

Senators Tokuda, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 98-16 on H.B. No. 1907

The purpose of this measure is to:

- (1) Require all law enforcement agencies and departments charged with maintenance, storage, and preservation of sexual assault evidence collection kits to conduct an inventory of all kits they store and transmit a report of the number of untested sexual assault evidence collection kits they possess to the Department of the Attorney General by September 30, 2016;
- (2) Require the Department of the Attorney General to report the number of untested sexual assault evidence collection kits being stored and various information related to those kits by December 1, 2016; and
- (3) Appropriate an unspecified amount of funds to the Department of the Attorney General to initiate the testing of at least five hundred untested sexual assault evidence collection kits by December 31, 2016, and require the Department to distribute the funds among the Counties of Hawaii and Maui, and the City and County of Honolulu based on each county's pro rata share of untested kits as of July 1, 2016.

Your Committee on Conference appreciates the work of national organizations, like the Joyful Heart Foundation, to reduce the number of untested sexual assault evidence collection kits across the country. They have many helpful resources on how other communities are addressing this issue, including expertise on best practices for victim notification. Your Committee on Conference intends that the Department of the Attorney General will work with community stakeholders such as the Joyful Heart Foundation, Commission on the Status of Women, and others, to prepare the report to the Legislature.

Your Committee on Conference strongly supports a victim centered approach to addressing sexual assault crimes in the community and has revised the appropriation in this measure to include victim support services. The Department of the Attorney General should work with community organizations and non-profits to assist victims who may need counseling and other services after learning about the results of their sexual assault evidence collection kits.

Your Committee on Conference has amended this measure by:

- (1) Changing from September 30, 2016, to September 1, 2016, the due date for law enforcement agencies and departments responsible for sexual assault evidence collection kits to conduct an inventory of all kits and submit a report to the Department of the Attorney General;
- (2) Requiring all law enforcement agencies and departments to submit new sexual assault evidence collection kits for testing in accordance with the criteria and policies established by the Department of the Attorney General pursuant to this measure beginning July 1, 2017, and to complete testing of all untested kits by July 1, 2018;
- (3) Clarifying that the Department of the Attorney General shall involve community stakeholders, including representatives from each county, in drafting its report and shall include the criteria and processes for testing untested and new kits in its report;
- (4) Inserting an appropriation amount of \$500,000 to the Department of the Attorney General to initiate the testing of at least 500 untested kits in accordance with specified criteria, report results to the FBI Combined DNA Index System, and provide associated support services to victims affected by the testing; and
- (5) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1907, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1907, H.D. 2, S.D. 2, C.D. 1.

Representatives Morikawa, Rhoads, Ichiyama, Yamashita, Belatti, San Buenaventura and Ward.
Managers on the part of the House.
(Representative Ward was excused.)

Senators Nishihara, Keith-Agaran, Tokuda, Baker and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 99-16 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.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$750,000 for the Judiciary to purchase civil legal services for low- and moderate-income persons;
- (2) Requiring the appropriation to be used pursuant to section 7 of Act 138, Session Laws of Hawaii 2015; and
- (3) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2121, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2121, H.D. 3, S.D. 2, C.D. 1.

Representatives Morikawa, Rhoads, Kobayashi, San Buenaventura and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, Tokuda and Gabbard.
Managers on the part of the Senate.
(Senator Gabbard was excused.)

Conf. Com. Rep. 100-16 on H.B. No. 2205

The purpose and intent of this measure is to refine the governance of charter schools.

Specifically, this measure:

- (1) Prohibits charter school authorizers from providing technical support to prospective charter school applicants or their governing boards when that technical support will impact a decision to approve or deny a charter application;
- (2) Establishes meeting minutes requirements for charter schools and their governing boards;
- (3) Provides nonprofit organizations acting in the role of a conversion charter school governing board with the same protections afforded to all other governing boards;
- (4) Authorizes charter schools to assess and collect special fees and charges from students for co-curricular activities; and
- (5) Allows a conversion charter school to establish its own enrollment procedures and apply certain enrollment preferences.

Your Committee on Conference has amended this measure by making technical, nonsubstantive amendments.

Your Committee on Conference finds that the Legislature did not intend the charter school law to include provisions for a contested case hearing between a charter school and its authorizer when Act 130 was enacted in 2012. The State Public Charter School Commission, as an authorizer of charter schools, is expected to oversee and regulate charter schools to ensure that they are providing a high-quality education and that they are being responsibly managed. For that reason, the Commission should have the authority to revoke or choose not to renew contracts with charter schools that fail to meet the State's expectations on how public funds are spent.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2205, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2205, H.D. 1, S.D. 2, C.D. 1.

Representatives Takumi, Rhoads, Johanson and Matsumoto.
Managers on the part of the House.
(Representative Rhoads was excused.)

Senators Kidani, Dela Cruz and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 101-16 on H.B. No. 801

The purpose of this measure is to support the growth of renewable energy and the reduction of fossil fuel use in Hawaii by authorizing the issuance of not more than \$50,000,000 in special purpose revenue bonds to assist SunStrong LLC in providing renewable energy projects in the state.

After careful consideration, your Committee on Conference has amended this measure by clarifying that SunStrong LLC is an industrial enterprise, rather than a utility serving the general public in providing electric energy, gas, or telecommunications.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 801, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 801, H.D. 1, S.D. 2, C.D. 1.

Representatives Lee, Lowen and Pouha.
Managers on the part of the House.

Senators Inouye, Riviere and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 102-16 on H.B. No. 1689

The purpose of this measure is to foster greater energy security for Hawaii.

Specifically, this measure:

- (1) Amends the existing ethanol facility income tax credit to include facilities that produce other renewable fuels;
- (2) Clarifies that one gallon of renewable fuels shall be equal to 76,330 British thermal units; and
- (3) Provides that a renewable fuels production facility must be in production on or before January 1, 2020, to qualify for the tax credit.

Your Committee on Conference finds that providing additional support to Hawaii's agriculture industry could help to reduce reliance on agricultural imports and to foster job growth in the State. Your Committee on Conference believes that reducing the burden on the emerging number of small farmers seeking costly, but necessary, certifications and inspections will help to promote the production of locally-grown food.

Your Committee on Conference has amended this measure by deleting its contents and inserting provisions to establish a temporary, nonrefundable organic foods production income tax credit to offset the costs incurred by qualified taxpayers in obtaining organic certification and producing organically produced agricultural products.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1689, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1689, H.D. 2, S.D. 2, C.D. 1.

Representatives Lee, Luke, Cullen and Pouha.
Managers on the part of the House.

Senators Inouye, Tokuda and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 103-16 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.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$750,000; and
- (2) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1608, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1608, H.D. 1, S.D. 1, C.D. 1.

Representatives Choy, Nishimoto, Ichiyama and Matsumoto.
Managers on the part of the House.

Senators Taniguchi, Dela Cruz, Gabbard and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 104-16 on H.B. No. 2582

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

- (1) Establishing within the Department of Agriculture (DOA) an Agricultural Food Safety Certification Program (Program) that:
 - (A) Has a certification system which at a minimum complies with the requirements of the FDA Food Safety Modernization Act and concurrently satisfies the requirements of the FDA Food Safety Modernization Act and DOA;
 - (B) Researches less burdensome alternatives to satisfying the requirements of the FDA Food Safety Modernization Act;
 - (C) Establishes food safety compliance education programs; and
 - (D) Acts as an information clearinghouse for food safety laws; and
- (2) Appropriating funds for the development and implementation of the Program and staff positions within the Program.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriation for the development and implementation of the Program;
- (2) Specifying an appropriation amount of \$200,000 for a full-time equivalent program manager, one full-time equivalent clerical staff, and one full-time equivalent specialist; and
- (3) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2582, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2582, H.D. 1, S.D. 1, C.D. 1.

Representatives Tsuji, McKelvey, Onishi, DeCoite and Matsumoto.
Managers on the part of the House.

Senators Gabbard, Baker, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 105-16 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.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1814, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1814, H.D. 1, S.D. 1, C.D. 1.

Representatives Ohno, Johanson, Ichiyama and Matsumoto.
Managers on the part of the House.

Senators Kidani, Galuteria and K. Kahele.
Managers on the part of the Senate.
(Senator K. Kahele was excused.)

Conf. Com. Rep. 106-16 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";
- (3) Appropriating funds for digital devices for use in Department of Education school classrooms; and
- (4) Appropriating funds for the professional development of educators.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriations for:
 - (A) Digital devices for use in Department of Education school classrooms; and
 - (B) The professional development of educators;
- (2) Changing its effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2267, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2267, H.D. 1, S.D. 1, C.D. 1.

Representatives Ohno, Johanson, Ito and Matsumoto.
Managers on the part of the House.

Senators Kidani, Wakai and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 107-16 on H.B. No. 1050

The purpose of this measure is to address the spread of invasive species throughout the State that harms agriculture, native biota, public health, and the economic well-being of the State. More specifically, this measure:

- (1) Requires the Department of Agriculture (DOA) through existing contracts and appropriated funds for invasive species activities to undertake invasive species management related to agricultural lands and agricultural and non-agricultural commodities, including:
 - (A) Developing an interisland and export tracking database;
 - (B) Providing pest-specific risk level assessments for the interisland transport of non-agricultural commodities;
 - (C) Increasing the priority of inspecting the interisland transport of agricultural commodities;

- (D) Developing quarantine treatments for high-risk commodities moving between islands;
 - (E) Coordinating with the Department of Transportation the planning of interisland quarantine activities at ports of entry;
 - (F) Implementing statewide pest management programs for potted plant, cut-flower, and cut-foilage production; and
 - (G) Providing chemicals and equipment to assist growers in reducing infestation in agricultural areas, statewide, as a result of interisland movement of invasive species; and
- (2) Requires the DOA to submit annual reports to the Legislature relating to the status of its mandated activities including projections of future expenditures and future acreage to be under pest management by crop; and
 - (3) Appropriates funds from the Pest Inspection, Quarantine, and Eradication Fund for tasks described in paragraphs (1)(A) to (E) above (Tracking Database and other tasks);
 - (4) Appropriates funds from the Agricultural Development and Food Security Special Fund for tasks described in paragraphs (1)(F) and (G) above (Plants and Chemicals and Equipment); and
 - (5) Appropriates general funds for the purposes of this measure.

Your Committee on Conference has amended this measure by:

- (1) Specifying in its findings and purpose section that:
 - (A) DOA's Plant Quarantine Branch is a critical component in meeting the threat of invasive species entering and spreading throughout the State; and
 - (B) DOA should focus on preventing the introduction of invasive species into the State, in addition to reducing its presence in agricultural production areas and performing other specified tasks;
- (2) With respect to the interisland and export tracking database, providing that all proprietary information be kept confidential by DOA;
- (3) Deleting the requirement that DOA undertake pest-specific risk level assessment of non-agricultural commodities being transported interisland;
- (4) Requiring DOA to increase detection, response, and control programs to address agricultural pests statewide and deleting the requirements that DOA implement pest management programs for potted plants and other specified plants and provide chemicals and equipment to assist growers;
- (5) With respect to DOA's annual reports required by this measure, deleting the required inclusion of information relating to the number of acres in pest management in total and by crop and further requiring that the report be made part of the annual report that DOA is currently required to submit to the Legislature;
- (7) Changing all references to funding sources to general funds of the State and specifying the general fund appropriation amount of:
 - (A) \$100,000 for Tracking Database and other tasks;
 - (B) \$800,000 to increase detection, response, and control programs to address agricultural pests statewide, rather than for Plants and Chemicals and Equipment; and
 - (C) \$1,000,000 for planning, site selection, environmental documentation, and preliminary design for a facility for edible agricultural crops and another facility for non-edible crops for marshalling and treating exports from Hawaii Island, rather than for the purposes of this measure;
- (8) Adding a general fund appropriation of \$100,000 for the Auditor to conduct a financial and performance audit of DOA's Plant Quarantine Branch;
- (9) Changing its effective date to July 1, 2016; and
- (10) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1050, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1050, S.D. 2, C.D. 1.

Representatives Tsuji, Onishi and Matsumoto.
Managers on the part of the House.

Senators Wakai, Gabbard, Riviere, L. Thielen and Slom.
Managers on the part of the Senate.
(Senators Gabbard and Slom were excused.)

Conf. Com. Rep. 108-16 on H.B. No. 2489

The purpose of this measure is to acknowledge the service and sacrifice of members and veterans of the United States Armed Forces by:

- (1) Addressing 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; and
- (2) Appropriating funds for military and veterans commemoration events.

Your Committee on Conference has amended this measure by:

- (1) Appropriating the amount of \$50,772 to establish one full-time equivalent permanent Veterans Services Counselor IV position in the Office of Veterans' Services;
- (2) Appropriating the amount of \$200,000 for the Vietnam veterans fiftieth anniversary commemoration;
- (3) Changing its effective date to July 1, 2016; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2489, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2489, S.D. 1, C.D. 1.

Representatives Ito, Nakashima, Tokioka and Ward.
Managers on the part of the House.

Senators Nishihara, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 109-16 on S.B. No. 2289

The purpose of this measure is to require employers, including those using professional employer organizations or third-party administrators, 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.

Your Committee on Conference finds federal funding levels for the Department of Labor and Industrial Relations are in jeopardy because the federal Bureau of Labor Statistics ties funding to the number of employing units reported and an increasing number of employers are not responding to surveys unless required to do so. Implementation of this measure will allow the Department of Labor and Industrial Relations to gather accurate data regarding employers and protect federal funding levels.

Your Committee on Conference has amended this measure by changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2289, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2289, S.D. 1, H.D. 1, C.D. 1.

Representatives Nakashima, Keohokalole, Ichiyama and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Keith-Agaran, K. Kahele and Shimabukuro.
Managers on the part of the Senate.
(Senator Shimabukuro was excused.)

Conf. Com. Rep. 110-16 on S.B. No. 2076

The purpose of this measure is to:

- (1) Establish a durable medical equipment supplier license program for suppliers of durable medical equipment, prosthetics, orthotics, and related supplies through the Office of Health Care Assurance;
- (2) Allow license fees to be deposited into the office of health care assurance special fund;
- (3) Amend the cap on amounts of the office of health care assurance special fund that may be used per fiscal year; and
- (4) Amend the balance of the office of health care assurance special fund above which monies shall be deposited into the general fund.

Your Committee on Conference finds that in 2013, the federal government established the durable medical equipment competitive bidding program in one hundred metropolitan areas across the nation. The City and County of Honolulu was included as one of those areas and is the only Hawaii

locality that was required to participate. In the years since the competitive bidding program was established, the program has reduced reimbursements drastically for local providers, compromised the quality of care for residents, disrupted health status, and increased costs for seniors and their families.

Your Committee on Conference further finds that the federal government plans to roll out a form of the competitive bidding program into the neighbor islands in 2016, which will create greater challenges for rural beneficiaries when trying to access needed services, resulting in reductions in their health and quality of life. Establishing a licensing program will help to ensure that patients receive a minimum level of access to durable medical devices without increasing the costs or reducing availability of durable medical devices.

Your Committee on Conference has amended this measure by:

- (1) Inserting \$327,000 as the cap on the amount of the office of health care assurance special fund that may be used per fiscal year;
- (2) Inserting \$387,500 as the balance of the office of health care assurance special above which monies shall be deposited into the general fund; and
- (3) Changing the effective date to January 1, 2017.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2076, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2076, S.D. 2, H.D. 1, C.D. 1.

Representatives Belatti, McKelvey, Nishimoto, Creagan and Fukumoto Chang.
Managers on the part of the House.
(Representative Creagan was excused.)

Senators Baker, Chun Oakland and Nishihara.
Managers on the part of the Senate.
(Senator Nishihara was excused.)

Conf. Com. Rep. 111-16 on S.B. No. 2680

The purpose of this measure is to make certain housekeeping amendments within chapter 412, Hawaii Revised Statutes, including:

- (1) Clarifying and addressing inconsistencies within the fee schedule for financial institutions; and
- (2) Repealing the Credit Union Advisory Board.

Your Committee on Conference finds that this measure adds consistency within the fee schedule for financial institutions under chapter 412, Hawaii Revised Statutes. Your Committee on Conference notes that this measure does not add any new fees, but rather corrects and clarifies references to existing fees. This measure also repeals the Credit Union Advisory Board, as this board has been inactive since 2010 and there are currently no state-chartered credit unions in the State. Your Committee on Conference further finds that this measure makes chapter 412, Hawaii Revised Statutes, easier to understand, reduces questions about fees, and enhances the Division of Financial Institutions' ability to collect fees consistent with the fee schedule.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of upon its approval; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2680, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2680, S.D. 1, H.D. 1, C.D. 1.

Representatives McKelvey, Nishimoto, Woodson and Fukumoto Chang.
Managers on the part of the House.
(Representative Woodson was excused.)

Senators Baker, Riviere and Kidani.
Managers on the part of the Senate.
(Senator Kidani was excused.)

Conf. Com. Rep. 112-16 on S.B. No. 2863

The purpose of this measure is to:

- (1) Authorize the issuance of a citation for certain technical violations of massage therapy laws by licensees;
- (2) Establish a process for licensees to contest a citation; and
- (3) Authorize an order of abatement and assessment of fines for each violation.

Your Committee on Conference finds that this measure expedites the Regulated Industries Complaints Office's enforcement of certain technical violations of the massage therapy laws and promotes swift compliance by licensees. Your Committee on Conference further finds that the citation process

established by this measure also enables the Regulated Industries Complaints Office's staff to concentrate their efforts and resources on more serious violations.

Your Committee on Conference has amended this measure by:

- (1) Changing its effective date to July 1, 2016; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2863, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2863, S.D. 2, H.D. 1, C.D. 1.

Representatives McKelvey, San Buenaventura, Nishimoto, Oshiro and Tupola.
Managers on the part of the House.
(Representatives Oshiro and Tupola were excused.)

Senators Baker, Galuteria and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 113-16 on S.B. No. 2812

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

- (1) Requiring affirmative disclosures to donors by professional solicitors;
- (2) Clarifying registration requirements and exemptions from registration;
- (3) Providing for electronic submission of certain forms and financial reports;
- (4) Authorizing the Attorney General to issue cease and desist orders and impose administrative fines;
- (5) Clarifying certain reporting requirements for charitable organizations; and
- (6) Making other technical amendments.

Your Committee on Conference finds that this measure makes various amendments to Hawaii's charitable registration and solicitation law, including requiring an affirmative disclosure in the course of solicitation, which will require professional solicitors to be more transparent and will prevent donor confusion and deceptive practices. This measure also provides for electronic submission of certain financial reports that professional solicitors are required to submit to the Attorney General and makes other amendments that simplify the filing process for charitable organizations. Your Committee on Conference further finds that this measure improves and clarifies Hawaii's charitable registration and solicitation law in a manner that better reflects the realities of the nonprofit fundraising environment, promotes transparency for donors, and encourages ease of compliance for charitable nonprofits.

Your Committee on Conference has amended this measure by changing its effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2812, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2812, S.D. 2, H.D. 2, C.D. 1.

Representatives McKelvey, San Buenaventura, Nishimoto, Morikawa and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Keith-Agaran, Galuteria, Kidani and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 114-16 on S.B. No. 2298

The purpose of this measure is to adopt a revised version of the Uniform Fiduciary Access to Digital Assets Act, which provides authority to plan for the management and disposition of digital assets.

Your Committee on Conference finds that the Uniform Law Commission has worked to address concerns raised by Internet service providers and privacy advocates over the original Uniform Fiduciary Access to Digital Assets Act, which the Uniform Law Commission first adopted in 2014. As a result of those efforts, the Uniform Law Commission has adopted a revised version of the Uniform Fiduciary Access to Digital Assets Act. Your Committee on Conference further finds that the Revised Uniform Fiduciary Access to Digital Assets Act, which this measure proposes to adopt, is intended to modernize fiduciary law for the Internet Age by providing Internet users with the ability and authority to plan for the management and disposition of their digital assets in a manner similar to the process for management and disposition of tangible property.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2016; and

- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2298, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2298, S.D. 1, H.D. 1, C.D. 1.

Representatives McKelvey, Rhoads, Nishimoto and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Keith-Agaran, Galuteria, Kidani and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 115-16 on S.B. No. 2652

The purpose of measure bill is to:

- (1) Establish a five-year renewable fuels production tax credit;
- (2) Require the Department of Business, Economic Development, and Tourism to certify all renewable fuels production 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.

Your Committee on Conference finds that Hawaii is vulnerable to soaring prices or disruptions of its energy imports, which can hinder, cripple, or even devastate the State's economy and the well-being of its inhabitants. Your Committee also finds that, as the most isolated populated land mass on Earth, Hawaii imports nearly ninety percent of its energy and almost one hundred percent of its transportation resources. Your Committee further finds that it is critical for Hawaii to ensure greater energy security by becoming more self-sufficient in its energy supply.

Your Committee on Conference has amended this measure by:

- (1) Deleting the organic foods production tax credit;
- (2) Making the annual dollar amount of the tax credit equal to twenty cents per seventy-six thousand British thermal units of renewable fuels;
- (3) Capping the amount of the tax credit an individual taxpayer may claim at \$3,000,000 per taxable year;
- (4) Capping the amount of credits the Department of Business, Economic Development, and Tourism may certify at \$3,000,000 in the aggregate; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2652, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2652, S.D. 2, H.D. 2, C.D. 1.

Representatives Lee, Lowen, Onishi and Tupola.
Managers on the part of the House.

Senators Inouye, Tokuda and Gabbard.
Managers on the part of the Senate.

Conf. Com. Rep. 116-16 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 the sustainable schools initiative with 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 funds 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 funds 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 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.

Your Committee on Conference finds that there is an urgent need to implement air conditioning and other heat abatement measures in public school classrooms to preserve and promote the health and safety of students and teachers and to foster a more productive learning environment. In his 2016 State of the State address, the Governor challenged the Department of Education to cool one thousand classrooms by the end of the year, and while your Committee may not agree on the proposed method of financing, it views this measure as a vehicle and an opportunity to quickly bring relief to students and teachers statewide.

Your Committee on Conference has amended this measure by:

- (1) Removing language in the purpose section relating to cooling one thousand classrooms by the end of 2016;
- (2) Deleting language establishing a sustainable schools initiative within the Department of Education;
- (3) Deleting language requiring the Department of Education to establish a minimum of one microgrid pilot project;
- (4) Deleting language requiring the Department of Education to expedite cooling measures in all public school classrooms;
- (5) Deleting appropriations from the Hawaii green infrastructure special fund and general obligation bonds;
- (6) Deleting authorization for the Department of Education and Department of Budget and Finance to borrow funds from the green infrastructure loan program;
- (7) Appropriating \$100,000,000 in general funds to the Department of Education for capital improvement program equipment and installation costs for air conditioning, heat abatement, energy efficient lighting, and other energy efficiency measures at public schools;
- (8) Making this measure effective upon its approval; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3126, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3126, S.D. 2, H.D. 2, C.D. 1.

Representatives Lee, Takumi, Luke, Yamashita and Tupola.
Managers on the part of the House.
(Representative Yamashita, Tupola was excused.)

Senators Kidani, Inouye and Tokuda.
Managers on the part of the Senate.
(Senator Inouye was excused.)

Conf. Com. Rep. 117-16 on S.B. No. 2512

The purpose of this measure is to increase penalties and establish fines for animal desertion, except where the animal is released as part of a game management program.

Your Committee on Conference finds that thousands of animals, primarily dogs and cats, are abandoned across Hawaii every year, contributing to increased animal control costs, animal suffering and overpopulation, increased euthanasia rates at local animal shelters, and possible harm to native wildlife. Your Committee on Conference further finds that stronger penalties for animal desertion would encourage pet owners to work with local shelters and animal control contractors when a pet must be re-homed, strengthen pet retention and the human-animal bond, and protect pet owners and the animals themselves.

Your Committee on Conference emphasizes that this measure is not intended to apply to the release of animals as part of a designated population management program.

Your Committee on Conference has amended this measure by:

- (1) Moving language that would have amended section 143-2.6, Hawaii Revised Statutes, relating to animal desertion, to a new section under chapter 711, Hawaii Revised Statutes, relating to offenses against the public order, to establish the offense of pet animal or equine animal desertion;
- (2) Deleting language that would have exempted the release of an animal as part of a population management program from the offense of animal desertion;

- (3) Replacing the term "animal" with "pet animal", which is defined in section 711-1100, Hawaii Revised Statutes, as "a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption";
- (4) Including the term "equine animal", which is defined in section 711-1100, Hawaii Revised Statutes, as "an animal of or belonging to the family Equidae, including horses, ponies, mules, donkeys, asses, burros, and zebras";
- (5) Clarifying that desertion of a pet animal or equine animal is a petty misdemeanor subject to a fine not exceeding \$1,000 and recklessly causing the death of or substantial bodily harm to a pet animal or equine animal as a result of desertion is a misdemeanor subject to a fine not exceeding \$2,000;
- (6) Clarifying that each pet animal or equine animal that is deserted or suffers death or substantial bodily injury as a result of desertion constitutes a separate offense;
- (7) Inserting a definition of the term "desert" to mean to leave without the intent to return;
- (8) Making it effective upon its approval; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2512, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2512, S.D. 1, H.D. 2, C.D. 1.

Representatives Rhoads, Nishimoto, Brower and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Gabbard, Keith-Agaran, Riviere and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 118-16 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.

Your Committee on Conference finds that various state government programs and projects receive federal funding. However, federal funds may not always be available to support the various state government programs and projects that rely on this funding. Accordingly, your Committee finds that a comprehensive analysis of the possible consequences of a reduction in federal funding for state government programs and projects will assist policymakers in the development of responsible financial strategies.

Your Committee on Conference has amended this measure by:

- (1) Inserting a \$100,000 appropriation for fiscal year 2016-2017; and
- (2) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2550, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2550, H.D. 1, C.D. 1.

Representatives Luke, Cullen, Jordan and Pouha.
Managers on the part of the House.
(Representative Jordan was excused.)

Senators Tokuda, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 119-16 on S.B. No. 2922

The purpose of this measure is to require the Tax Review Commission that was appointed on or before July 1, 2015, or its successor commission intended to function prior to the appointment of a new commission on or before July 1, 2020, to submit its evaluation of the State's tax structure and its recommendations of revenue and tax policy to the Legislature prior to the Regular Session of 2018.

Additionally, this measure appropriates an unspecified amount of general funds to the Department of Taxation for use by the Tax Review Commission in its evaluation and recommendations.

Your Committee on Conference has amended this measure by specifying the appropriation amount as \$250,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2922, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2922, H.D. 1, C.D. 1.

Representatives Luke, Nishimoto, Onishi and Pouha.
Managers on the part of the House.

Senators Tokuda, English and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 120-16 on S.B. No. 2559

The purpose of this measure is to address homelessness by providing more emergency and transitional shelter space funded in a cost-effective manner.

Specifically, this measure:

- (1) Establishes minimum requirements regarding sanitation facilities, partitioned space, and storage for personal possessions in emergency shelters that receive stipends from or are owned by the Department of Human Services;
- (2) Authorizes the Department of Human Services to establish additional requirements for emergency shelters;
- (3) Requires provider agencies that provide homeless shelter or assistance to submit financial audits annually, instead of triennially;
- (4) Requires that homeless shelter stipends be made based upon performance measures actually achieved;
- (5) Repeals statutory automatic annual adjustments of homeless stipend amounts and authorizes the Department of Human Services to contract with the provider agency for automatic adjustments;
- (6) Requires that shelter and service payments amounts collected from homeless families and individuals be based upon ability to pay or other criteria established by contract with the Department of Human Services;
- (7) Establishes positions and appropriates funds to assist in the operation of the homeless program;
- (8) Appropriates funds for the establishment or improvement of emergency and transitional shelters for the homeless and for non-recurring costs for projects or programs to assist homeless families and individuals; and
- (9) Requires the Department of Human Services to submit interim and final reports on the expenditure of funds in 2017 and 2018, respectively, for the establishment or improvement of emergency and transitional shelters for the homeless and for non-recurring costs for projects or programs to assist homeless families and individuals.

Your Committee on Conference believes that requiring, rather than authorizing, emergency shelters to provide partitioned space for each homeless family or individual will help to make emergency shelters more appealing to homeless families and individuals. Further, your Committee notes that the funds appropriated and positions established by this measure are more suitable for inclusion within House Bill No. 1700, the Supplemental Appropriations Act of 2016.

Your Committee has amended this measure by:

- (1) Requiring, rather than authorizing, shelters to provide partitioned space for each homeless family or individual;
- (2) Deleting the provisions establishing and appropriating an unspecified amount of general funds for 2.0 permanent full-time equivalent (2.0 FTE) program specialist IV positions to assist in the operation of the homeless program;
- (3) Deleting the provision appropriating an unspecified amount of general funds for the establishment or improvement of emergency and transitional shelters for the homeless and funding of other non-recurring costs for projects or programs to assist homeless families and individuals;
- (4) Deleting the provisions requiring the Department of Human Services to submit reports to the Legislature and Governor on the expenditure of funds for the establishment or improvement of emergency transitional shelters after June 30, 2017;
- (5) Making section 6, which requires any contract executed after June 30, 2017, between the Department of Human Services and a provider of emergency or transitional shelter, to comply with the requirements of the measure, effective July 1, 2016; and
- (6) Making the effective date for sections 1 through 5, 7, and 8 of the measure July 1, 2017.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2559, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2559, S.D. 1, H.D. 1, C.D. 1.

Representatives Morikawa, Luke, Jordan and McDermott.
Managers on the part of the House.
(Representative Jordan voted no, and Representative McDermott was excused.)

Senators Tokuda, Harimoto, Chun Oakland, Galuteria and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 121-16 on S.B. No. 2547

The purpose of this measure is to require the Department of Taxation to periodically review certain exemptions, exclusions, and credits under the general excise and use taxes, public service company tax, and insurance premium tax.

The measure also requires the Department of Taxation to make recommendations on whether the reviewed exemptions, exclusions, or credits should be retained, amended, or repealed.

Your Committee on Conference has amended this measure by requiring the Auditor, rather than the Department of Taxation, to conduct the reviews.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2547, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2547, S.D. 1, H.D. 1, C.D. 1.

Representatives Luke, Cachola, DeCoite and Pouha.
Managers on the part of the House.
(Representative Cachola was excused.)

Senators Tokuda, Dela Cruz and Galuteria.
Managers on the part of the Senate.

Conf. Com. Rep. 122-16 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 for:

- (1) The purchase of lands of the former Kapalama Military Reservation; and
- (2) The Hawaii Health Systems Corporation for its employer contributions to the Employees' Retirement System and the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee on Conference finds that that the State's general fund balance currently reflects repayments for two cash advances totaling \$103,200,000 that have not been repaid: An \$89,900,000 cash advance authorized in 1989 for the purchase of lands of the former Kapalama Military Reservation; and a \$13,300,000 cash advance made in fiscal year 2002-2003 for Hawaii Health Systems Corporation contributions to the Employees' Retirement System and to the Hawaii Employer-Union Health Benefits Trust Fund.

Thus, the assets and liabilities of the general fund are currently overstated by \$103,200,000, and it appears unlikely that these cash advances will be repaid.

Your Committee on Conference further finds that appropriating moneys to formally reconcile these general fund cash advances will more accurately reflect the general fund balance and actual resources available to finance state programs and expenses.

Your Committee on Conference has amended this measure by:

- (1) Changing the appropriation amount for the purchase of lands of the former Kapalama Military Reservation from an unspecified amount to \$89,900,000; and
- (2) Changing the appropriation amount for the Hawaii Health Systems Corporation from an unspecified amount to \$13,300,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2845, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2845, H.D. 1, C.D. 1.

Representatives Luke, Kobayashi, Nishimoto and Pouha.
Managers on the part of the House.

Senators Tokuda, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 123-16 on S.B. No. 2555

The purpose of this measure is to appropriate moneys to be deposited into the emergency and budget reserve fund to comply with the constitutional mandate to provide a tax refund or credit or make such a deposit.

Your Committee on Conference finds that when certain economic conditions occur, article VII, section 6, of the Hawaii Constitution requires the Legislature to either provide a tax refund or tax credit to state taxpayers or make a deposit into one or more funds to serve as a reserve for the State. These constitutionally established conditions were met at the end of fiscal years 2013-2014 and 2014-2015. However, your Committee on Conference notes that pursuant to section 328L-3(a)(3), Hawaii Revised Statutes, general funds may only be deposited into the emergency budget and reserve fund when state general fund revenues for each of the two successive fiscal years exceeds revenues for each of the preceding fiscal years by five percent. While the general fund revenues for fiscal year 2014-2015 exceeded fiscal year 2013-2014's revenues by more than five percent, the general fund revenues for fiscal year 2013-2014 did not exceed the revenues for fiscal year 2012-2013 by more than five percent. Therefore, although the constitutionally established economic

conditions have been met, the statutorily established economic conditions to make a deposit of general funds into the emergency budget and reserve fund were not met.

Your Committee on Conference finds that notwithstanding the statutory provisions, it is prudent to make a deposit into the emergency and budget reserve fund rather than provide a tax refund or tax credit. Increasing the reserve fund balance is in the public's best interest, as it will better enable the State to address possible emergencies and contingencies that may occur in the future when state revenues decline.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$1,000,000 from the general revenues to be deposited into the emergency and budget reserve fund; and
- (2) Changing the effective date so that the measure becomes effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2555, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2555, H.D. 1, C.D. 1.

Representatives Luke, Johanson, Nishimoto and Pouha.
Managers on the part of the House.

Senators Tokuda, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 124-16 on S.B. No. 2551

The purpose of this measure is to require the Judiciary to annually report to the Legislature on all non-general funds managed by the Judiciary, including administratively established accounts and funds.

Your Committee on Conference finds that it is necessary to be informed of the total fiscal situation of the State to make sound budgetary decisions. The Auditor's Report No. 15-16, "Review of Special Funds, Revolving Funds, Trust Funds, and Trust Accounts of the Judiciary", reported that "[a]ccording to [j]udiciary personnel, sections 37-47(9), (10), and (11), Hawaii Revised Statutes, do not apply to its special funds." As a result, the Auditor found that several trust funds and accounts of the Judiciary were not reported to the Legislature. This measure imposes on the Judiciary the same non-general fund reporting requirements imposed on executive branch departments.

Your Committee on Conference has amended this measure by:

- (1) Amending the purpose section to appropriately reflect the findings of Auditor's Report No. 15-16 and make conforming amendments;
- (2) Inserting language from S.B. No. 2551, as introduced, that inserts a new section in chapter 601, Hawaii Revised Statutes, to require the Judiciary to annually report to the Legislature certain information regarding each non-general fund account; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2551, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2551, H.D. 1, C.D. 1.

Representatives Rhoads, Jordan, Kawakami and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, Tokuda and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 125-16 on S.B. No. 2108

The purpose of this measure is to authorize the Attorney General and county prosecuting attorneys to use administrative subpoenas to obtain records in criminal investigations, regardless of whether the recipient or the records are physically located within the State.

Your Committee on Conference finds that during all phases of a criminal case, the Attorney General and county prosecutors frequently need to obtain records from an entity located outside of the State. However, existing law pertaining to criminal records process only authorizes the use of grand jury subpoenas and trial subpoenas to obtain records held by entities located outside of the State. As a result, the Attorney General and county prosecutors have no authority to use administrative subpoenas to obtain records that are held by entities located outside of the State during the investigative phase of a criminal case. Implementation of this measure will facilitate criminal investigations and properly enable the use of subpoenas during all phases of a criminal case.

Your Committee on Conference has amended this measure by changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2108, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2108, H.D. 1, C.D. 1.

Representatives Rhoads, DeCoite, San Buenaventura and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, K. Kahele and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 126-16 on S.B. No. 2106

The purpose of this measure is to:

- (1) Increase the per diem payments for an out-of-state witness in criminal cases from \$145 to an unspecified amount; and
- (2) Increase the per diem payment supplement from \$90 to an unspecified amount for a witness from any island other than the island on which the court is located when that witness is required to stay overnight.

Your Committee on Conference finds that the criminal case witness per diem stipend amounts have not kept pace with Hawaii's cost of living. Given the increases in costs for lodging and food, the existing per diem stipend amounts are insufficient to cover personal expenses and, as a result, may prevent victims of crimes from pursuing charges against criminal offenders. This measure increases the per diem stipend amounts for out-of-state witnesses and witnesses who require an overnight stay on another island in the State to support and encourage victims and other witnesses to report criminal offenses and pursue criminal charges.

Your Committee on Conference has amended this measure by:

- (1) Inserting a per diem amount of \$200 for an out-of-state witness in a criminal case;
- (2) Inserting a per diem amount of \$145 for a witness from any island other than the island on which the court is located when that witness is required to stay overnight; and
- (3) Changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2106, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2106, H.D. 1, C.D. 1.

Representatives Rhoads, LoPresti, Cullen and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, Galuteria and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 127-16 on S.B. No. 2077

The purpose of this measure is to:

- (1) Authorize a severance benefit or special retirement benefit to an employee who is separated from service due to the transfer of management and operations of the Hawaii Health Systems Corporation Maui Regional System and 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; provided certain requirements are satisfied; and
- (2) Require the State to pay, on behalf of certain Hawaii Health Systems Corporation retirees, a percentage of the base Medicare or non-Medicare monthly contribution to the Hawaii Employer-Union Health Benefits Trust Fund and one-half of the monthly contributions for the employee-beneficiary with dependent beneficiaries upon the death of the employee.

Your Committee on Conference finds that public employees who are displaced through privatization or the closure of a state or county facility frequently face excessive economic hardship. Displaced employees may have only a few years of creditable service or be close to retirement but still need additional years of service. Implementation of this measure addresses the complexity of employees who are at different life stages and will decrease economic hardship associated with layoffs due to the transfer of management and operations of the Maui Regional System.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2077, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2077, S.D. 1, H.D. 2, C.D. 1.

Representatives Nakashima, Luke, Yamashita and Tupola.
Managers on the part of the House.

Senators Keith-Agaran, Tokuda and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 128-16 on S.B. No. 2723

The purpose of this measure is to increase the maximum penalties for government contractors who violate the State's wages and hours of employees on public works law to:

- (1) A penalty that is equal to ten percent of the amount of back wages due or an unspecified amount per offense, whichever is greater, for the first offense;
- (2) A penalty equal to an unspecified amount per offense for a second violation occurring within two years of the first notification of violation; and
- (3) A penalty that is equal to an unspecified amount per offense for a third violation occurring within three years of the second notification of violation.

Your Committee on Conference finds that the existing penalties for government contractors who violate the State's wages and hours of employees on public works law, codified as chapter 104, Hawaii Revised Statutes, are insufficient in deterring certain contractors from underpaying employees. When contractors comply with chapter 104, Hawaii Revised Statutes, there is a level playing field for bidding on state and county projects. Implementation of this measure assists the Department of Labor and Industrial Relations in enforcing chapter 104, Hawaii Revised Statutes, and encourages government contractors to comply with the law.

Your Committee on Conference has amended this measure by:

- (1) Amending the penalty for the first violation to twenty-five percent of the amount of back wages found due or \$250 per offense, up to \$2,500, whichever is greater;
- (2) Amending the penalty for the second violation to the amount of back wages found due or \$500 per offense, up to \$5,000, whichever is greater;
- (3) Amending the penalty for the third violation to two times the amount of back wages found due or \$1,000 per offense, up to \$10,000, whichever is greater; and
- (4) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2723, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2723, S.D. 1, H.D. 2, C.D. 1.

Representatives Nakashima, Rhoads, Keohokalole, Yamashita and Fukumoto Chang.
Managers on the part of the House.
(Representatives Rhoads and Yamashita were excused.)

Senators Keith-Agaran, Taniguchi and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 129-16 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 for a person making a video or audio recording or photograph of a law enforcement officer while the officer is in the performance of 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 the public safety and order.

Your Committee on Conference finds that due to the popularity and widespread use of smartphones with video or audio recording and photographing capabilities, such as videos, recordings, and photos of law enforcement officers who are exercising their duties have been used as evidence in police conduct matters or widely disseminated via social media. However, such recordings and photographs may be seen as obstructing government operations or an invasion of privacy. This measure establishes an exception under certain circumstances to enable a person to record or photograph a law enforcement officer exercising the officer's duties without violating the law.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2439, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2439, S.D. 1, H.D. 1, C.D. 1.

Representatives Rhoads, DeCoite, San Buenaventura, Takayama and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, K. Kahele and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 130-16 on H.B. No. 1041

The purpose of this measure is to enhance the management and protection of resources pertaining to hunting. Specifically, this measure:

- (1) Establishes the Game Management Advisory Commission to serve in an advisory capacity to the Board of Land and Natural Resources for policies and criteria regarding public hunting;
- (2) Establishes the composition and powers of the Game Management Advisory Commission;
- (3) Requires the Game Management Advisory Commission to submit annual reports to the Legislature; and
- (4) Appropriates funds for the establishment of the Game Management Advisory Commission.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$40,000 for the establishment of the Game Management Advisory Commission;
- (2) Changing its effective date to July 1, 2016; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1041, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1041, H.D. 2, S.D. 2, C.D. 1.

Representatives Yamane, Rhoads, Cullen, Onishi and Matsumoto.
Managers on the part of the House.

Senators Gabbard, Inouye, Shimabukuro and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 131-16 on H.B. No. 1749

The purpose of this measure is to amend the goals of the Hawaii water plan to include increased utilization of reclaimed water in all state facilities, where feasible.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the goal shall be to achieve utilization of reclaimed water for uses other than drinking and for potable water needs in one hundred percent of state and county facilities by December 31, 2045; and
- (2) Making the measure effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1749, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1749, H.D. 1, S.D. 2, C.D. 1.

Representatives Yamane, Cullen, Lee and Pouha.
Managers on the part of the House.

Senators Gabbard, Kim, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 132-16 on H.B. No. 2029

The purpose of this measure is to establish the Water Infrastructure Loan Program to enable private entities to purchase or install water infrastructure equipment for water distribution systems.

Your Committee on Conference has amended this measure by:

- (1) Changing the appropriation amounts to \$800,000;
- (2) Deleting the appropriation for the implementation of the Hawaii Water Infrastructure Loan Program; and
- (3) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2029, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2029, H.D. 1, S.D. 2, C.D. 1.

Representatives Yamane, Cullen, Evans and Matsumoto.

Managers on the part of the House.

Senators Gabbard, Wakai, English and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 133-16 on H.B. No. 2037

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources to host the International Union for Conservation of Nature World Conservation Congress meeting at the Hawaii Convention Center on September 1 to 10, 2016.

Your Committee on Conference hopes that in response to the support offered that the State of Hawaii will be given a prominent role at the meeting, and that its local vendors will be highlighted. Your Committee on Conference also expects that the Department of Land and Natural Resources will seek matching funds from other sources to accomplish the goals of this measure.

Your Committee on Conference has amended this measure by:

- (1) Deleting language from the preamble;
- (2) Changing the appropriation amount to \$4,000,000;
- (3) Changing the appropriation to fiscal year 2015-2016 and extending its lapse date to June 30, 2017;
- (4) Removing the provisions that required matching private funds; and
- (5) Changing its effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2037, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2037, H.D. 1, S.D. 2, C.D. 1.

Representatives Yamane, Brower, Cullen and Matsumoto.
Managers on the part of the House.

Senators Gabbard, English, Tokuda and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 134-16 on H.B. No. 2040

The purpose of this measure is to increase the State's water security. Specifically, this measure:

- (1) Establishes a two-year pilot program on developing public-private partnerships that increase water security;
- (2) Establishes a water security advisory group to advise the Department of Land and Natural Resources on water security proposals; and
- (3) Authorizes the Department of Land and Natural Resources, upon the advice of the advisory group, to provide matching state funds for projects and programs that:
 - (A) Increase the recharge of groundwater resources;
 - (B) Encourage the reuse of water and reduce the use of potable water for landscaping irrigation; and
 - (C) Improve the efficiency of potable and agricultural water use.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that a designee of the Manager and Chief Engineer of the county Boards of Water Supply may be a member of the water security advisory group;
- (2) Changing the appropriation amount to \$750,000; and
- (3) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2040, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2040, S.D. 1, C.D. 1.

Representatives Yamane, Lee, Cullen and Matsumoto.
Managers on the part of the House.

Senators Gabbard, Dela Cruz and Slom.
Managers on the part of the Senate.

(Senator Slom was excused.)

Conf. Com. Rep. 135-16 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 uncertified certificates of title for fee time share interests.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2090, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2090, H.D. 2, S.D. 2, C.D. 1.

Representatives Yamane, Cullen, Lee and Pouha.
Managers on the part of the House.

Senators Baker, Keith-Agaran and Kidani.
Managers on the part of the Senate.
(Senator Kidani was excused.)

Conf. Com. Rep. 136-16 on H.B. No. 2247

The purpose of this measure is to authorize 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.

Your Committee on Conference 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.

Your Committee on Conference has amended the bill by:

- (1) Permitting the State or county to make payment directly to the officer or employee unless the officer or employee affirmatively consents to loan the State or county the money for the travel costs and be reimbursed after the officer or employee pays for the travel costs; provided that the employer shall not take adverse employment action against an officer or employee who does not affirmatively consent to the arrangement; and
- (2) Making this measure effective on July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2247, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2247, H.D. 1, S.D. 2, C.D. 1.

Representatives Rhoads, Johanson, Keohokalole and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Keith-Agaran, Kim and Taniguchi.
Managers on the part of the Senate.

Conf. Com. Rep. 137-16 on H.B. No. 2671

The purpose of this measure is to assist the Attorney General in the gathering and reporting of critical criminal justice data 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 a fine for state agency, county agency, and county chief of police noncompliance with the requirements of this measure.

Your Committee on Conference finds that accurate, timely, and comprehensive reporting of crime data is vital to the administration of justice and enables law enforcement agencies to better monitor the allocation of agencies' scarce resources and keeps the public informed.

Your Committee on Conference has amended this measure by:

- (1) Deleting the establishment of a fine for not complying with the requirements of this measure;
- (2) Changing its effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2671, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2671, H.D. 2, S.D. 2, C.D. 1.

Representatives Rhoads, LoPresti, Hashem and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Nishihara, Keith-Agaran, Galuteria, Shimabukuro and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 138-16 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.

Your Committee on Conference wishes to strongly emphasize that the value of this measure in reforming the Hawaii Penal Code and related other statutes must be considered in its entirety. The measure reflects the majority consensus recommendations of the Penal Code Review Committee established pursuant to House Concurrent Resolution No. 155, S.D.1 (2015), which was composed of judges, prosecutors, public defenders, members of the defense bar, crime victims' advocates, legislators, law enforcement officials, the director of the Department of Public Safety, a representative from the Office of Hawaiian Affairs, and community advocates from a variety of backgrounds. The Review Committee also solicited input from relevant stakeholders. As the executive summary of the Penal Code Review Committee report notes, its work "drew on the collective experience of its diverse membership and, at the same time, attempted to see what current criminal justice research could teach."

The work of the Penal Code Review Committee ultimately recommended changes to fifty existing statutes and adoption of four new statutes, culminating in a total of eighty-four proposals. Key proposals included amendments aimed at making forensic examinations of defendants more efficient and timely, and ensuring that, regardless of whether a pre-sentence diagnosis is performed, reasonable efforts are made to inform victims and their families of the right to be present and heard at sentencing, particularly in felony cases. The measure also includes a new section clearly establishing the priority for payments that a defendant is ordered to make, including restitution, crime victims compensation fee, probation services fee, human trafficking victims services fees, DNA analysis monetary assessment, and fines. This measure additionally affords new statutory authority for a court to add, as a condition for probation under certain circumstances, that a defendant submit to searches by a probation officer of his or her person, residence, vehicle, or other sites and property under the person's control, and to sign a waiver of extradition and pay extradition costs as the court may determine.

Your Committee on Conference has concluded that it is necessary to further strengthen the habitual property crime statute, section 708-803, Hawaii Revised Statutes (HRS). While it is not desirable to incarcerate an individual for stealing items worth \$300, the current felony theft threshold, especially when reminded of the fact that each day of incarceration costs Hawaii taxpayers \$137 per incarcerated individual, it is important to properly penalize those individuals who have made a career of thievery. Accordingly, the required number of prior convictions needed in order for an individual to be charged as a habitual property crime perpetrator has been reduced by one conviction, to either two felonies, two misdemeanors, a felony and a misdemeanor, a felony and a petty misdemeanor, a misdemeanor and a petty misdemeanor, or three petty misdemeanors. For the first time, petty misdemeanor theft will be included under the habitual threat statute. Along with the amendment based on the Penal Code Review Committee's recommendation to double the length of time from five years to ten years that a conviction can qualify one for habitual theft status, these amendments will hold habitual thieves more accountable.

Your Committee believes that the amendments to the habitual property crime statute address concerns of business owners that by raising the threshold value of items stolen, criminal activity will be encouraged. To the contrary, as concluded in a recent Pew Charitable Trusts issue brief that analyzed the possible relationship between increased felony theft thresholds and property crime rates in thirty states between 2001 and 2011, raising felony theft thresholds has had no impact on overall property crime. Further, states that have increased their thresholds have reported roughly the same average decrease in crime as states that did not and the amount of a state's felony theft threshold has not correlated with its property crime and theft rates.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the prohibition against suspending the right to bail when the defendant raises a mental health defense or unfitness to proceed does not apply to defendants who are under an order of commitment to a hospital for mental health purposes;
- (2) Reducing by one the number of qualifying convictions required to meet the habitual property crime perpetrator status and allowing any offense committed under chapter 708, HRS, to qualify;
- (3) Referencing the definition of an offense "committed in the presence of a minor" from section 706-606.4, HRS, in the abuse of a family or household member statute;
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style; and
- (5) Making this measure take effect on July 1, 2016.

Finally, your Committee on Conference wishes to emphasize that it is the Legislature's duty to review and propose statutory revisions and that, as a whole, this measure represents the Legislature's current comprehensive policy position on revision to the Hawaii Penal Code and ancillary related statutes in other chapters of the HRS. While your Committee is aware and expects that further revisions will be debated and considered in future years, your Committee strongly urges that this measure be enacted to provide broad-ranging substantive reform, fairness, and efficiency to the administration of justice in our State.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2561, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2561, H.D. 1, S.D. 1, C.D. 1.

Representatives Rhoads, LoPresti, San Buenaventura and Ward.
Managers on the part of the House.

Senators Keith-Agaran, K. Kahele and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 139-16 on H.B. No. 1543

The purpose of this measure is to:

- (1) Authorize the issuance of general obligation bonds to finance project appropriations contained in Acts of the Legislature for which the means of funding are designated as general obligation bond funds or reimbursable general obligation bond funds; and
- (2) Make a declaration of findings regarding the authorizations as required by the Constitution of the State of Hawaii.

Article VII, section 13, of the Constitution of the State of Hawaii requires the Legislature to include a declaration of findings in every general law authorizing the issuance of general obligation bonds, which shall declare that the issuance of state bonds authorized will not cause the debt limit to be exceeded at the time of issuance.

Your Committee on Conference has amended this measure by:

- (1) Inserting the appropriate dollar amounts throughout the measure as provided by the Department of Budget and Finance;
- (2) Updating dates cited in the measure;
- (3) Changing its effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1543, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1543, S.D. 1, C.D. 1.

Representatives Luke, Nishimoto and Pouha.
Managers on the part of the House.

Senators Tokuda, Dela Cruz and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 140-16 on H.B. No. 1700

PART I. OVERVIEW

Your Committee on Conference has approved a Conference Draft of the executive budget that reduces the operating budget request submitted by the Administration. The Conference Draft reduces \$14,210,046 in all funds, inclusive of reducing \$13,761,322 in general funds, for fiscal year 2015-2016 and appropriates an additional \$405,792,059 in all funds, inclusive of \$202,317,436 in general funds, for fiscal year 2016-2017.

The following table displays the net change to the Administration's budget request as a result of the Conference Draft amendments.

	Fiscal Year 2015-2016		Fiscal Year 2016-2017	
	All Funds	Gen. Funds	All Funds	Gen. Funds
Executive Request	\$6,832,489	\$7,281,213	\$507,796,893	\$336,576,420
Conference Draft Change To Executive Request	(\$21,042,535)	(\$21,042,535)	(\$102,004,834)	(\$134,258,984)

The net change of the Conference Draft results in an executive budget for fiscal biennium 2015-2017 as follows:

	Fiscal Year 2015-2016		Fiscal Year 2016-2017	
	All Funds	Gen. Funds	All Funds	Gen. Funds
Executive Budget Act 119, SLH 2015	\$12,874,418,668	\$6,584,744,854	\$13,296,497,506	\$6,834,254,853

Net Change Of Conference Draft	(\$14,210,046)	(\$13,761,322)	\$405,792,059	\$202,317,436
Total Appropriation	\$12,860,208,622	\$6,570,983,532	\$13,702,289,565	\$7,036,572,289

PART II. OPERATING BUDGET

Agriculture

The Administration's request was to add \$85,118 in general funds and \$476,345 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Agriculture's appropriation for fiscal year 2016-2017 by adding \$1,091,987 in general funds and \$1,407,500 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$500,000 in general funds for pesticide regulation expenses;
- (2) Adding \$500,000 in special funds for a Kauai Nene Pilot Project to protect against crop damage from Nene geese; and
- (3) Adding \$500,000 in special funds for agricultural development and research in coordination with agricultural commodity organizations.

Accounting and General Services

The Administration's request was to add \$5,504,894 in general funds and \$1,568,859 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Accounting and General Services' appropriation for fiscal year 2016-2017 by adding \$2,292,749 in general funds and \$1,568,859 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding 8.00 positions and \$319,190 in general funds for the implementation of a centralized system for payroll, and time and attendance;
- (2) Adding \$1,200,000 in special funds for system enhancements to the Maui Police Department 911 Call Center in the interest of public safety;
- (3) Adding 3.00 positions and \$132,486 in general funds for cyber security; and
- (4) Adding 4.00 positions and \$525,387 in general funds for custodial and utility costs for the re-occupancy of the Kamamalu Building.

Attorney General

The Administration's request was to add \$2,359,461 in general funds and \$12,086,606 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of the Attorney General's appropriation for fiscal year 2016-2017 by adding \$2,647,735 in general funds and \$12,024,075 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$380,000 in general funds for Statewide Sexual Assault Services;
- (2) Adding \$2,500,000 in interdepartmental transfer funds for interdepartmental reimbursements for legal services;
- (3) Adding \$1,063,000 in general funds, \$83,000 in special funds, \$105,000 in federal funds, and \$689,000 in interdepartmental transfer funds for deputy attorneys general salary increases;
- (4) Adding \$700,000 in general funds for Career Criminal Prosecution Statewide units; and
- (5) Adding \$800,339 to the other federal funds ceiling.

Business, Economic Development, and Tourism

The Administration's request was to add \$6,134,165 in general funds and \$35,331,555 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Business, Economic Development, and Tourism's appropriation for fiscal year 2016-2017 by adding \$4,030,266 in general funds and reducing \$14,014,881 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$150,000 in general funds for an unmanned aerial systems test site for the Office of Aerospace Development;

- (2) Adding \$100,000 in general funds for the Creative Lab program;
- (3) Adding \$100,000 in general funds for the Hawaii Broadband Initiative; and
- (4) Adding 1.00 position and \$92,386 in revolving funds for a Transit-Oriented Coordinator for the Hawaii Housing Finance and Development Corporation.

Budget and Finance

The Administration's request was to add \$130,084,811 in general funds and \$11,494,559 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Budget and Finance's appropriation for fiscal year 2016-2017 by adding \$47,887,320 in general funds and \$17,349,226 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Making additional payments of \$81,937,500 in general funds to pre-fund other post-employment benefit obligations of the State;
- (2) Adding \$600,000 in general funds for a new budget report writing system for the Departmental Administration and Budget Division; and
- (3) Adding 2.00 positions and \$60,716 in general funds for the Budget, Program Planning, and Management Division.

Commerce and Consumer Affairs

The Administration's request was to add \$1,669,991 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Commerce and Consumer Affairs' appropriation for fiscal year 2016-2017 by adding \$1,504,991 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$304,889 for fiscal year 2016-2017 in special funds for the Public Utilities Commission's administration expenses assessment; and
- (2) Adding \$500,000 for fiscal year 2016-2017 in special funds for the upgrade of the Financial Institutions Management System.

Defense

The Administration's request was to add \$3,610,068 in general funds and to reduce \$1,183,171 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Defense's appropriation for fiscal year 2016-2017 by adding \$4,590,901 in general funds and \$15,662,061 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding 10.00 temporary positions and \$437,740 in general funds for Hawaii Emergency Management Agency staffing for new disaster projects;
- (2) Adding \$669,000 in general funds for repair and maintenance of the department's state buildings and structures;
- (3) Adding \$541,980 in general funds to reduce the department's negative adjustment;
- (4) Adding 7.00 positions and \$502,036 in general funds for a multi-skilled burial team and equipment for the Hawaii State Veterans' Cemetery; and
- (5) Adding \$758,000 in general funds and \$1,636,720 in other federal funds for veterans' assistance burial services and cemetery repair and maintenance.

Education

Regular Education

The Administration's request was to add \$45,586,668 in general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Education's appropriation for fiscal year 2016-2017 by adding \$31,488,109 in general funds and reducing \$2,782,947 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$16,537,791 in general funds for the Weighted Student Formula;
- (2) Adding \$5,215,919 in general funds for electricity costs;
- (3) Adding \$6,984,689 in general funds for public school transportation services;

- (4) Adding \$670,000 in general funds for Alternative Teacher Route Programs; and
- (5) Adding \$650,000 in general funds for tree trimming, foliage control, and pest control.

Hawaii State Public Library System

The Administration's request was to add \$771,454 in general funds and \$500,000 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Hawaii State Public Library System's appropriation for fiscal year 2016-2017 by adding \$820,727 in general funds and \$500,000 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$370,727 in general funds for security services statewide;
- (2) Adding \$250,000 in general funds and \$500,000 in special funds for library books and materials; and
- (3) Adding \$200,000 in general funds to reduce the repair and maintenance backlog for public libraries statewide.

Charter Schools

The Administration's request was to reduce \$2,610,602 in general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Charter Schools' appropriation for fiscal year 2016-2017 by reducing \$3,436,840 in general funds.

Early Learning Program

The Administration's request was to add \$98,108 in general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Early Learning Program's appropriation for fiscal year 2016-2017 by adding \$117,854 in general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$41,000 in general funds for mileage, transportation, and computer equipment for the Pre-kindergarten Program; and
- (2) Adding 2.00 temporary positions and \$76,854 in general funds for the Executive Office on Early Learning.

Governor

The Administration's request was to add \$578,974 in general funds and reduce \$311,348 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Office of the Governor's appropriation for fiscal year 2016-2017 by adding \$520,000 in general funds and reducing \$311,348 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding 2.00 temporary positions and \$300,000 in general funds for Office of Military Affairs and Federal Grants Maximization; and
- (2) Adding \$150,000 in general funds for personal services.

Hawaiian Home Lands

The Administration's request was to add \$7,512,374 in general funds for fiscal year 2015-2016, and to add \$8,192,157 in general funds and reduce \$23,036,859 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Hawaiian Home Lands' appropriation by adding \$7,512,374 in general funds for fiscal year 2015-2016, and by adding \$14,293,340 in general funds and reducing \$10,508,882 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$17,144,374 in general funds for administrative and operating expenses for fiscal year 2015-2016;
- (2) Adding 28.00 positions and \$1,484,364 in general funds for additional staffing for administrative and operating support; and
- (3) Changing the means of financing for 163.00 permanent and 9.00 temporary positions from special and trust funds to general funds.

Health

The Administration's request was to add \$22,722,386 in general funds and \$4,413,670 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Health's appropriation for fiscal year 2016-2017 by adding \$17,310,754 in general funds and \$4,544,018 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$6,000,000 in general funds for Hawaii State Hospital deficit;
- (2) Adding \$3,000,000 in general funds for Kupuna Care; and
- (3) Adding 20.00 positions and \$1,270,120 in general funds for the management of the Dengue fever outbreak and newly emerging public health threats.

Hawaii Health Systems Corporation

The Administration's request was to add \$31,000,000 in general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Hawaii Health Systems Corporation's appropriation for fiscal year 2016-2017 by adding \$31,000,000 in general funds.

Your Committee on Conference notes that this measure allocates portions of the general, special, and capital improvement appropriations for the Hawaii Health Systems Corporation's Regions to implement Act 103, Session Laws of Hawaii 2015, for disbursement to the Maui Health System, a Kaiser Foundation Hospitals LLC ("MHSKFH"), if the operations of the Maui Regional System's three hospital facilities are discontinued and the facilities are leased to MHSKFH as authorized by that Act. By the Transfer Agreement dated as of January 14, 2016, MHSKFH requested, and the State of Hawaii agreed to take, reasonable steps to secure legislative appropriations for operating support, including initial working capital, and capital improvement support to complete the implementation of Act 103. The Governor conveyed the State's request for these appropriations to the Legislature by Budget Message #7 dated January 29, 2016. By a letter (which included nineteen attachments) dated April 20, 2016, MHSKFH conveyed its request directly to the President, the Speaker, and the Chairs of your Committee on Conference. Your Committee on Conference subjected MHSKFH's request for funding to the standards and conditions for the receipt of operating and capital support set out in sections 323F-58(b) and 323F-59(c), Hawaii Revised Statutes, and considered the assertions MHSKFH made, and the supporting documents it included in its April 20, 2016 letter. Your Committee on Conference confirms that MHSKFH satisfies all the standards and conditions set out in sections 323F-58(b) and 323F-59(c).

Human Resources Development

The Administration's request was to add \$940,262 in general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Human Resources Development's appropriation for fiscal year 2016-2017 by adding \$1,193,495 in general funds.

The Conference Draft of the executive budget includes adding \$666,000 in general funds for fiscal year 2016-2017 for workers' compensation claims.

Human Services

The Administration's request was to add \$56,488,864 in general funds and \$80,098,991 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Human Services' appropriation for fiscal year 2016-2017 by adding \$29,331,042 in general funds and adding \$146,526,440 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$12,000,000 in general funds for fiscal year 2016-2017 for homeless programs;
- (2) Adding \$3,000,000 in general funds for fiscal year 2016-2017 for Hawaii Public Housing Authority state family and state elderly housing facilities;
- (3) Adding \$10,000,000 in general funds for fiscal year 2016-2017 for Preschool Open Doors; and
- (4) Changing the means of financing for 16.00 positions and \$1,125,584 from federal funds to general funds for rental assistance services housing vouchers.

Labor and Industrial Relations

The Administration's request was to add \$954,876 in general funds and \$2,588,105 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Labor and Industrial Relations' appropriation for fiscal year 2016-2017 by adding \$3,149,546 in general funds and \$2,588,105 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$750,000 in general funds to support Workforce Advisory Councils;
- (2) Adding \$572,857 in general funds for the Community Services Block Grant Program;
- (3) Adding 1.00 position and \$25,386 in general funds for enforcement of workers' compensation, temporary disability insurance, and prepaid health care laws; and
- (4) Adding \$5,000 in special funds for human trafficking victim services.

Land and Natural Resources

The Administration's request was to add \$6,686,866 in general funds and \$15,878,876 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Land and Natural Resources' appropriation for fiscal year 2016-2017 by adding \$3,611,824 in general funds and \$9,324,293 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$1,500,000 in general funds for a United States Geographical Survey study on Hawaii streams;
- (2) Adding 10.00 positions and \$344,256 in general funds for the operation of harbor facilities six days a week;
- (3) Adding \$400,000 in general funds for the wildfire contingency fund;
- (4) Adding \$250,000 in general funds for endangered species management; and
- (5) Adding \$250,000 in general funds for marine debris removal.

Public Safety

The Administration's request was to add \$6,120,295 in general funds and \$300,000 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Public Safety's appropriation by reducing \$3,164,155 in general funds for fiscal year 2015-2016 and by adding \$2,768,393 in general funds and \$300,000 in non-general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$438,560 in general funds for basic utilities costs for the Maui Community Correctional Center;
- (2) Adding \$284,228 in general funds for physician malpractice insurance costs for the Healthcare Division;
- (3) Adding \$50,000 in general funds for motor vehicle fuel and oil for the Sheriff Division; and
- (4) Adding \$869,165 in general funds for lease rent for the Department of Public Safety Administration building and State Narcotics Enforcement Division offices.

Taxation

The Administration's request was to reduce \$528,223 in general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Taxation's appropriation for fiscal year 2016-2017 by reducing \$1,134,777 in general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding 2.00 tax examiner positions and \$40,980 in general funds for the neighbor islands; and
- (2) Transferring 12.00 positions and \$664,668 in general funds from the Director's Office to the Information Technology Services Office for administrative support.

Your Committee on Conference would like to note that the tax examiner positions are not to be used to create an Investigation Branch.

Transportation

The Administration's request was to add \$25,449,794 in special funds and \$3,894,500 in federal funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the Department of Transportation's appropriation for fiscal year 2016-2017 by adding \$1,500,000 in general funds and \$17,793,113 in non-general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$580,000 in special funds for Hilo International Airport seating replacement;
- (2) Adding \$613,500 in special funds for Lihue Airport routine maintenance contracts;
- (3) Adding \$1,000,000 in special funds for pier and wharf insurance;
- (4) Adding \$1,500,000 in special funds for albizia mitigation on Hawaii Island; and
- (5) Adding \$800,000 in special funds for replacement of Kauai Highways bridge inspection equipment.

University of Hawaii

The Administration's request was to add \$12,368,302 in general funds for fiscal year 2016-2017.

The Conference Draft of the executive budget adjusts the University of Hawaii's appropriation for fiscal year 2016-2017 by adding \$5,287,604 in general funds.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Adding \$3,000,000 in general funds for University of Hawaii Athletics;
- (2) Adding \$1,250,000 in general funds for equipment for community colleges;
- (3) Adding 4.00 positions and \$330,000 in general funds for the College of Tropical Agriculture and Human Resources' Cooperative Extension Service;
- (4) Adding 27.00 positions for the University of Hawaii at Hilo to establish a security and safety patrol force; and
- (5) Adding 6.00 positions and \$357,604 in general funds for the University of Hawaii, West Oahu campus.

Subsidies

The Conference Draft of the executive budget adjusts the subsidies' appropriation for fiscal year 2016-2017 by adding \$2,500,000 in general funds.

The Conference Draft of the executive budget added the \$2,500,000 in general funds to support Wahiawa General Hospital in Private Hospitals and Medical Services (SUB601).

PART III. CAPITAL IMPROVEMENT PROJECTS BUDGET

Your Committee on Conference finds that capital improvement projects play a vital role in rebuilding our economy and strengthening our social infrastructure.

Act 119, Session Laws of Hawaii 2015, provided \$640,617,000 in fiscal year 2015-2016 and \$188,504,000 in fiscal year 2016-2017 for projects funded by general obligation bonds. Your Committee on Conference has reduced funds in fiscal year 2015-2016 for a total appropriation of \$636,767,000 and added funds in fiscal year 2016-2017 for a total appropriation of \$1,159,637,000 for projects funded by general obligation bonds, and provided \$2,517,960 for fiscal biennium 2015-2017 for projects funded by all other means of financing.

Highlights of the capital improvements program budget for the biennium include:

- (1) Water irrigation systems repairs for the Department of Agriculture, totaling \$26,000,000 in general obligation bond funds for fiscal year 2016-2017;
- (2) Government financial system upgrades for the Department of Accounting and General Services, totaling \$15,000,000 in general obligation bond funds for fiscal year 2016-2017, \$10,000,000 for health and safety at Aloha Stadium for fiscal year 2016-2017, and adding \$11,200,000 in general obligation bond funds in fiscal year 2016-2017 for lump sum health and safety, totaling \$23,200,000 for the 2015-2017 fiscal biennium;
- (3) A rental housing revolving fund capital infusion of \$36,600,000 in general obligation bond funds and a dwelling unit revolving fund capital infusion of \$25,000,000 in general obligation bond funds for fiscal year 2016-2017 to expand affordable housing statewide;
- (4) Lump sum condition, capacity, equity, and program support for Department of Education schools, adding \$50,000,000 in general obligation bond funds in fiscal year 2016-2017 for a total of \$295,768,000 for the 2015-2017 fiscal biennium;
- (5) Funding for construction for the Hawaii State Hospital totaling \$160,500,000 in general obligation bond funds in fiscal year 2016-2017;
- (6) Funding to support repair and maintenance for Hawaii public housing, totaling \$35,150,000 in general obligation bond funds for fiscal year 2016-2017;
- (7) Lump sum repair and maintenance for the Department of Public Safety, adding \$64,400,000 in general obligation bond funds in fiscal year 2016-2017 for a total of \$76,900,000 for the 2015-2017 fiscal biennium; and
- (8) Support for repair and maintenance at University of Hawaii campuses, including \$25,000,000 in general obligation bond funds for community colleges and \$48,625,000 in general obligation bond funds for University of Hawaii systemwide support in fiscal year 2016-2017.

Your Committee on Conference has also provided funding for deferred maintenance and health and safety, including appropriations to, among others, the Department of Defense; Department of Hawaiian Home Lands; Department of Land and Natural Resources; and Department of Business, Economic Development, and Tourism.

Additionally, your Committee on Conference believes that investment in airports, harbors, and highways is necessary to address the continued influx of visitors, the efficient transport of goods within and without the State, and the day-to-day needs of our residents. Your Committee on Conference has demonstrated its commitment to transportation projects by appropriating \$2,262,849,000 for fiscal biennium 2015-2017 for the Department of Transportation, including \$469,997,000 for highways statewide.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1700, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1700, H.D. 1, S.D. 1, C.D. 1.

Representatives Luke, Cachola, Cullen, DeCoite, Johanson, Jordan, Keohokalole, Kobayashi, LoPresti, Lowen, Nishimoto, Onishi, Tokioka, Yamashita and Pouha.

Managers on the part of the House.

Senators Tokuda, Dela Cruz, Chun Oakland, English, Galuteria, Harimoto, Inouye, Riviere, Taniguchi, Wakai and Slom.
Managers on the part of the Senate.
(Senators Harimoto and Slom were excused.)

Conf. Com. Rep. 141-16 on H.B. No. 2626

The purpose of this measure is to place restrictions on permits for underground storage tanks.

Specifically, this measure:

- (1) Beginning July 1, 2016, prohibits the Department of Health from issuing a permit for any new underground storage tank within one hundred yards of the shoreline;
- (2) Beginning January 1, 2020, requires the Department of Health to work with and assist owners of permitted underground storage tanks within one hundred yards of the shoreline to relocate or phase out their use of the underground storage tanks by January 1, 2045; and
- (3) Beginning January 1, 2045:
 - (A) Prohibits any person from operating an underground storage tank within one hundred yards of the shoreline; and
 - (B) Prohibits the renewal of any permit for an underground storage tank within one hundred yards of the shoreline.

Your Committee on Conference finds that climate change is real and that rising sea levels threaten the quality of life in Hawaii. Based on this finding, your Committee on Conference believes that the inundation of underground storage tanks poses risks to the aquifer as well as coastal water quality and marine ecosystems. Therefore, the phasing out of underground storage tanks within one hundred yards of the shoreline is in the best interest of the public's health, safety, and welfare.

Your Committee has amended this measure by:

- (1) Removing the requirement that the Department of Health work with and assist owners of permitted underground storage tanks within one hundred yards of the shoreline to relocate or phase out their use of the underground storage tanks by January 1, 2045;
- (2) Specifying that this measure applies to underground fuel storage tanks; and
- (3) Making technical amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2626, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2626, H.D. 1, S.D. 2, C.D. 1.

Representatives Lee, Yamane, Rhoads, Luke and Ward.
Managers on the part of the House.
(Representative Rhoads was excused.)

Senators Wakai, Gabbard and Baker.
Managers on the part of the Senate.

Conf. Com. Rep. 142-16 on H.B. No. 2646

The purpose of this measure is to establish a fuel tank advisory committee to study issues related to leaks of certain fuel storage tanks throughout the State.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriation for the fuel tank advisory committee;
- (2) Changing its effective date to July 1, 2016; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2646, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2646, H.D. 2, S.D. 2, C.D. 1.

Representatives Lee, Yamane, Lowen, Johanson and Ward.
Managers on the part of the House.

Senators Wakai, Baker, Inouye and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 143-16 on H.B. No. 2569

The purpose of this measure is to appropriate general funds and the proceeds of general obligation bonds to the Department of Education for air conditioning, heat abatement, energy efficient lighting, and related energy efficiency measures at public schools.

Your Committee on Conference finds that the temperatures in many Hawaii public school classrooms often exceed levels that are optimal for learning and, in certain classrooms, may jeopardize the safety of students and teachers. While your Committee on Conference believes that air conditioning and heat abatement are necessary to improve the learning environment in the State's public schools, your Committee on Conference believes that the State's students and teachers will be best served if the contents of this measure were included in another measure. Your Committee on Conference also believes that this measure can still serve as a vehicle to require the Department of Education to cool Hawaii's public school classrooms, provide students and teachers with a better environment for learning, reduce the Department of Education's energy costs, and achieve progress toward the State's renewable energy goals.

Accordingly, your Committee on Conference has amended this measure by deleting its contents and inserting language from Senate Bill No. 3126, H.D. 2. More specifically, the amended measure requires the Department of Education to:

- (1) Establish a goal of becoming net-zero with respect to energy use by January 1, 2035;
- (2) Expedite the cooling of all public school classrooms; and
- (3) Submit an annual report to the Legislature containing information about its progress toward the net-zero energy goal and the cooling of all public school classrooms.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2569, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2569, H.D. 2, S.D. 1, C.D. 1.

Representatives Lee, Takumi, Luke, Lowen, Yamashita and Pouha.
Managers on the part of the House.
(Representative Yamashita was excused.)

Senators Kidani, Inouye and Tokuda.
Managers on the part of the Senate.
(Senator Inouye was excused.)

Conf. Com. Rep. 144-16 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. More specifically, this measure:

- (1) Requires the University of Hawaii to:
 - (A) Train all employees and students on sexual harassment, sexual assault, domestic violence, dating violence, and stalking laws and policies;
 - (B) Designate a confidential advocate for students at each of its campuses and provide certain contact information of confidential advocates on the website of each respective campus;
 - (C) Make available to students and employees written and electronic materials and training programs concerning Title IX of the Higher Education Amendments of 1972; the Violence Against Women Act of 1994; and University of Hawaii policies concerning sexual harassment, sexual assault, domestic violence, dating violence, and stalking;
 - (D) 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; and
 - (E) Conduct a campus climate survey of all students every two years, beginning no later than December 31, 2016;
- (2) Designates all faculty members as "responsible employees" required to report any violations of University of Hawaii executive policies regarding sexual harassment, sexual assault, domestic violence, dating violence, and stalking to the Title IX Coordinator;
- (3) Requires 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;
- (4) Provides that any student who reports an incident of sexual assault, including incidents in which the student making the report is under the age of 21 and has consumed alcohol, will not be subject to disciplinary action by the University of Hawaii for acts evidenced by information provided by the student or information obtained based upon information provided by the student;
- (5) Requires the University of Hawaii to revise executive policies that conflict with policies that are the subject of required training and reporting under this measure and to enter into memoranda of understanding with police departments regarding sexual assault; and
- (6) Makes an appropriation in an unspecified amount.

Your Committee on Conference has amended this measure by:

- (1) Modifying the deadline by which all existing University of Hawaii employees must be provided with training on sexual harassment, sexual assault, domestic violence, dating violence, and stalking laws and policies;
- (2) Removing the provision that any student who reports an incident of sexual assault, including incidents in which the student making the report is under the age of 21 and has consumed alcohol, will not be subject to disciplinary action by the University of Hawaii for acts evidenced by information provided by the student or information obtained based upon information provided by the student;
- (3) Requiring all University of Hawaii employees and students to complete required training on sexual harassment, sexual assault, domestic violence, dating violence, and stalking laws and policies, or possibly be subject to fines, sanctions, or other discipline, as deemed appropriate by the University of Hawaii;
- (4) Modifying the deadline by which the University of Hawaii must begin conducting the campus climate survey of all students;
- (5) To ensure compliance with Title IX of the federal Education Amendments of 1972, as amended, and the Violence Against Women Act of 1994, as amended:
 - (A) Appropriating \$250,000 for fiscal year 2016-2017 to the University of Hawaii at Manoa;
 - (B) Appropriating \$160,000 for fiscal year 2016-2017 to the University of Hawaii at Hilo; and
 - (C) Appropriating \$150,000 for fiscal year 2016-2017 to the University of Hawaii Community Colleges;
- (6) Changing its effective date to July 1, 2016; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2772, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2772, H.D. 1, S.D. 2, C.D. 1.

Representatives Ichiyama, Rhoads, Nishimoto, Choy and Matsumoto.
Managers on the part of the House.
(Representative Rhoads was excused.)

Senators Taniguchi, Keith-Agaran, Tokuda and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 145-16 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 maximum penalty for a physician's failure to file medical reports from \$250 to \$500, and for an 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 not more than \$2,500 to \$5,000 against an employer for the deduction of premium payments from an employee's wages in violation of chapter 386, Hawaii Revised Statutes.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2363, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2363, H.D. 1, S.D. 1, C.D. 1.

Representatives Nakashima, McKelvey, Keohokalole, Aquino and Fukumoto Chang.
Managers on the part of the House.
(Representative Aquino was excused.)

Senators Keith-Agaran, Baker, Taniguchi and K. Kahele.

Managers on the part of the Senate.
(Senator Baker was excused.)

Conf. Com. Rep. 146-16 on H.B. No. 1046

The purpose of this measure is to provide compensation and expungement of conviction to persons who can demonstrate they were wrongfully convicted and imprisoned when actually innocent.

Your Committee on Conference finds that this measure will help wrongfully convicted persons by providing compensation and expungement of conviction to persons who can demonstrate that they were wrongfully convicted and imprisoned when actually innocent. Your Committee on Conference notes that the language in this measure is substantially similar to the draft legislation proposed by the Hawaii Chapter of the American Judicature Society Special Committee on Redress for Unlawful Imprisonment. The Special Committee reviewed statutes from other states and proposed language that balances the interests of an allegedly wrongfully imprisoned petitioner with the State's limited resources.

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. These persons face distinct challenges upon re-entering society and have difficulty achieving legal redress due to a variety of substantive and technical obstacles in the law. Your Committee on Conference finds that these individuals deserve a process of redress over and above the existing tort remedies to seek compensation for damages from the jurisdiction that wrongly convicted and imprisoned them.

Your Committee on Conference has amended this measure by changing its effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1046, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1046, H.D. 2, S.D. 2, C.D. 1.

Representatives Rhoads, Cullen, San Buenaventura and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, Tokuda and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 147-16 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 the offense of Sex Trafficking requires proof of negligence with respect to the victim's age when the victim of sex trafficking is under 18 years of age;
- (4) Specifying that when a minor under the age of 18 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.

Your Committee on Conference has amended this measure by specifying that a minor may be taken into custody by a police officer without an order of a judge when there is reasonable grounds to believe that the minor received a fee to engage in prostitution.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1902, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1902, H.D. 2, S.D. 1, C.D. 1.

Representatives Rhoads, Nishimoto, Belatti, San Buenaventura and Matsumoto.
Managers on the part of the House.
(Representative Belatti was excused.)

Senators Keith-Agaran, Gabbard and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 148-16 on H.B. No. 2156

The purpose of this measure is to reform the campaign finance laws relating to the use of campaign funds and the financing of the Campaign Spending Commission's operations. Specifically, the measure:

- (1) Increases the options available to candidate committees and noncandidate committees in their use and disposition of campaign funds;
- (2) Repeals the use of the Hawaii election campaign fund for the operating expenses of the Campaign Spending Commission; and
- (3) Appropriates general funds to the Campaign Spending Commission for operating expenses.

Your Committee on Conference has amended this measure by:

- (1) Deleting the amendment that allowed a candidate, treasurer, or candidate committee to make donations from campaign funds to private schools;
- (2) Deleting the provisions that allowed a deceased candidate's committee to use campaign funds to make donations to certain types of organizations, return the residual funds to the contributors, or both;
- (3) Deleting the amendment that would have repealed the use of Hawaii election campaign funds for Campaign Spending Commission operating expenses;
- (4) Deleting the appropriation for the Campaign Spending Commission's operating expenses; and
- (5) Making it take effect upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2156, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2156, H.D. 2, S.D. 2, C.D. 1.

Representatives Rhoads, Nishimoto, Kawakami and McDermott.
Managers on the part of the House.
(Representative McDermott was excused.)

Senators Keith-Agaran, Tokuda, Dela Cruz, K. Kahele and Kim.
Managers on the part of the Senate.
(Senator Dela Cruz was excused.)

Conf. Com. Rep. 149-16 on H.B. No. 260

The purpose of this measure is to close insurance gaps associated with transportation network companies by establishing motor vehicle insurance requirements for transportation network companies and transportation network company drivers.

Your Committee on Conference has amended this measure by:

- (1) Specifying that solely for the purposes of the required motor vehicle insurance, neither a transportation network company nor a transportation network company driver shall be deemed to be a common carrier by motor vehicle, a contract carrier by motor vehicle, a motor carrier as defined in section 271-4, Hawaii Revised Statutes, a taxicab, or a for-hire vehicle service;
- (2) Clarifying the motor vehicle insurance requirements for a transportation network company driver or transportation network company on the transportation network company driver's behalf, including:
 - (A) Specifying that the insurance requirements contained in this measure shall take effect on September 1, 2016;
 - (B) Specifying that any named insured may accept or reject the optional coverages required to be offered by insurers pursuant to this measure;
 - (C) Adding additional disclosure requirements that the insurer or transportation network company must disclose to a driver where the transportation network company is the only named insured under the motor vehicle insurance policy;
 - (D) Clarifying that passengers and pedestrians continue to be entitled to their own motor vehicle insurance benefits, subject to the limitations in the transportation network company driver's or the vehicle owner's personal motor vehicle policy;
 - (E) Clarifying the records requirements for transportation network companies;
- (3) Requiring the Insurance Commissioner to conduct an annual study on the impact of this measure on personal motor vehicle insurance rates in the State and submit a report to the Legislature prior to the convening of the Regular Sessions of 2017, 2018, 2019, 2020, and 2021;
- (4) Specifying that this measure shall take effect upon its approval and be repealed on September 1, 2021; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 260, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 260, H.D. 1, S.D. 1, C.D. 1.

Representatives McKelvey, Aquino, Luke and Fukumoto Chang.
Managers on the part of the House.
(Representative Aquino was excused.)

Senators Baker, Tokuda, Espero and Kidani.
Managers on the part of the Senate.
(Senator Kidani was excused.)

Conf. Com. Rep. 150-16 on S.B. No. 3102

The purpose of this measure is to:

- (1) Authorize the Department of Business, Economic Development, and Tourism to develop, and any state agency to enter into, and implement inter-agency agreements without entering into a memorandum of agreement or memorandum of understanding;
- (2) Establish the high-growth grant program and high-growth grant special fund to assist qualified businesses through the provision of grants for specific business development purposes; and
- (3) Appropriate funds to be deposited into and appropriated out of the high-growth grant special fund for the high-growth grant program.

Your Committee on Conference finds that duplicate agency programs result in an ineffective use of resources. Inter-agency agreements provide agencies with an opportunity to coordinate resources and eliminate unnecessary duplication without having to enter into a memorandum of agreement or memorandum of understanding. Implementation of this measure will streamline and expedite agreements between state agencies.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the high-grant program may not provide grants to qualified businesses greater than thirty percent of the amount that is privately invested in a business; provided that the program provides no more than \$250,000 to any qualified business in one calendar year, rather than forty percent of the amount that is privately invested and an annual limit of \$400,000;
- (2) Inserting an appropriation amount of \$1,000,000 to be deposited into and appropriated out of the high-growth grant special fund for the high-growth grant program; and
- (3) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3102, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3102, S.D. 1, H.D. 1, C.D. 1.

Representatives Kawakami, Yamashita, Kong and Ward.
Managers on the part of the House.

Senators Kim, Keith-Agaran, Tokuda, Del and Cruz.
Managers on the part of the Senate.

Conf. Com. Rep. 151-16 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.

Your Committee on Conference finds that the development of low-income affordable housing is necessary to address the issue of homelessness and respond to the critical shortage of housing inventory in the community. Increasing the investment attractiveness of state low-income housing tax credits would generate more equity to finance the development of affordable rental housing projects.

Your Committee on Conference has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 2833, as introduced, which makes the state low-income housing tax credits more valuable by reducing the state tax credit period from ten to five years and specifying the amount of low-income housing tax credits that may be claimed by a taxpayer for any qualified low-income building that receives an allocation prior to January 1, 2017, and after December 31, 2016; and
- (2) Inserting a sunset date of December 31, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2833, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2833, S.D. 2, H.D. 2, C.D. 1.

Representatives Hashem, Jordan, Oshiro and McDermott.

Managers on the part of the House.
(Representative McDermott was excused.)

Senators Galuteria, Harimoto and Dela Cruz.
Managers on the part of the Senate.
(Senator Harimoto was excused.)

Conf. Com. Rep. 152-16 on S.B. No. 2384

The purpose of this measure is to require the Department of Health to conduct unannounced visits and inspections, including inspections for relicensing and recertification, for certain state-licensed or state-certified care facilities and unannounced inspections for license renewals for medical marijuana dispensaries.

Your Committee on Conference finds that the Department of Health (Department) is responsible for licensing, certifying, and monitoring several types of facilities, including care facilities and medical marijuana production centers and dispensaries, to ensure a standard of quality. This measure requires the Department to conduct unannounced visits and inspections for state-licensed care facilities and medical marijuana production centers and dispensaries. The Department prefers that relicensing or recertification surveys be unannounced in order to maximize the effectiveness of these visits and inspections for care facilities, production centers, and dispensaries, and to ensure improved safeguards for the public.

Your Committee on Conference further finds that it would be beneficial to have a better understanding of the number of visits and inspections conducted by the Department on certain state-licensed or state-certified care facilities, prior to implementing the unannounced visit and inspection requirements for these facilities.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Requiring the Department to submit reports to the Legislature, no later than twenty days prior to the convening of the Regular Sessions of 2017, 2018, and 2019, regarding:
 - (A) The annual aggregate numbers of announced and unannounced visits conducted by the Department on state-licensed or state-certified care facilities;
 - (B) The annual aggregate numbers of unannounced inspections conducted by the Department on state-licensed or state-certified care facilities as follow-up visits, visits to confirm corrections or deficiencies, or visits to investigate complaints or suspicions of abuse or neglect; and
 - (C) The general outcomes and corrective actions taken by the Department as a result of the visits and investigations;
- (2) Changing its effective date to July 1, 2016, and specifying that the provisions in this measure that apply to unannounced visits and inspections of state-licensed or state-certified care facilities shall take effect on July 1, 2019; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2384, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2384, S.D. 1, H.D. 1, C.D. 1.

Representatives Belatti, Rhoads, Nishimoto, Cachola, McKelvey and Pouha.
Managers on the part of the House.
(Representative McKelvey was excused.)

Senators Baker, Kidani and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 153-16 on S.B. No. 2888

The purpose of this measure is to decrease the time defendants spend in state custody waiting for forensic mental health examinations and to shorten the time to reach a ruling on fitness to proceed and penal responsibility by:

- (1) Separating examination for fitness to proceed of a defendant with respect to physical or mental disease, disorder, or defect, from examination for penal responsibility of the defendant with respect to physical or mental disease, disorder, or defect, with certain exceptions, in criminal prosecutions where the defendant's capacity is at issue; and
- (2) Specifying procedures after a finding of unfitness to proceed and regained fitness to proceed.

Your Committee on Conference finds that under section 704-404, Hawaii Revised Statutes, when a defendant's fitness to proceed comes into question, the criminal proceedings are stopped, and the court must order a physical or mental examination of the defendant to determine the defendant's fitness to proceed and whether the defendant was penally responsible for the alleged crime. It is in the best interest of the defendants for the examination process to proceed in a timely, expedient manner by separating the fitness to stand trial and the penal responsibility components of examinations and codifying procedures for appointing examiners for reevaluation of fitness.

Your Committee on Conference has amended this measure by:

- (1) Deleting redundant language related to excluding the time of completion of an examination from counting toward the time for trial commencement;
- (2) Specifying that the court may order an examination for penal responsibility to occur no sooner than one hundred twenty days, rather than within thirty days, of a finding of unfit to proceed under section 704-404, Hawaii Revised Statutes, upon a showing of good cause; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2888, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2888, S.D. 2, H.D. 2, C.D. 1.

Representatives Belatti, Rhoads, Luke, Morikawa and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Keith-Agaran and Tokuda.
Managers on the part of the Senate.

Conf. Com. Rep. 154-16 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.

Your Committee on Conference finds that drug scheduling in Hawaii is generally kept in accordance with federal standards. Federal standards change as new chemical compounds are developed and cataloged by law enforcement. Additionally, Hawaii has unique needs stemming from state initiatives and programs such as the electronic prescription accountability system and the medical marijuana program. Developments on the federal and state level require an update to the drug scheduling statutes in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Adding a Code of Federal Regulations reference that relates to controlled substance registration to the definition of "reverse distributor" in section 329-1, Hawaii Revised Statutes;
- (2) Reinstating a provision in section 329-33(c), Hawaii Revised Statutes, that allows federally registered practitioners to conduct research with schedule I substances within this State upon furnishing evidence of registration;
- (3) Adding exceptions to the prohibition on the prescription or dispensing of a schedule II narcotic controlled substance for more than thirty days under certain circumstances;
- (4) Deleting language that would have required administrative fines collected for violations of chapter 329, Hawaii Revised Statutes, to be deposited into the controlled substance registration revolving fund rather than the general fund;
- (5) Deleting language that would have repealed section 329-31.5, Hawaii Revised Statutes, which requires qualifying clinics to register under chapter 329, Hawaii Revised Statutes;
- (6) Changing the effective date to July 1, 2016; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2915, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2915, S.D. 2, H.D. 1, C.D. 1.

Representatives Belatti, Rhoads, Tokioka, Hashem and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Nishihara, Baker, Galuteria, Keith-Agaran and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 155-16 on S.B. No. 2196

The purpose of this measure is to:

- (1) 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; and
- (2) Appropriate funds to establish the Board and for Board-related expenses.

Your Committee on Conference finds that this measure will promote greater transparency of law enforcement operations and more accountability for law enforcement actions taken by law enforcement officers. The establishment of an independent review board will provide an additional layer of independent review of those law enforcement actions.

Your Committee on Conference has amended this measure by:

- (1) Adding two community members with no law enforcement or criminal justice experience to the Board, one of whom to be appointed by the Governor and the other by the Attorney General;
- (2) Clarifying that the confidentiality protections for information submitted by a law enforcement agency to the Board for review shall not extend to records, documents, or information in the possession of another government agency;
- (3) Inserting language to require the Board to review its activities pursuant to this measure and submit a report to the Legislature of its findings and recommendations prior to the Regular Session of 2022;
- (4) Inserting an appropriation amount of \$100,000 in general revenues for the Board and Board-related expenses;
- (5) Deleting the appropriation from the criminal forfeiture fund;
- (6) Changing the effective date to July 1, 2017, with the appropriation effective on July 1, 2016;
- (7) Inserting a sunset date of June 30, 2022; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2196, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2196, S.D. 2, H.D. 1, C.D. 1.

Representatives Rhoads, Keohokalole, San Buenaventura and Ward.
Managers on the part of the House.

Senators Nishihara, Keith-Agaran, Tokuda, Espero and Slom.
Managers on the part of the Senate.
(Senators Keith-Agaran and Slom were excused.)

Conf. Com. Rep. 156-16 on S.B. No. 2618

The purpose of this measure is to require the Department of Transportation to conduct a study on the feasibility of establishing an interisland and intra-island ferry system and to make an appropriation for expenses accordingly.

Your Committee on Conference finds as the only island state in the nation, Hawaii does not enjoy the benefit of being linked to other states 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 may wish to travel between the islands of the State since air transportation, which can be costly, is currently the only available means of travel between the 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.

Your Committee on Conference has amended this measure by:

- (1) Requiring the Department of Transportation to report to the Legislature before the convening of the 2018 Regular Session rather than the 2017 Regular Session;
- (2) Inserting an appropriation of \$50,000 for the Department of Transportation's study; and
- (3) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2618, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2618, S.D. 1, H.D. 2, C.D. 1.

Representatives Aquino, LoPresti, Yamashita and Pouha.
Managers on the part of the House.
(Representative Pouha was excused.)

Senators Inouye, English and Kidani.
Managers on the part of the Senate.

Conf. Com. Rep. 157-16 on S.B. No. 2131

The purpose of this measure is to:

- (1) Establish a state fuel license tax of two cents for each gallon of naphtha sold for use in a power-generating facility;

- (2) Require deposits into the high technology special fund of monies from appropriations or other funds that are required by law to be deposited into the fund;
- (3) Authorize the Director of Finance to issue general obligation bonds in an unspecified sum for the development of an electrolysis process hydrogen production, storage, and dispensing facility;
- (4) Appropriate general funds for deposit into the high technology special fund; provided that the total amount of monies in the fund shall not exceed \$4,800,000 at the end of fiscal year 2016-2017;
- (5) Appropriate funds out of the high technology special fund for operating costs for an electrolysis process hydrogen production, storage, and dispensing facility; provided that matching funds on a dollar-for-dollar basis are provided by private enterprise; and
- (6) Require the High Technology Development Corporation to adopt administrative rules 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 facilities that are funded in whole or in part by this measure.

Your Committee on Conference finds that in 2007, the Legislature enacted a fuel license tax on naphtha fuels sold to a power generating facility. Prior to its repeal, the tax was set at two cents per gallon. However the tax was repealed on December 31, 2015. This measure restores the fuel license tax of two cents per gallon for naphtha fuels sold to a power generating facility.

This measure also requires that any appropriations or other funds required by law to be deposited into the high technology special fund be deposited into the fund. Your Committee on Conference finds that such deposits are standard procedure for special funds.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriations and general obligation bond authorizations;
- (2) Deleting the requirement for administrative rules;
- (3) Changing the effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2131, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2131, S.D. 2, H.D. 2, C.D. 1.

Representatives Lee, Luke, Yamashita and Pouha.
Managers on the part of the House.
(Representative Yamashita was excused.)

Senators Inouye, Tokuda, Nishihara and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 158-16 on H.B. No. 1753

The purpose of this measure is to improve public safety by strengthening regulations regarding mopeds. Among other things, this measure:

- (1) Requires the issuance of a moped number plate and tag or emblem upon payment of fees;
- (2) Prohibits the unauthorized transfer of current number plates, tags, and emblems for mopeds;
- (3) Requires an owner of a moped to affix the number plates and tag or emblem to the owner's moped;
- (4) Prohibits a person from operating a moped that is not in good working order on any highway;
- (5) Extends to mopeds certain police powers regarding the inspection of vehicles believed to be unsafe or without required equipment;
- (6) Prohibits a person from operating or parking any moped on a public highway, without a current official certificate of inspection; and
- (7) Subjects mopeds to annual certificate of inspection requirements.

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 this type of vehicle. Your Committee on Conference finds that public safety on Hawaii's roadways is paramount and that establishing safety inspections and registration requirements for mopeds, as well as the issuance and use of number plates for mopeds, thereby increasing roadway safety in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Making the requirements for registration and the issuance of a moped number plate and tag or emblem to chapter 249 (County Vehicular Taxes), Hawaii Revised Statutes (HRS), as this Chapter is more appropriate and already includes provisions regarding mopeds and moped fees;

- (2) Making numerous conforming amendments to various sections of chapter 249, HRS, to address the newly established moped number plate and tag or emblem requirements and fees;
- (3) Stipulating that the registration of mopeds shall occur on a staggered basis as agreed upon by the counties' director of finance;
- (4) Establishing the registration fee for mopeds at \$27;
- (5) Increasing the penalty for seizure of a bicycle or moped due to liability for the payment of required fees or the lack of a license plate, emblem, tag, or decal affixed as required by law from \$1 to \$25;
- (6) Allowing the director of finance of a county to establish the fee for a duplicate moped license plate;
- (7) Clarifying that mopeds are exempt from producing and displaying a motor vehicle insurance card for the purposes of annual inspection requirements;
- (8) Changing its effective date to January 1, 2017;
- (9) Specifying that the staggering of the registration and issuance of license plates for current permanent registered mopeds be completed by December 31, 2017: and
- (10) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1753, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1753, H.D. 3, S.D. 2, C.D. 1.

Representatives Aquino, McKelvey, Rhoads, Cullen and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Inouye, Nishihara, English and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 159-16 on H.B. No. 2049

The purpose of this measure is to address responsibility for the repair and maintenance of privately owned highways. Among other things, this measure:

- (1) Exempts the State and counties that condemn a privately owned highway, road, alley, street, way, lane, bikeway, bridge, or trail from laws or rules that would require construction, reconstruction, preservation, resurfacing, restoration, or rehabilitation upon it for an unspecified number of years;
- (2) Exempts highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails constructed and completed in accordance with construction code requirements in effect at the time of construction and completion from meeting construction standards in place at the time of transfer to the county;
- (3) Establishes a Commission on Remnant Private Roads to identify all roads by street address and tax map key number located in the State and in each county that are deemed to be remnant private roads;
- (4) Authorizes the Commission on Remnant Private Roads to assign ownership of identified remnant private roads to the State or county and requires the Commission to report to the Legislature prior to the convening of the Regular Session of 2018 identifying the remnant private roads; and
- (5) Appropriates unspecified funds for the Commission on Remnant Private Roads to identify all roads by street address and tax map key number located in the State and in each county that are deemed to be remnant private roads.

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, 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.

After deliberating on this measure, your Committee on Conference finds that this measure, as amended, offers solutions that are acceptable to all concerned parties.

Your Committee on Conference has amended this measure by:

- (1) Renaming the Commission on Remnant Private Roads as the Roads Commission;
- (2) Changing the composition of, as well as the number of members on, the Roads Commission;
- (3) Providing procedures for the filling of vacancies on the Roads Commission and the election of a chair and vice chair of the Roads Commission;

- (4) Establishing quorum requirements of the Roads Commission;
- (5) Stipulating that Roads Commission members serve without compensation but may be reimbursed for certain necessary expenses;
- (6) Changing and limiting the scope of the work of the Roads Commission to include, among other things: review studies on disputes regarding private roads, provide an opinion on the ownership of certain private roads, advise the appropriate legislative body of the determination of ownership of the private roads, and recommend of action to the appropriate legislative body regarding the private road, including the initiation of condemnation proceedings as appropriate;
- (7) Clarifying the powers and duties of the Roads Commission;
- (8) Stipulating that members of the Roads Commission shall not be subject to the Ethics Code solely because of the members participation on the Roads Commission;
- (9) Expanding the State and counties' authority to condemn highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails;
- (10) Allowing 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;
- (11) Exempting the State and counties from requirements to maintain or improve highways, roads, alleys, streets, ways, lanes, bikeways, bridges, or trails taken by condemnation for a period of three years;
- (12) Clarifying that 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 are exempt from meeting construction standards in place at the time of condemnation by the State or county, rather than at the time of transfer;
- (13) Appropriating \$2,000,000 for positions and other operating expenditures of the Roads Commission and for road repair work, including resurfacing, flood mitigation, and installation of drainage infrastructure for certain specific roads, provided that certain stipulations of acceptance of ownership by the City and County of Honolulu are met;
- (14) Inserting a severability clause;
- (15) Changing its effective date to July 1, 2016; and
- (16) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2049, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2049, H.D. 2, S.D. 2, C.D. 1.

Representatives Aquino, Rhoads, LoPresti and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Inouye, Nishihara, Keith-Agaran, Tokuda and Slom.
Managers on the part of the Senate.
(Senators Keith-Agaran and Slom were excused.)

Conf. Com. Rep. 160-16 on H.B. No. 1752

The purpose of this measure is to appropriate funds for a grant administrative support personnel position in the Office of Community Services of the Department of Labor and Industrial Relations.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the appropriation is for two full-time equivalent grant administrative support personnel positions, rather than a single position;
- (2) Appropriating the sum of \$110,000 for the purposes of funding the specified positions; and
- (3) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1752, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1752, H.D. 1, S.D. 1, C.D. 1.

Representatives Nakashima, Cullen, DeCoite and Tupola.
Managers on the part of the House.

Senators Keith-Agaran, Tokuda and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 161-16 on H.B. No. 2016

The purpose of this measure is to require that public retiree contributions to the Employer-Union Health Benefits Trust Fund (EUTF) be paid through withholding of retirement benefit amounts from the Employees' Retirement System (ERS); provided that beginning January 1, 2017, the EUTF shall authorize automatic electronic payments in lieu of withholdings.

Your Committee on Conference has amended this measure by:

- (1) Deleting all references to section 87A-33.5, Hawaii Revised Statutes, concerning reimbursements made by the EUTF to retirees who relocated outside of Hawaii;
- (2) Requiring the EUTF Board of Trustees to submit a report to the Legislature by January 15, 2017, on the status of the automatic electronic deductions instead of requiring an annual report;
- (3) Deleting the provision allowing a retiree or beneficiary to make a final and irrevocable one-time election to opt-out of the withholding requirement;
- (4) Changing the effective date from July 1, 2076 to upon its approval; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2016, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2016, H.D. 1, S.D. 1, C.D. 1.

Representatives Nakashima, Keohokalole, LoPresti and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Keith-Agaran, Taniguchi and K. Kahele.
Managers on the part of the Senate.
(Senator K. Kahele was excused.)

Conf. Com. Rep. 162-16 on H.B. No. 2722

The purpose of this measure is to address unemployment insurance benefits.

More specifically, this measure:

- (1) Creates a temporary program, in counties with a population of less than 200,000, to provide additional benefits to unemployed individuals by extending their unemployment insurance benefits under certain conditions, including enrollment by the unemployed individual in an approved training or retraining course; and
- (2) Appropriates funds to the Department of Labor and Industrial Relations to implement the measure.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the program is limited to Maui County;
- (2) Adding a definition for "base period";
- (3) Clarifying that the benefit year for the most recent initial claim filed by an individual begins on or after March 1, 2015;
- (4) Clarifying the requirements for an individual to be eligible to receive a payment of state additional benefits with respect to a week of unemployment in accordance with this measure;
- (5) Clarifying that state additional benefits paid to an individual be consistent with employment security law concerning charges and noncharges for benefits;
- (6) Changing the appropriation amount from an unspecified amount to \$650,000;
- (7) Changing the effective date from July 1, 2050 to upon its approval;
- (8) Changing the repeal date from an unspecified date to October 28, 2017; and
- (9) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2722, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2722, H.D. 1, S.D. 1, C.D. 1.

Representatives Nakashima, Keohokalole, Yamashita and Tupola.
Managers on the part of the House.

Senators Keith-Agaran, Tokuda and Shimabukuro.
Managers on the part of the Senate.

Conf. Com. Rep. 163-16 on H.B. No. 2605

The purpose of this measure is to appropriate funds to establish, administer, and support job training and supportive services for individuals who are unemployed and dislocated due to the closure of Hawaiian Commercial & Sugar Company and the Makena Beach and Golf Resort on Maui.

Your Committee on Conference has amended this measure by:

- (1) Changing the appropriation from an unspecified amount to \$850,000;
- (2) Changing the effective date from January 7, 2059 to July 1, 2016; and
- (3) Making a technical, nonsubstantive amendment for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2605, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2605, H.D. 1, S.D. 2, C.D. 1.

Representatives Nakashima, Keohokalole, Yamashita and Tupola.
Managers on the part of the House.
(Representative Yamashita was excused.)

Senators Keith-Agaran, Tokuda and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 164-16 on H.B. No. 2008

The purpose of this measure is to ensure compliance with state public employment requirements by prohibiting state departments and agencies from temporarily employing the same person in the same position for more than two 89-day terms. This measure provides exemptions for:

- (1) Employment of the same person in the same position for eight 89-day terms within a consecutive 24-month period, subject to approval of the Governor;
- (2) Positions that are temporarily vacant due to specified circumstances; and
- (3) The counties.

Your Committee on Conference has amended this measure by clarifying that the prohibition on serial temporary employment applies to positions that are wholly funded by state general funds.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2008, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2008, H.D. 2, S.D. 2, C.D. 1.

Representatives Nakashima, Luke, Ichiyama and Ward.
Managers on the part of the House.
(Representative Ichiyama was excused.)

Senators Keith-Agaran, Kim, Tokuda, K. Kahele and Slom.
Managers on the part of the Senate.
(Senator Slom was excused.)

Conf. Com. Rep. 165-16 on H.B. No. 2715

The purpose of this measure is to require the Department of Labor and Industrial Relations to contract with an experienced actuarial firm to perform a study on closed claims in the State's workers' compensation system.

Your Committee on Conference amended this measure by:

- (1) Requiring the Auditor, rather than the Department of Labor and Industrial Relations, to contract with an experienced actuarial firm to perform the study;
- (2) Requiring the Auditor, prior to contracting with the actuarial firm, to consult and confer with two members of the Legislature, who are selected by the Speaker of the House of Representatives and the President of the Senate, respectively, and who shall ensure that the firm selected and the parameters of the study are not biased toward the various stakeholders;
- (3) Inserting an appropriation amount of \$150,000 for the Auditor to contract with the actuarial firm to be matched by assessments from insurers and self-insureds;
- (4) Changing the effective date to July 1, 2016; and

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2715, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2715, H.D. 2, S.D. 1, C.D. 1.

Representatives Nakashima, McKelvey, Keohokalole, Aquino and Tupola.
Managers on the part of the House.
(Representative Tupola was excused.)

Senators Keith-Agaran, Galuteria and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 166-16 on H.B. No. 1370

The purpose of this measure is to allow the Employees' Retirement System (ERS) to make direct payments of a member or retirant's benefits to the member or retirant's spouse or former spouse pursuant to a Hawaii domestic relations order.

Your Committee on Conference amended this measure by:

- (1) Changing the effective date to July 1, 2018; and
- (2) Removing the appropriation to the Employees' Retirement System.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1370, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1370, H.D. 1, S.D. 2, C.D. 1.

Representatives Nakashima, San Buenaventura, Keohokalole and Matsumoto.
Managers on the part of the House.

Senators Keith-Agaran, Taniguchi and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 167-16 on H.B. No. 2353

The purpose of this measure is to exempt certain positions from civil service requirements. Specifically, this measure:

- (1) Restores one additional civil service-exempt deputy director position in charge of welfare for the Department of Human Services;
- (2) Authorizes the Department of Health to establish 18 forensic psychologist positions and two Hawaii State Hospital primary care physician positions, which shall be civil service-exempt for three years; and
- (3) Provides three-year civil service exemptions for various positions in the Department of Human Services, Department of Public Safety, Department of Health, Department of Labor and Industrial Relations, and the State Energy Office.

Your Committee on Conference amended this measure by:

- (1) Removing the second civil service-exempt deputy director position in charge of welfare for the Department of Human Services;
- (2) Removing the three-year civil service exemption for the various positions within the Department of Labor and Industrial Relations;
- (3) Making all energy program managers, energy program specialists, energy program assistants, and energy analysts in the State Energy Office permanently exempt rather than temporarily exempt from civil service requirements; and
- (4) Changing its effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2353, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2353, H.D. 2, S.D. 2, C.D. 1.

Representatives Nakashima, Luke, Aquino and Tupola.
Managers on the part of the House.
(Representative Aquino was excused.)

Senators Keith-Agaran, Tokuda and K. Kahele.
Managers on the part of the Senate.

Conf. Com. Rep. 168-16 on H.B. No. 2009

The purpose of this measure is to require the Hoisting Machine Operators Advisory Board (Board) to submit a comprehensive report to the Legislature on regulatory requirements, certification procedures, and fees relating to hoisting machine operators.

Your Committee on Conference amended this measure by:

- (1) Repealing the executive director position of the Board;
- (2) Allowing for the Board to employ a 0.5 full-time equivalent office assistant;
- (3) Amending the Hoisting Machine Operators' Certification Revolving Fund to be used to include the hiring of consultants as necessary;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2009, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2009, H.D. 1, S.D. 1, C.D. 1.

Representatives Nakashima, Keohokalole, Aquino and Tupola.
Managers on the part of the House.
(Representative Aquino was excused.)

Senators Keith-Agaran, Taniguchi, K. Kahele and Kim.
Managers on the part of the Senate.

Conf. Com. Rep. 169-16 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 enumerated 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.

Your Committee on Conference has amended this measure by:

- (1) Requiring review of enumerated, existing credits, exclusions, and deductions under state income and financial institutions taxes rather than newly enacted tax credits and exemptions;
- (2) Establishing new evaluation guidelines for the review, including determinations of tax expenditure costs over previous fiscal years, whether or not the objectives of each tax credit, exclusion, or deduction have been met and will continue to be met, and the effects of each tax credit, exclusion, or deduction on tax equity and the low-income residents of the State;
- (3) Specifying that the evaluations shall begin in 2019 and setting a schedule for evaluation of specified credits pursuant to a five-year cycle;
- (4) Specifying that the Office of the Auditor, rather than the Department of Taxation, shall perform the review;
- (5) Amending the list of specific tax credits, exclusions, or deductions to be reviewed and the years in which the review of certain credits, exclusions, or deductions is set to begin;
- (6) Removing funding provisions for the review;
- (7) Changing its effective date to July 1, 2018; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1527, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1527, H.D. 1, S.D. 1, C.D. 1.

Representatives Jordan, Kobayashi, LoPresti and Ward.
Managers on the part of the House.
(Representative LoPresti was excused.)

Senators Tokuda, English and Wakai.
Managers on the part of the Senate.
(Senator Wakai was excused.)

Conf. Com. Rep. 170-16 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.

Your Committee on Conference finds that the State should make more effort to ensure that operators of alternative accommodations, such as those potentially covered by this measure, pay their fair share of applicable transient accommodations taxes and general excise taxes.

Specifically, this measure is intended to increase compliance by operators of alternative accommodations with their obligation to pay transient accommodations taxes and general excise taxes by allowing a transient accommodations broker to collect and remit these taxes on behalf of their operators and plan managers. This measure is not intended to preempt or affect the authority of or exercise by the counties of their land use regulatory powers.

Your Committee on Conference also finds that it is incumbent upon the Department of Taxation to diligently monitor and review the implementation of this measure to ensure that all transient accommodations taxes and general excise taxes are properly paid and to appropriately exercise the Department of Taxation's authority to review and examine the payments and information provided under this measure, so that, prior to the expiration of this measure in five years, the Department of Taxation is able to provide the Legislature with a clear and comprehensive understanding of the effectiveness of this measure.

Your Committee on Conference has amended this measure by:

- (1) Specifying that a registered transient accommodations broker tax collection agent must include, with their filing of monthly or other periodic returns as required by section 237-30, Hawaii Revised Statutes, taxable income, gross transient accommodations rentals, and other information regarding the agent's business activity;
- (2) Clarifying the licensure procedure for a registered transient accommodations broker tax collection agent's represented operators and plan managers;
- (3) Establishing notification and disclosure procedures for transient accommodations broker tax collection agents regarding their notification duties to both operators and plan managers using their services and to the Director of Taxation;
- (4) Amending land use compliance provisions to require operators or plan managers to attest, rather than verify by written certification, verification, or permit issued by an appropriate county agency, that the subject property complies with applicable land use laws;
- (5) Specifying that the provisions of this measure do not compromise the authority of the Department of Taxation to conduct audits, investigations, hearings, or issue subpoenas under section 231-7, Hawaii Revised Statutes;
- (6) Requiring each transient accommodations broker tax collection agent to submit an annual report to the Director of Taxation regarding aggregate data for the total number of operators and plan managers represented by the agent and the total amount of taxes remitted by the agent on a county-by-county basis;
- (7) Establishing a five-year sunset that specifies that the provisions of the measure shall be repealed on December 31, 2021, and shall not apply to taxable years beginning after December 31, 2021; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1850, H.D. 1, S.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1850, H.D. 1, S.D. 3, C.D. 1.

Representatives Jordan, Onishi, Yamashita and Fukumoto Chang.
Managers on the part of the House.

Senators English, Baker and Tokuda.
Managers on the part of the Senate.

Conf. Com. Rep. 171-16 on H.B. No. 2482

The purpose and intent of this measure is to create greater transparency in health care by broadening the scope of health care information that is submitted to the State Health Planning and Development Agency.

Specifically, this measure:

- (1) Requires health care providers and all payers of claims for health care services to submit data and information related to health and health care to the State Health Planning and Development Agency, consistent with all state and federal data use and disclosure, privacy, security, and confidentiality laws;
- (2) Specifies that information to be submitted to the State Health Planning and Development Agency includes health care services claims and payment data, including information about the nature of reimbursement and any fees, discounts, incentives, or performance payments affecting the rate of reimbursement;
- (3) Specifies that the State Health Planning and Development Agency shall not disclose any individual patient's personal health information in violation of state or federal law;
- (4) Requires the State Health Planning and Development Agency to submit the acquired data to a University of Hawaii data center; and
- (5) Requires the 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.

Your Committee on Conference finds that reporting health care services claims and payment information to the State Health Planning and Development Agency would support the collection and analysis of medical treatment claims and payment information. This, in turn, would promote transparency in the health care sector and support public policy decision making.

Your Committee on Conference further finds that the rising health care costs borne by the State for its public employees, public sector retirees, Medicaid recipients, and others necessitates a thorough and thoughtful analysis of health care, dental care, and prescription drug claims made under insurance plans that are funded with state moneys. Your Committee on Conference believes that the collection and analysis of claims data and other information from providers of health insurance that provide health benefits funded by the Hawaii Employer-Union Health Benefits Trust Fund and the state Medicaid agency would offer policymakers additional tools to understand the drivers of medical care costs. Your Committee on Conference intends for this measure to facilitate the collection and analysis of information relating to the provision of health, dental, and prescription drug benefits, enrollment data, claims reimbursements, and any other information required by the State Health Planning and Development Agency to determine health benefit costs. Your Committee on Conference further notes that in gathering and analyzing health information and claims data, it will be of critical importance to preserve patient privacy and maintain the security of patient information, patient identifiers, and other protected information.

Your Committee on Conference has amended this measure by:

- (1) Beginning November 1, 2016, requiring providers of health insurance that provide health benefit plans funded by the Hawaii Employer-Union Health Benefits Trust Fund or the state medicaid agency to provide the State Health Planning and Development Agency with administrative data required by the agency to determine health benefits costs;
- (2) Authorizing, but not requiring, providers of health insurance not included in paragraph (1) to provide similar administrative data to the State Health Planning and Development Agency;
- (3) Requiring the State Health Planning and Development Agency to submit collected data to the College of Social Sciences, Social Sciences Research Institute, Pacific Health Informatics and Data Center at the University of Hawaii for processing and assignment of encrypted identifiers;
- (4) After July 1, 2018, authorizing the State Health Planning and Development Agency to designate another data center to receive collected data;
- (5) Authorizing the State Health Planning and Development Agency to contract with entities to analyze collected data for the purpose of benefitting Medicare and Medicaid recipients, public employees, and public sector retirees and for other public purposes;
- (6) Requiring the State Health Planning and Development Agency to develop and update an annual plan for the analysis, maintenance, and publication of collected data, and requiring the agency to seek approval for the annual plan from the Director of Health, the Administrator of the MedQuest Division of the Department of Human Services, and the Chief Information Officer of the State;
- (7) Directing the State Health Planning and Development Agency to adopt administrative rules for the provision of data, including rules for data security and privacy protection;
- (8) Inserting multiple provisions to provide for the protection of private patient health information;
- (9) Authorizing the State Health Planning and Development Agency to acquire federal Medicare data sets specific to Hawaii and directing any public agency that possesses such data to share it with the State Health Planning and Development Agency at no additional cost;
- (10) Requiring the State Health Planning and Development Agency to submit an annual report to the Legislature on the submission, maintenance, and use of data submitted to the agency;
- (11) Defining the term "provider of health insurance" to include providers of medical, hospital, surgical, prescription drug, vision, or dental insurance benefits, including third party administrators;
- (12) Defining the term "administrative data" and specifying the types of data to be submitted to the State Health Planning and Development Agency;
- (13) Directing the State Health Planning and Development Agency to adopt, without regard to the notice and hearing requirements of Chapter 91, Hawaii Revised Statutes, interim rules for the provision of data, which remain effective until June 30, 2017, or until the adoption of permanent administrative rules;
- (14) Directing the State Health Planning and Development Agency to submit a report to the Legislature in 2017 and 2018 on:
 - (A) The progress of establishing procedures for submitting data to the agency;
 - (B) The means of financing, use, and status of any state or federal moneys received for the purposes of establishing or contracting the services of a data center to collect and process data; and
 - (C) The means of financing, use, and status of any state or federal moneys received for the purposes of contracting the services of private entities to analyze data; and
- (15) Changing the effective date to July 1, 2016.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2482, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2482, H.D. 2, S.D. 1, C.D. 1.

Representatives Belatti, McKelvey, Luke, Choy and Fukumoto Chang.
Managers on the part of the House.
(Representatives Choy and Luke were excused.)

Senators Baker, Tokuda, Kidani and Nishihara.

Managers on the part of the Senate.

Conf. Com. Rep. 172-16 on H.B. No. 1072

The purpose of this measure is to authorize the Board of Psychology to grant prescriptive authority privilege to prescribing psychologists who meet specific education, training, and registration requirements.

Your Committee on Conference notes that the mental health needs of the State continue to outweigh present capacity. According to the National Alliance on Mental Illness and the federal Substance Abuse and Mental Health Services Administration, approximately 32,000 adults in Hawaii, representing more than three percent of the population, live with serious mental illness. However, this figure may not completely reflect the scope of need, as it does not include individuals with other clinical diagnoses such as unipolar depression, anxiety disorders, adjustment disorders, substance abuse, or post-traumatic stress disorder. Furthermore, the United States Department of Health and Human Services states that in 2014, one in five American adults experienced a mental health issue and one in twenty-five Americans lived with a serious mental illness, such as schizophrenia, bipolar disorder, or major depression. Authorizing prescriptive authority to prescribing psychologists will improve access to safe, high quality health care in the State, particularly in the State's rural and underserved communities.

According to a Report on Findings from the Hawaii Physician Workforce Assessment Project (December 2014), physician shortages, including psychiatry, are highest in Hawaii's rural areas. Across the different counties, the greatest shortage of psychiatrists is found in Maui County, which has a 41.2 percent shortage, followed by Hawaii County, with a 39.2 percent shortage, and Kauai County, which has a 29.5 percent shortage. The report reflects no shortage of psychiatrists in the City and County of Honolulu.

Your Committee on Conference has amended this measure by:

- (1) Specifying that prescriptive authority shall be granted only to qualified psychologists practicing in a county with a population of less than 500,000;
- (2) Specifying that the patient's primary care provider with whom a prescribing psychologist is required to consult and collaborate must be a licensed physician or osteopathic physician;
- (3) Specifying that the Board shall begin accepting applications for prescriptive authority privilege on July 1, 2017;
- (4) Adding a severability clause;
- (5) Making it effective on July 1, 2016, and adding a sunset date of August 31, 2024; and
- (6) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1072, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1072, H.D. 1, S.D. 2, C.D. 1.

Representatives Belatti, McKelvey, Nishimoto and San Buenaventura.
Managers on the part of the House.

Senators Baker, Keith-Agaran, Tokuda, Kidani and Ruderman.
Managers on the part of the Senate.

Conf. Com. Rep. 173-16 on H.B. No. 2707

The purpose of this measure is to improve the operation and oversight of the State's medical marijuana program.

More specifically, this measure, among other things:

- (1) Requires the Department of Health and licensed medical marijuana dispensaries to provide aggregated de-identified data to the Department of Business, Economic Development, and Tourism upon request;
- (2) Amends various definitions and provisions establishing procedures and restrictions regarding medical marijuana dispensary operations, products, paraphernalia, data collection, transportation, and testing;
- (3) Provides that advanced practice registered nurses may certify patients for 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) Specifies the application and non-application of certain provisions of the Internal Revenue Code to expenses related to the production and sale of medical marijuana and manufactured marijuana products for state income tax purposes;
- (6) Clarifies that amounts received for the sale of marijuana or manufactured marijuana products are not exempt from the state general excise tax;
- (7) Authorizes certain University of Hawaii branches to establish medical marijuana testing and research programs that qualify as commercial enterprises to provide testing services for medical marijuana dispensaries; and

- (8) Establishes a legislative oversight working group to develop and recommend legislation to improve the medical marijuana dispensary system.

Your Committee on Conference notes that Act 241, Session Laws of Hawaii 2015, established a licensing scheme for a statewide system of medical marijuana dispensaries to ensure access to medical marijuana for qualifying patients.

Your Committee on Conference finds that it is necessary to clarify and amend certain 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 Committee on Conference further finds that ensuring safe access to medical marijuana for qualifying patients through a regulated and monitored system of safe, efficient, and responsibly operated medical marijuana dispensaries is in the best interest of the State.

Your Committee on Conference has amended this measure by:

- (1) Providing that certain prohibitions related to drug paraphernalia shall not apply to persons authorized to use, facilitate the use of, or dispense medical marijuana;
- (2) Deleting certain unnecessary definitions and establishing a definition of "plant" for purposes of tracking a licensed dispensary's inventory of medical marijuana;
- (3) Providing that a dispensary, licensed pursuant to a license application or license renewal application submitted after January 29, 2016, may operate a production center that includes a transparent or translucent roof, in compliance with applicable building codes and regulations, after notice to the Department of Health;
- (4) Clarifying that authorized state employees and law enforcement officials acting in their official capacity may touch or handle marijuana or manufactured marijuana products in dispensary facilities;
- (5) Reformatting, for ease of reference, statutory language regarding background checks;
- (6) Clarifying that after January 1, 2017, all members of a limited liability company dispensary applicant or licensee, pursuant to a license application or license renewal application submitted after January 29, 2016, shall be subject to criminal history record checks;
- (7) Changing the effective date from July 1, 2050, to July 1, 2016; and
- (8) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2707, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2707, H.D. 1, S.D. 2, C.D. 1.

Representatives Belatti, Rhoads, Nishimoto, San Buenaventura and Fukumoto Chang.
Managers on the part of the House.

Senators Baker, Keith-Agaran, Tokuda, Espero and Kidani.
Managers on the part of the Senate.